

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State:	New Zealand
Date of Report:	28 October 2004
Date of Addendum 1:	11 January 2006
Date of Addendum 2:	04 February 2008

Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		YES	if YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks (information refers to the page of the English version of the report or an official web site)
1	General statement on non-possession of WMD	X	New Zealand does not possess any WMD. New Zealand's strong and consistent policy is that all weapons of mass destruction (WMD) should be eliminated, and that their elimination should be verified and enforced through robust legally binding multilateral disarmament instruments.	
2	General statement on commitment to disarmament and non-proliferation	X	New Zealand has a long-standing commitment to disarmament and non-proliferation of WMD. New Zealand plays a leading role in the international community on such issues.	
3	General statement on non-provision of WMD and related materials to non-State actors	X	New Zealand provides no support whatsoever to any entity - whether State or non-State actor - attempting to develop, acquire, manufacture, possess, transport or use WMD and their means of delivery	
4	Biological Weapons Convention (BWC)	X	Ratified 13 December 1972	
5	Chemical Weapons Convention (CWC)	X	In force 29 April 1997	
6	Nuclear Non-Proliferation Treaty (NPT)	X	Ratified 17 July 1969	

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 and 1673. They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations

7	Comprehensive Nuclear Test Ban Treaty (CTBT)	X	Ratified 19 March 1999	
8	Convention on Physical Protection of Nuclear Material (CPPNM)	X	In Force 18 January 2004	
9	Hague Code of Conduct (HCOC)	X	Subscribed 25 November 2002	
10	Geneva Protocol of 1925	X	Deposit 24 May 1930	
11	International Atomic Energy Agency (IAEA)	X	Since 13 September 1957	
12	Nuclear Weapons Free Zone/ Protocol(s)	X	1. South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga), ratified 11 December 1986 2. The New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 establishes in NZ a Nuclear Free Zone and promotes and encourages an active and effective contribution by New Zealand to the process of disarmament and international arms control	
13	Other Conventions/Treaties	X	1. State Party to several counter-terrorism conventions, including International Convention for the Suppression of Terrorist Bombings (acceded 4 November 2002) and the International Convention for the Suppression of the Financing of Terrorism (4 November 2002), and signed the International Convention on the Suppression of Acts of Nuclear Terrorism on 14 September 2005 2. Waigani Convention	
14	Other Arrangements	X	1. Missile Technology Control Regime (MTCR) 2. Nuclear Suppliers Group (NSG) 3. Wassenaar Arrangement (WA) 4. Australia Group (AG)	
15	Other	X	New Zealand has endorsed the Proliferation Security Initiative Statement of Interdiction Principles and the Statement of Principles of the Global Initiative to Counter Nuclear Terrorism. New Zealand has also joined, and contributed towards, the G8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction	

OP 2 - Biological Weapons (BW)

State:

New Zealand

Date of Report:

28 October 2004

Date of Addendum 1:

11 January 2006

Date of Addendum 2:

04 February 2008

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, Section 8	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14 2. Crimes Act 1961: Part 4: Parties to the Commission of Offences	
2 acquire	X				
3 possess	X				
4 stockpile/store	X				
5 develop	X	New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, Schedule 5	X		
6 transport	?	New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, Section 8	?	New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, Section 14	
7 transfer	X	New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, Schedule 5	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14 2. Crimes Act 1961: Part 4: Parties to the Commission of Offences	
8 use	X	Terrorism Suppression Act 2002, as amended 2007, sections 4-7 with terrorist intent	X	Terrorism Suppression Act 2002, as amended 2007, sections 6-7	
9 participate as an accomplice in a.m. activities	X	New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 and general parties to offences provisions contained in Part 4 of NZ's Crimes Act 1961.	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14 2. Crimes Act 1961: Part 4; Parties to the Commission of Offences	
10 assist in a.m. activities	X				

11	finance a.m. activities	X	<p>1. Terrorism Suppression Act 2002, as amended 2007, sections 8-10, with terrorist intent</p> <p>2. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987</p> <p>3. Anti-Money Laundering and Counter-Terrorism Financing Act 2009, sections 37-39, 91-99, 101-104, and 106-111, with terrorist intent</p>	X	<p>1. Terrorism Suppression Act 2002, as amended 2007, sections 6 and 8-10</p> <p>2. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14</p> <p>3. Crimes Act 1961, Part 4 Parties to the Commission of Offences</p> <p>4. Anti-Money Laundering and Counter-Terrorism Financing Act 2009, sections 72-90, 100, 105, and 112, with terrorist intent</p>	
12	a.m. activities related to means of delivery	X	New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 2	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14	
13	involvement of non-State actors in a.m. activities	X	New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987	X	2. Crimes Act 1961: Part 4 Parties to the Commission of Offences	
14	Other					

OP 2 - Chemical Weapons (CW)

State:

New Zealand

Date of Report:

28 October 2004

Date of Addendum 1:

11 January 2006

Date of Addendum 2:

04 February 2008

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	Chemical Weapons (Prohibition) Act 1996, sections 6 and 9	X	Chemical Weapons (Prohibition) Act 1996, sections 6-7, 9 and 15	
2 acquire	X		X		
3 possess	X	Chemical Weapons (Prohibition) Act 1996 (section 6 "retains")	X		
4 stockpile/store	X	Chemical Weapons (Prohibition) Act 1996, sections 6 and 9	X		
5 develop	X		X		
6 transport	?	The "transfer" and thus transport of chemical weapons are prohibited in NZ under the Chemical Weapons (Prohibition) Act 1996, accordingly their transport within NZ (or by a NZ citizen or on a NZ ship or aircraft) is prohibited.	?	Chemical Weapons (Prohibition) Act 1996, sections 6-7, 9 and 15	
7 transfer	X	Chemical Weapons (Prohibition) Act 1996	X		

8	use	X	1. Chemical Weapons (Prohibition) Act 1996, section 6 and 9 2. Terrorism Suppression Act 2002, as amended 2007, sections 4-7 with terrorist intent	X	1. Chemical Weapons (Prohibition) Act 1996, sections 6-7, 9 and 15 2. Terrorism Suppression Act 2002, as amended 2007, sections 6-7
9	participate as an accomplice in a.m. activities	X	1. Chemical Weapons (Prohibition) Act 1996, section 6 2. General parties to offences provisions contained in Part 4 of NZ's Crimes Act 1961.	X	1. Chemical Weapons (Prohibition) Act 1996, section 6: Imprisonment for life or a fine not exceeding \$1,000,000 2. Crimes Act 1961: Part 4 Parties to the Commission of Offences
10	assist in a.m. activities	X		X	
11	finance a.m. activities	X	1. Terrorism Suppression Act 2002, as amended 2007, sections 8-10, with terrorist intent 2. Chemical Weapons (Prohibition) Act 1996, section 6 3. General parties to offences provisions contained in Part 4 of NZ's Crimes Act 1961. 4. Anti-Money Laundering and Counter-Terrorism Financing Act 2009, sections 37-39, 91-99, 101-104, and 106-111, with terrorist intent	X	1. Terrorism Suppression Act 2002, as amended 2007, sections 6 and 8-10 2. Chemical Weapons (Prohibition) Act 1996, sections 6-7, 9 and 15 3. Crimes Act 1961: Part 4 Parties to the Commission of Offences 4. Anti-Money Laundering and Counter-Terrorism Financing Act 2009, sections 72-90, 100, 105, and 112, with terrorist intent
12	a.m. activities related to means of delivery	X	Chemical Weapons (Prohibition) Act 1996, section 6: engages in any military preparations to use chemical weapons	X	Chemical Weapons (Prohibition) Act 1996, sections 6

13	involvement of non-State actors in a.m. activities	X	Chemical Weapons (Prohibition) Act 1996	X	1. Chemical Weapons (Prohibition) Act 1996, section 6-7, 9 and 15 2. Crimes Act 1961: attempt to carry out the prohibited activities	
14	Other	X	1. International Criminal Court Act 2000: gas and analagous weapons as a war crime 2. Chemical Weapons (Prohibition) Act 1996, section 5: extraterritorial applicability			

OP 2 - Nuclear Weapons (NW)

State:

New Zealand

Date of Report:

28 October 2004

Date of Addendum 1:

11 January 2006

Date of Addendum 2:

04 February 2008

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 5 2. Terrorism Suppression Act 2002, as amended 2007, section 13 (may not require terrorist intent)	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14 2. Terrorism Suppression Act 2002, as amended 2007, section 13 (may not require terrorist intent) 3. Crimes Act 1961: attempt to carry out prohibited activities	
2 acquire	X		X		
3 possess	X		X		
4 stockpile/store	X		New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 6		
5 develop	X	Terrorism Suppression Act 2002, as amended 2007, section 13 (may not require terrorist intent): alter	X	1. Crimes Act 1961 2. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14 3. Terrorism Suppression Act 2002, as amended 2007, section 13 (may not require terrorist intent)	
6 transport	X	New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, sections 6 and 9	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14 2. Crimes Act 1961: attempt to carry out prohibited activities	

7	transfer	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 5 2. Terrorism Suppression Act 2002, as amended 2007, section 13 (may not require terrorist intent): alter	X	1. Crimes Act 1961 2. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14 3. Terrorism Suppression Act 2002, as amended 2007, section 13	
8	use	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, sections 6-7 2. Terrorism Suppression Act 2002, as amended 2007, section 13 (and 4-7 if terrorist intent)	X	1. Crimes Act 1961 2. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14 3. Terrorism Suppression Act 2002, as amended 2007, section 13 (and sections 6-7 if terrorist intent)	
9	participate as an accomplice in a.m. activities	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 5 2. Crimes Act 1961: Part 4 Parties to the Commission of Offences	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14 2. Crimes Act 1961: Part 4 Parties to the Commission of Offences provisions	
10	assist in a.m. activities	X		X		
11	finance a.m. activities	X	1. Terrorism Suppression Act 2002, as amended 2007, sections 8-10, with terrorist intent 2. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 3. Anti-Money Laundering and Counter-Terrorism Financing Act 2009, sections 37-39, 91-99, 101-104, and 106-111, with terrorist intent	X	1. Terrorism Suppression Act 2002, as amended 2007, sections 6 and 8-10 2. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14 3. Anti-Money Laundering and Counter-Terrorism Financing Act 2009, sections 72-90, 100, 105, and 112, with terrorist intent	
12	a.m. activities related to means of delivery			X	Crimes Act 1961	
13	involvement of non-State actors in a.m. activities	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 2. Terrorism Suppression Act 2002, as amended 2007	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 2. Crimes Act 1961: Part 4 Parties to the Commission of Offences provisions	

14	Other	X	New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987: extraterritorial applicability			
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OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials

State:
Date of Report:
Date of Addendum 1:
Date of Addendum 2:

New Zealand
28 October 2004
11 January 2006
04 February 2008

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 2. Hazardous Substances and New Organisms Act 1996, sections 26-29 and 34-38	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 2. Hazardous Substances and New Organisms Act 1996, sections 97-124	
2	Measures to account for use	X				
3	Measures to account for storage	X				
4	Measures to account for transport	X	1. Hazardous Substances and New Organisms Act 1996 (controls specific organisms) 2. The transport of some biological material (UN Class 6.2 - Infectious substances) is covered under the Land Transport Rule: Dangerous Goods 2005, and the Maritime Transport Act 1994 (Maritime Rule 24A) and the Civil Aviation Act 1990 (Rule Part 92)			
5	Other measures for accounting					
6	Measures to secure production	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 2. Hazardous Substances and New Organisms Act 1996 3. Hazardous Substances Regulations 2001 (Classes 6, 8 and 9) Regulations 2001, especially Class 6	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 2. Hazardous Substances and New Organisms Act 1996, sections 97-124 3. Biosecurity Act 1993, as amended, section 157	
7	Measures to secure use	X				
8	Measures to secure storage	X				
9	Measures to secure transport	X				

10	Other measures for securing				
11	Regulations for physical protection of facilities/materials/ transports	X	1. Hazardous Substances and New Organisms Act 1996	X	1. Hazardous Substances and New Organisms Act 1996, sections 97-124 2. Biosecurity Act 1993, as amended, section 157
12	Licensing/registration of facilities/persons handling biological materials	X	2. Hazardous Substances Regulations 2001, sections 87-95 3. Health Act 1956 (to be replaced by new legislation being considered - Public Health Bill).	X	
13	Reliability check of personnel	X		X	
14	Measures to account for/secure/ physically protect means of delivery	?	Hazardous substances (Tracking) Amendment Regulations 2004	?	Hazardous Substances and New Organisms Act 1996, sections 97-124
15	Regulations for genetic engineering work	X	1. Hazardous Substances and New Organisms Act 1996, sections 39-55 2. Hazardous Substances Regulations 2001	X	Hazardous Substances and New Organisms Act 1996, sections 97-124
16	Other legislation/ regulations related to safety and security of biological materials	X	1. Biosecurity Act 1993 2. Biosecurity (Notifiable Organisms) Order 2006: includes some BW-related organisms	X	Biosecurity Act 1993, section 157
17	Other	X	1. Maritime Security Act 2004 for meeting the ISPS Code 2. Implementation of the Hazardous Substances and New Organisms Act 1993 should take into account the principles of the Waitangi Treaty	X	Hazardous Substances and New Organisms Act 1996, sections 14-24 (establishes the Environmental Risk Authority)

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials

State:
Date of Report:
Date of Addendum 1:
Date of Addendum 2:

New Zealand
28 October 2004
11 January 2006
04 February 2008

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	1. Chemical Weapons (Prohibition) Act 1996, sections 12-14 2. Hazardous Substances and New Organisms Act 1996, sections 26-29 and 34-38	X	1. Chemical Weapons (Prohibition) Act 1996, sections 13 and 16-26 2. Hazardous Substances and New Organisms Act 1996, sections 97-124	
2	Measures to account for use	X				
3	Measures to account for storage	X				
4	Measures to account for transport	X	1. Hazardous Substances and New Organisms Act 1996 2. Land Transport Rule: Dangerous Goods 2005 3. The Maritime Transport Act 1994 (Maritime Rule 24A) 4. The Civil Aviation Act 1990 (Rule Part 92)	X	Hazardous Substances and New Organisms Act 1996	
5	Other measures for accounting	X	Chemical Weapons (Prohibition) Act 1996 No 37, Section 17	X	1. Chemical Weapons (Prohibition) Act 1996, sections 13 and 16-26 2. Undergoes international inspections	
6	Measures to secure production	X	1. Hazardous Substances and New Organisms Act 1996, sections 39-45 (containment for new organisms) and 77-79 2. Hazardous Substances Regulations 2001 (Classes 1 to 5 Controls) Regulations 2001 3. Hazardous Substances Regulations 2001 (Classes 6, 8 and 9) Regulations 2001	X	Hazardous Substances and New Organisms Act 1996, sections 97-124	
7	Measures to secure use	X				
8	Measures to secure storage	X				

Matrix as approved by the 1540 Committee on 30 December 2010

9	Measures to secure transport	X	1. Hazardous Substances and New Organisms Act 1996, sections 77-79 2. Land Transport Rule: Dangerous Goods 2005 3. The Maritime Transport Act 1994 (Maritime Rule 24A) 4. The Civil Aviation Act 1990 (Rule Part 92)	X		
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports	X	1. Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001 2. Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001 3. Hazardous Substances (Packaging) Regulations 2001 4. Land Transport Rule: Dangerous Goods 2005 (Rule 45001/1) 5. Maritime Transport Act 1994 (Maritime Rule 24A) 6. The Civil Aviation Act 1990 (Rule Part 92)	X	Hazardous Substances and New Organisms Act 1996, sections 97-124	
12	Licensing of chemical installations/entities/use of materials	X	1. Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001 2. Hazardous Substances (Classes 6,8 and 9 Controls) Regulations 2001	X	Hazardous Substances and New Organisms Act 1996, sections 14-24 (establishes the Environmental Risk Authority) and 97-124	
13	Reliability check of personnel	X	1. Hazardous Substances and New Organisms (Personnel Qualifications) Regulations 2001 2. Controlled Substances Licenses provisions under section 95B of the HSNO Act	X	Hazardous Substances and New Organisms Act 1996, sections 97-124	
14	Measures to account for/secure/ physically protect means of delivery	?	Hazardous substances (Tracking) Amendment Regulations 2004	?	Hazardous Substances and New Organisms Act 1996, sections 97-124	
15	National CWC authority	X	Chemical Weapons (Prohibition) Act 1996, section 2	X	Disarmament Division, Ministry of Foreign Affairs and Trade	

16	Reporting Schedule I, II and III chemicals to OPCW	X	Chemical Weapons (Prohibition) Act 1996, section 14	X	Submitted initial and subsequent declarations	
17	Account for, secure or physically protect old chemical weapons					
18	Other legislation/ regulations controlling chemical materials	X	Hazardous Substances Regulations 2001 amendments			
19	Other	X	1. Maritime Security Act 2004 for meeting the ISPS Code 2. Implementation of the Hazardous Substances and New Organisms Act 1993 should take into account the principles of the Waitangi Treaty	X	Hazardous Substances and New Organisms Act 1996, sections 14-24 (establishes the Environmental Risk Authority)	

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials

State: **New Zealand**
 Date of Report: **28 October 2004**
 Date of Addendum 1: **11 January 2006**
 Date of Addendum 2: **04 February 2008**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	1. INFCIRC/185 2. Radiation Protection Act 1965, sections 12-13 3. Radiation Protection Regulations 1982, sections 12-16	X	Radiation Protection Act 1965, sections 24 and 26-29	
2	Measures to account for use	X				
3	Measures to account for storage	X				
4	Measures to account for transport	X		1. Radiation Protection Act 1965, section 12 2. Radiation Protection Regulations 1982, section 3		
5	Other measures for accounting	X	Under new legislation being considered - the Radiation Safety Bill - compliance by all relevant parties will be monitored by the Director of Radiation Safety.			
6	Measures to secure production	X	1. Radiation Protection Act 1965, sections 16-22 2. Radiation Protection Regulations 1982, sections 12-16	X	Radiation Protection Act 1965, sections 24 and 26-29	
7	Measures to secure use	X				
8	Measures to secure storage	X				
9	Measures to secure transport	X		1. Radiation Protection Act 1965, sections 16-22 2. Radiation Protection Regulations 1982, section 3		
10	Other measures for securing					

11	Regulations for physical protection of facilities/materials/ transports	?	Radiation Protection Act 1965 (to be replaced by new legislation being considered - the Radiation Safety Bill)		
12	Licensing of nuclear installations/entities/use of materials	X	Radiation Protection Act 1965, sections 16-22	X	1. Radiation Protection Act 1965, sections 24 and 26-29 2. Ministry of Health implement
13	Reliability check of personnel	?	New legislation being considered		
14	Measures to account for/secure/physically protect means of delivery				
15	National regulatory authority	X	Radiation Protection Act 1965	X	Minister of Health
16	IAEA Safeguards Agreements	X	1. Safeguards Agreement in force 29 February 1972 2. Additional Protocol in force 24 September 1998	X	1. Radiation Protection Act 1965, sections 24 and 26-29 2. Ministry of Health implement
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources			X	Expressed support to IAEA DG Considering introducing legislation aimed at aligning NZL more closely to the Code
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources	X	Officially agreed to report incidents in 1997	X	Continues to participate in the programme
19	Other Agreements related to IAEA				
20	Additional national legislation/regulations related to nuclear materials including CPPNM	X	Terrorism Suppression Act 2002, as amended 2007, section 13	X	1. Terrorism Suppression Act 2002, as amended 2007 2. Crimes Act 1961
21	Other	X	Maritime Security Act 2004 for meeting the ISPS Code	X	As member of the Vienna Group of Ten, New Zealand contributed to a position paper on physical protection and illicit trafficking presented to the 2010 NPT Review Conference

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 -
Controls of BW including Related Materials**

State: **New Zealand**
 Date of Report: **28 October 2004**
 Date of Addendum 1: **11 January 2006**
 Date of Addendum 2: **04 February 2008**

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Border control	X	1. Biosecurity Amendment Act 2009 makes a violation of the Biosecurity Act 1993, as amended, a "border infringement offence" 2. Biosecurity (Notifiable Organisms) Order 2006: includes some BW-related organisms 3. Customs and Excise Act 1996, as amended 2007, sections 5, 20, and 38-57 4. Customs Export Prohibition Order 2008, sections 6-7 5. Health Quarantine Regulations 1983	X	1. Customs and Excise Act 1996, as amended 2007, sections 128-130 and 176-238 2. Biosecurity Act 1993 as amended, section 157	
2	Technical support of border control measures	X	1. Customs and Excise Act 1996, as amended 2007, sections 131-136 2. Customs and Excise Amendment Act 2009, section 274	X	Consultation with technical experts in Government Departments	

3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 and the Crimes Act 1961 prohibits a person from aiding and abetting any person to manufacture, acquire, possess or have control over any biological weapon within the NZ Nuclear Free Zone.	X	1. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 2. Crimes Act 1961 3. Customs and Excise Act 1996, as amended 2007, sections 128-130 and 176-238
4	Enforcement agencies/authorities	X	Customs and Excise Act 1996, as amended 2007, section 5	X	1. Customs and Excise Act 1996, as amended 2007: Customs Service powers, sections 128-130 and 137-175 2. Ministry of Agriculture and Forestry: Imports 3. National Targeting Centre (NTC) was established in 2006, incorporating staff from Customs, MAF, Maritime New Zealand and Immigration to enhance operational collaboration amongst agencies at the border
5	Export control legislation in place	X		X	
6	Licensing provisions	X	1. Customs and Excise Act 1996, as amended 2007, sections 56-57 2. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule	X	Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175
7	Individual licensing	X		X	
8	General licensing	X		X	
9	Exceptions from licensing			X	
10	Licensing of deemed export/visa				

11	National licensing authority	X	1. Customs and Excise Act 1996, as amended 2007, sections 56-57 2. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule	X	Ministry of Foreign Affairs and Trade	
12	Interagency review for licenses	?	Interagency Committee	?	Interagency Committee	
13	Control lists	X	1. Customs and Excise Act, as amended 2007, sections 56-57 2. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule: establishes the Strategic Goods List (goods regulated under the AG, NSG, MTCR and WA) 3. Biosecurity (Notifiable Organisms) Order 2006: includes some BW-related organisms	X	Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175	
14	Updating of lists	X		X	SGCL was updated last in October 2008, see http://www.mfat.govt.nz/Trade-and-Economic-Relations/Export-controls/3-NZ-Strategic-Goods-List/	
15	Inclusion of technologies	X	1. Customs and Excise Act 1996, as amended 2007 (which enhanced end-user controls), sections 56-57 2. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule	X	1. Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175	
16	Inclusion of means of delivery	X		X	2. SGCL was updated last in October 2008, see http://www.mfat.govt.nz/Trade-and-Economic-Relations/Export-controls/3-NZ-Strategic-Goods-List/	
17	End-user controls	X		X		

18	Catch all clause	X	<p>1. The Customs and Excise Act 1996, as amended 2007, sections 56-57, have been amended to allow for catch all controls to be implemented. The empowering regulations are currently being prepared.</p> <p>2. Biosecurity Act 1993, section 185</p>	X	<p>1. Biosecurity Act 1993, section 185</p> <p>2. Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175</p>
19	Intangible transfers	X	<p>1. Customs and Excise Act 1996, as amended 2007, sections 56-57</p> <p>2. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule</p>	X	<p>Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175</p>
20	Transit control	?	<p>Customs and Excise Act 1996, as amended 2007: Ministry of Foreign Affairs indicates that it controls transit</p>	?	<p>Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175</p>
21	Trans-shipment control	X	<p>1. Hazardous Substances and New Organisms Act 1996, as amended 2007, section 51</p> <p>2. Hazardous Substances Regulations 2001, also section 51</p> <p>4. Customs and Excise Act 1996, as amended 2007</p>	X	<p>1. Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175</p> <p>2. Hazardous Substances and New Organisms Act 1996, as amended 2007, sections 97-124</p>
22	Re-export control	?	<p>Customs and Excise Act 1996, as amended 2007</p>	?	<p>Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175</p>

23	Control of providing funds	X	<p>1. Terrorism Suppression Act 2002, as amended 2007, sections 8-10, with terrorist intent</p> <p>2. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987</p> <p>3. Anti-Money Laundering and Counter-Terrorism Financing Act 2009, sections 37-39, 91-99, 101-104, and 106-111, with terrorist intent</p>	X	<p>1. Terrorism Suppression Act 2002, as amended 2007, sections 6 and 8-10</p> <p>2. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14</p> <p>3. Crimes Act 1961, Part 4 Parties to the Commission of Offences</p> <p>4. Anti-Money Laundering and Counter-Terrorism Financing Act 2009, sections 72-90, 100, 105, and 112, with terrorist intent</p>	
24	Control of providing transport services					
25	Control of importation	X	<p>1. Biosecurity Act 1993, sections 16-41</p> <p>2. Hazardous Substances and New Organisms Act 1996, as amended 2007</p> <p>3. Hazardous Substance Regulations 2001, sections 30-45</p> <p>4. Customs and Excise Act, sections 39-48</p>	X	<p>1. Biosecurity Act 1993, section 157</p> <p>2. Hazardous Substances and New Organisms Act 1996, as amended 2007, sections 97-124</p> <p>3. Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175</p>	
26	Extraterritorial applicability	X	<p>Extra-territorial jurisdiction applies where the conduct in question relates to terrorist offending covered by the Terrorism Suppression Act 2002, as amended 2007 or amounts to a crime against humanity under the International Crimes and International Criminal Court Act 2000</p>			
27	Other					

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 -
Controls of CW including Related Materials**

State: **New Zealand**
 Date of Report: **28 October 2004**
 Date of Addendum 1: **11 January 2006**
 Date of Addendum 2: **04 February 2008**

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Border control	X	1. Chemical Weapons (Prohibition) Act 1996, section 10 (and section 11 specifically applies the Customs and Excise Act 1996) 2. Customs and Excise Act 1996, as amended 2007, sections 5, 20, and 38-57 3. Customs Export Prohibition Order 2008, sections 6-7	X	1. Chemical Weapons (Prohibition) Act 1996, sections 10, 13 and 15 2. Customs and Excise Act 1996, as amended 2007, sections 128-130 and 176-238	
2	Technical support of border control measures	X	1. Customs and Excise Act 1996, as amended 2007, sections 131-136 2. Customs and Excise Amendment Act 2009, section 274	X	Consultation with technical experts in Government Departments	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	Chemical Weapons (Prohibition) Act 1996, sections 6-7, prohibits a person from assisting any person to transfer any chemical weapon.	X	1. Chemical Weapons (Prohibition) Act 1996, sections 6-7, 9, 13 and 15 2. Customs and Excise Act 1996, as amended 2007, sections 128-130 and 176-238	

4	Enforcement agencies/authorities	X	1. Chemical Weapons (Prohibition) Act 1996, section 10 (and section 11 specifically applies the Customs and Excise Act 1996) 2. Customs and Excise Act 1996, as amended 2007, section 5	X	1. Customs and Excise Act 1996, as amended 2007: Customs Service powers, sections 128-130 and 137-175 2. National Targeting Centre (NTC) was established in 2006, incorporating staff from Customs, MAF, Maritime New Zealand and Immigration to enhance operational collaboration amongst agencies at the border
5	Export control legislation in place	X	1. Chemical Weapons (Prohibition) Act 1996, sections 10-11 2. Customs Export and Excise Act 1996, as amended 2007, sections 56-57 3. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule	X	1. Customs and Excise Act 1996, as amended 2007, sections 128-130 and 176-238 2. Chemical Weapons (Prohibition) Act 1996
6	Licensing provisions	X		X	
7	Individual licensing	X		X	
8	General licensing	X		X	
9	Exceptions from licensing			X	Exceptions are set out in Customs Policy Guidelines (GM POL 93) - although none for CW/BW/NW related exports
10	Licensing of deemed export/visa				
11	National licensing authority	X	1. Chemical Weapons (Prohibition) Act 1996, sections 10-11 2. Customs Export and Excise Act 1996, as amended 2007, sections 56-57 3. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule	X	Ministry of Foreign Affairs and Trade

12	Interagency review for licenses	?	Interagency Committee	?	Interagency Committee	
13	Control lists	X	<p>1. Customs and Excise Act 1996, as amended 2007, sections 56-57</p> <p>2. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule: establishes the Strategic Goods List (goods regulated under the AG, NSG, MTCR and WA)</p> <p>3. Chemicals listed in the Schedules to the Chemical Weapons (Prohibition) Act 1966</p> <p>4. Hazardous Substances and New Organisms Act 1996</p>	X	Customs and Excise Act 1996, as amended 2007, sections 128-130 and 176-238	
14	Updating of lists	X	<p>1. Customs and Excise Act 1996, as amended 2007 (which enhanced end-user controls), sections 56-57</p> <p>2. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule</p>	X	<p>SGCL was updated last in October 2008, see http://www.mfat.govt.nz/Trade-and-Economic-Relations/Export-controls/3-NZ-Strategic-Goods-List/</p>	
15	Inclusion of technologies	X		X		
16	Inclusion of means of delivery	X		X	<p>1. Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175</p> <p>2. SGCL was updated last in October 2008, see http://www.mfat.govt.nz/Trade-and-Economic-Relations/Export-controls/3-NZ-Strategic-Goods-List/</p>	
17	End-user controls	X		X		

18	Catch all clause	?	The Customs and Excise Act 1996, as amended 2007, sections 56-57, has been amended to allow for catch all controls to be implemented. The empowering regulations are currently being prepared.	X	Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175
19	Intangible transfers	X	1. Customs and Excise Act 1996, as amended 2007, sections 56-57 2. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule	X	Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175
20	Transit control	X	1. Chemical Weapons (Prohibition) Act 1996, sections 10-11 2. Customs Export and Excise Act 1996 3. Customs Export Prohibition Order 2005	X	Customs and Excise Act 1996, as amended 2007, sections 128-130 and 176-238
21	Trans-shipment control	X		X	
22	Re-export control	X		X	
23	Control of providing funds	X	1. The Chemical Weapons (Prohibition) Act 1996 prohibits a person from assisting any person to manufacture, develop, acquire or transfer any chemical weapon 2. Terrorism Suppression Act 2002, as amended 2007, sections 8-10, with terrorist intent 3. Anti-Money Laundering and Counter-Terrorism Financing Act 2009, sections 37-39, 91-99, 101-104, and 106-111, with terrorist intent The Terrorism Suppression Act 2002, as amended 2007 could criminalise the financing of chemical weapons activity related to terrorist acts or terrorist organisations.	X	1. Terrorism Suppression Act 2002, as amended 2007, sections 6 and 8-10 2. Chemical Weapons (Prohibition) Act 1996, sections 6-7, 9 and 15 3. Crimes Act 1961: Part 4 Parties to the Commission of Offences 4. Anti-Money Laundering and Counter-Terrorism Financing Act 2009, sections 72-90, 100, 105, and 112, with terrorist intent
24	Control of providing transport services				

25	Control of importation	X	<ul style="list-style-type: none"> 1. Chemical Weapons (Prohibition) Act 1996, sections 10-11 2. Customs Export and Excise Act 1996 3. Customs Import Prohibition Order 2005 	X	Customs and Excise Act 1996, as amended 2007, sections 128-130 and 176-238	
26	Extraterritorial applicability	X	<ul style="list-style-type: none"> 1. Chemical Weapons (Prohibition) Act 1996 2. Extraterritorial jurisdiction also applies where the conduct in question relates to terrorist offending covered by the Terrorism Suppression Act 2002, as amended 2007 or amounts to a crime against huamnity under the International Crimes and International Criminal Court Act 2000 	X	Chemical Weapons (Prohibition) Act 1996	
27	Other					

**OP 3 (c) and (d) and related matters from OP 6, and OP 10 -
Controls of NW including Related Materials**

State: **New Zealand**
 Date of Report: **28 October 2004**
 Date of Addendum 1: **11 January 2006**
 Date of Addendum 2: **04 February 2008**

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Border control	X	1. Customs and Excise Act 1996, as amended 2007, sections 5, 20, and 38-57 2. Customs Export Prohibition Order 2008, sections 6-7 3. Radiation Protection Act 1965, section 12	X	1. Radiation Protection Act 1965, sections 24 and 26-29 2. Customs and Excise Act 1996, as amended 2007, sections 128-130 and 176-238	
2	Technical support of border control measures	X	1. Customs and Excise Act 1996, as amended 2007, sections 131-136 2. Customs and Excise Amendment	X	Consultation with technical experts in Government Departments	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	The New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 prohibits aiding and abetting any person to manufacture, acquire, possess or have control over any nuclear explosive device within the Nuclear Free Zone .	X	New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987	

4	Enforcement agencies/authorities	X	Customs and Excise Act 1996, as amended 2007, section 5	X	1. Customs and Excise Act 1996, as amended 2007: Customs Service powers, sections 128-130 and 137-175 2. National Targeting Centre (NTC) was established in 2006, incorporating staff from Customs, MAF, Maritime New Zealand and Immigration to enhance operational collaboration amongst agencies at the border	
5	Export control legislation in place	X		X		
6	Licensing provisions	X	1. Customs and Excise Act 1996, as amended 2007, sections 56-57 2. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule	X	Customs and Excise Act 1996, as amended 2007, sections 128-130 and 176-238	
7	Individual licensing	X	3. Radiation Protection Act 1965, sections 12 and 16-22	X		
8	General licensing	X		X		
9	Exceptions from licensing	X	Radiation Protection Regulations 1982, sections 4-8	X		Exceptions set out in Customs Guidelines (GM POL 93) - although none for CW/BW/NW related exports
10	Licensing of deemed export/visa					
11	National licensing authority	X	1. Customs and Excise Act 1996, as amended 2007, sections 56-57 2. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule	X	Ministry of Foreign Affairs and Trade	
12	Interagency review for licenses	?	Interagency Committee	?	Interagency Committee	

13	Control lists	X	1. Customs and Excise Act 1996, as amended 2007, sections 56-57 2. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule: establishes the Strategic Goods List (goods regulated under the AG, NSG, MTCR and WA)	X	Customs and Excise Act 1996, as amended 2007, sections 128-130 and 176-238
14	Updating of lists	X		X	SGCL was updated last in October 2008, see http://www.mfat.govt.nz/Trade-and-Economic-Relations/Export-controls/3-NZ-Strategic-Goods-List/
15	Inclusion of technologies	X	1. Customs and Excise Act 1996, as amended 2007 (which enhanced end-user controls), sections 56-57 2. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule	X	1. Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175 2. SGCL was updated last in October 2008, see http://www.mfat.govt.nz/Trade-and-Economic-Relations/Export-controls/3-NZ-Strategic-Goods-List/
16	Inclusion of means of delivery	X		X	
17	End-user controls	X		X	
18	Catch all clause	?	The Customs and Excise Act 1996, as amended 2007, sections 56-57, has been amended to allow for catch all controls to be implemented. The empowering regulations are currently being prepared.	X	Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175
19	Intangible transfers	X	1. Customs and Excise Act 1996, as amended 2007, sections 56-57 2. Customs Export Prohibition Order 2008, sections 6-7 and the Schedule	X	Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175

20	Transit control	?	Customs and Excise Act 1996, as amended 2007: Ministry of Foreign Affairs indicates that it controls transit and transshipment	?	
21	Trans-shipment control	X		?	Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175
22	Re-export control	?	Customs and Excise Act 1996, as amended 2007	?	
23	Control of providing funds	X	<ol style="list-style-type: none"> 1. Terrorism Suppression Act 2002, as amended 2007, sections 8-10, with terrorist intent 2. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 3. Anti-Money Laundering and Counter-Terrorism Financing Act 2009, sections 37-39, 91-99, 101-104, and 106-111, with terrorist intent 	X	<ol style="list-style-type: none"> 1. Terrorism Suppression Act 2002, as amended 2007, sections 6 and 8-10 2. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987, section 14 3. Crimes Act 1961, Part 4 Parties to the Commission of Offences 4. Anti-Money Laundering and Counter-Terrorism Financing Act 2009, sections 72-90, 100, 105, and 112, with terrorist intent
24	Control of providing transport services				
25	Control of importation	X	<ol style="list-style-type: none"> 1. Radiation Protection Act 1975 2. Customs and Excise Act 1996, sections 39-48 3. Terrorism Suppression Act 2002, as amended 2007, section 13 (no terrorist intent required) 	X	<ol style="list-style-type: none"> 1. Customs and Excise Act 1996, as amended 2007, sections 128-130 and 137-175 2. Terrorism Suppression Act 2002, as amended 2007, section 13 (no terrorist intent required)

26	Extraterritorial applicability	X	<p>1. Terrorism Suppression Act 2002, as amended 2007: terrorist offences</p> <p>2. New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987</p> <p>3. Extraterritorial jurisdiction also applies where the conduct in question relates to terrorist offending covered by the Terrorism Suppression Act 2002, as amended 2007 or amounts to a crime against humanity under the International Crimes and International Criminal Court Act 2000</p>			
27	Other					

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

State:

New Zealand

Date of Report:

28 October 2004

Date of Addendum 1:

11 January 2006

Date of Addendum 2:

04 February 2008

Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/equipment/materials/technologies)	X	<p>1. New Zealand Strategic Goods List control the export of goods regulated under AG, NSG, MTCR and WA</p> <p>2. Biosecurity (Notifiable Organisms) Order 2006: includes some BW-related organisms</p> <p>3. Environmental Protection keeps a register of approvals of importing new organisms</p>	
2	Control lists - other	X	<p>Regulations implementing UN Security Council Sanctions, e.g. implementation of arms embargo required by UNSCR 1267 and successor resolutions</p> <p>Section 25 of the HSNO Act requires that "No hazardous substance shall be imported or manufactured and no new organism shall be imported, developed, field tested, or released, otherwise in accordance with an approval issued under this Act".</p> <p>Section 20 requires all such approvals to be kept on a register. This register is available on the ERMA website: www.ermanz.govt.nz</p>	
3	Assistance offered	X	<p>Together with Australia, New Zealand has already begun discussions with some Pacific Island States about this resolution and will be further discussing with them what assistance they would find useful</p> <p>New Zealand has previously provided technical assistance to a number of Pacific Island States on compliance with their UNSCR1540 reporting obligations.</p>	
4	Assistance requested			
5	Assistance in place (bilateral/plurilateral/multilateral)	X	<p>New Zealand supports the G8 Global Partnership Against the Spread of WMD and has provided funding towards a range of projects, in Russia and the Ukraine, relating to destruction of chemical weapons at Shchuch'ye, shutting down of a plutonium producing plant at Zheleznogorsk, improving detection capability for smuggled nuclear and radioactive materials at the Ukraine/Russian border, and to the dismantlement of a Soviet nuclear submarine.</p>	

6	Information for industry	X	Export controls outreach to exporters, including information and visits Ministry of Foreign Affairs' web site provides public information; information is also disseminated through public speeches, conferences, and publications; NGOs play a vital role	
7	Information for the public	X	Ministry of Foreign Affairs' web site provides public information; information is also disseminated through public speeches, conferences, and publications; NGOs play a vital role	