



**NEW ZEALAND**  
**FOREIGN AFFAIRS & TRADE**  
Manatū Aorere

# Export Controls: A quick guide for Exporters





Reach out to the Export Controls team if you would like to discuss any aspect of Export Controls in person, or to invite us to visit your business to speak your team.

Contact us early – it could save your business time, effort, and money!



 [mfat.govt.nz/en/trade/export-controls](https://mfat.govt.nz/en/trade/export-controls)

 [exportcontrols@mfat.govt.nz](mailto:exportcontrols@mfat.govt.nz)

 +64 4 439 8227



Check out our online training materials on the Ministry of Foreign Affairs and Trade website under **Export Controls**

# I What is the purpose?

The purpose of Aotearoa New Zealand's Export Controls regime is to **regulate** the export of **goods, software** and **technology**. The goal is to prevent the direct or indirect use of exports in ways that could **harm** the country's security or national interests. Additionally, the regime aims to avoid contributing to human rights abuses or violating international humanitarian laws.

In achieving this purpose, the Export Controls Regime ensure Aotearoa New Zealand fulfils the international and domestic **obligation, commitments, and policies**. Controlling the export of these goods, solidifies our commitment to being a **responsible exporter** of such goods.



# What is covered by export controls?

The export of **strategic goods**, and exports that are covered by **catch-all provisions**, and the export and import of all **controlled chemicals**, are prohibited under the Customs and Excise Act 2018 and the Chemical Weapons Act 1996, unless a permit has been obtained from the Secretary of Foreign Affairs and Trade.

What is prohibited under the Customs and Excise Act 2018 and the Chemical Weapons Act 1996?\*

- The export of **strategic goods**
- Exports that are covered by **catch-all provisions**
- Export and import of all **controlled chemicals**

The Export Controls team process permit applications on behalf of the Secretary, and are here to **help** exporters. We are happy to have informal conversations about your research and export plans, and how Export Controls apply to **your situation**. You do not need to be ready to submit a permit application **before** you contact us.

\*Unless a permit has been obtained from the Secretary of Foreign Affairs and Trade.

## Key Terms

### **Strategic goods:**

Goods listed on the New Zealand Strategic Goods List. These include firearms, military goods and technologies, organisms, and goods and technologies that can be used in the production, development, or delivery of nuclear, chemical or biological weapons.

### **Technology:**

Specific information or software necessary for the development, production, or use of a product. The export of technology is covered by Export Controls.

### **Catch-all provisions:**

These were introduced in 2020, bringing all exports to any armed force, paramilitary force, police force or militia under New Zealand's Export Controls regime, regardless of whether or not the exports are of strategic goods. Some countries are exempt from the 'Catch-all provisions'.

### **Controlled Chemicals:**

Chemicals that could be used as weapons or weapons precursors, and chemicals related to conventional weapons, nuclear weapons and ballistic missiles.

# | Is my export controlled?

Exporters of strategic goods, and importers and exporters of controlled chemicals should take proactive steps to ascertain if their exports **require a permit**. You can self-assess whether a permit is required by taking the following steps:

1. **Check if the goods you wish to export are listed in the New Zealand Strategic Goods List.** You can download a PDF of the most up to date version of the New Zealand Strategic Goods List from the Export Controls section of the Ministry of Foreign Affairs and Trade website. We recommend searching for your goods using two methods:
  - Using the table of contents to drill down to the section of the document most likely to contain your items, and reading that section.
  - Searching the entire document for your goods. You can use the CTRL+F hotkeys to bring up the search tool in your PDF viewer.
2. **Determine whether your exports are ultimately intended for military or police use (and hence are covered by ‘Catch-all provisions’).** This means talking with importers to understand where the exported items are going, who they are going to, and what they will be used for.
3. **If you are planning to import or export chemicals, check if they are Chemical Weapon Convention (CWC) scheduled chemicals.** CWC scheduled chemicals are listed on the Export Controls section of the Ministry of Foreign Affairs and Trade website

**If you are unsure about anything in this section please contact the export controls team.**

# | Be alert and aware

If your business supplies **weapons, technology**, or other **controlled exports** you may be targeted by importers who are not what they appear. You may be approached by importers who are intending, or being used by others, to **circumvent** New Zealand's Export Controls regime to source items for military or terrorist uses.

Take particular care where an export that falls under the Catch-all provisions involves a **distributor**. Seek information about the distributor's established, intended, or **likely customers**. Where information is missing, unclear or you are concerned about anything that has come to light during your due diligence checks, you can seek:

- advice from the Export Controls team on whether the end user or destination is problematic.
- to have the distributor sign an undertaking that sales will not be made to the military or police unless with the prior consent of the New Zealand government.
- to have the distributor sign an undertaking that sales will not be made where use is or may be intended for use relating, directly, or indirectly, to the development, production, or deployment of nuclear, biological, and chemical weapons, and their respective means of delivery.

# How do I apply for an export permit?

There is no charge to apply for a permit.

There are four different types of permits. Find the application forms, and instructions on how to apply in the **Export Controls** section of the Ministry of Foreign Affairs and Trade website:

Types of export permit	
<b>Single permit</b>	Issued for the permanent export of a fixed quantity of specified items in a single shipment.
<b>Single temporary permit</b>	Issued for a fixed quantity of specified items temporarily leaving New Zealand with the intention of returning to the owner e.g. for a trade exhibition.
<b>Multiple permit</b>	Issued for the export of a fixed quantity of controlled items that will be exported in several shipments over an extended period of up to 18 months in duration.
<b>General consent</b>	Covers the export of an unlimited quantity of specified items to a country or countries. Generally approved for exporters with a business case that justifies the use of a general consent i.e. a sufficient volume of goods.





## How is your application assessed?

Once we determine that your application is controlled, we then assess your application against **six assessment criteria**. The more relevant information you can provide with your application, the more efficiently the Export Controls team can make an assessment.

We aim to process routine applications **within 10 days**. Some applications (for example where the goods and/or destination are complex) can take longer. The Export Controls team will draw on expertise from across and outside the Ministry, senior officials may be involved, and Ministers may be briefed.

The Export Controls team will update you on your application's progress and let you know where additional supporting documentation is required.

# The six Assessment Criteria

1. Consistency with Aotearoa New Zealand's disarmament, arms control and non-proliferation obligations, commitments, and policies.
2. Consistency with Aotearoa New Zealand's obligations, commitments, and policies regarding fundamental principles of international law, as well as international human rights law and international humanitarian law.
3. Consistency with Aotearoa New Zealand's other international obligations, commitments, and policies.
4. Whether the export may compromise Aotearoa New Zealand's national interests including, without limitation: security, international relationships, international reputation, and obligations under The Treaty of Waitangi / Te Tiriti o Waitangi.
5. The impact the export is expected to have on peace, security, and stability.
6. Whether the export may undermine confidence in Aotearoa New Zealand's commitment to being a responsible exporter of strategic and military end-use goods.

You can find an explanation of each criterion, and the considerations we take into account when assessing your application in the Export Controls section of the MFAT website.

# When in doubt – make the permit application

It may be useful when exploring new markets and export opportunities to double check the six assessment criteria. We encourage exporters to talk with the Export Controls team before abandoning export opportunities where they believe an export permit will be declined.

Pick up the phone for a conversation or go ahead and make the permit application – you may miss out on export opportunities that may have been approved if you do not apply.



[mfat.govt.nz/en/trade/export-controls](https://mfat.govt.nz/en/trade/export-controls)



[exportcontrols@mfat.govt.nz](mailto:exportcontrols@mfat.govt.nz)



+64 4 439 8227



Check out our online training materials on the Ministry of Foreign Affairs and Trade website under **Export Controls**



# MFAT

MINISTRY OF FOREIGN AFFAIRS AND TRADE  
MANATŪ AORERE



**Te Kāwanatanga o Aotearoa**  
New Zealand Government