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لجنة مجلس الأمن المنشأة
عملاً بالقرار 1540 (2004)

مذكرة شفوية مؤرخة 8 أيار/مايو 2020 موجهة إلى رئيس اللجنة من البعثة الدائمة
لنيوزيلندا لدى الأمم المتحدة

تهدي البعثة الدائمة لنيوزيلندا لدى الأمم المتحدة تحياتها إلى رئيس لجنة مجلس الأمن المنشأة عملاً بالقرار 1540 (2004) وتتشرف بأن تحيل طيه التقرير ومصفوفة التنفيذ⁽¹⁾ اللذين يستعرضان حالة تنفيذ التدابير التي اتخذتها نيوزيلندا بموجب قرار مجلس الأمن 1540 (2004) (انظر المرفق). وتتشرف البعثة الدائمة لنيوزيلندا لدى الأمم المتحدة أيضاً بأن تبلغ اللجنة بأنها أدرجت طوعاً في المصفوفة إشارة إلى معاهدة حظر الأسلحة النووية التي وقعت نيوزيلندا وصدقت عليها. وتود البعثة الدائمة لنيوزيلندا لدى الأمم المتحدة الاقتراح أن اللجنة قد تود النظر في إمكانية إدراج حيز تدوين يُخصص لمعاهدة حظر الأسلحة النووية في مصفوفة الإبلاغ ليستخدم في التقارير المقبلة.

(1) المصفوفة المقدّمة من نيوزيلندا تُنشر باللغة الأصلية التي قُدمت بها فقط، على نحو ما وافقت عليه اللجنة.



مرفق المذكرة الشفوية المؤرخة 8 أيار/مايو 2020 الموجهة إلى رئيس اللجنة من البعثة الدائمة لنيوزيلندا لدى الأمم المتحدة

تقرير نيوزيلندا عن تنفيذ قرار مجلس الأمن 1540 (2004)

منذ أن قدمت حكومة نيوزيلندا تقريرها الأولي إلى لجنة مجلس الأمن المنشأة عملاً بالقرار 1540 (2004) المؤرخ 28 تشرين الأول/أكتوبر 2004 (S/AC.44/2004/(02)/54) وتقريرين إضافيين مؤرخين 11 كانون الثاني/يناير 2006 و 11 شباط/فبراير 2008، واصلت تعزيز تنفيذها لقرار مجلس الأمن 1540 (2004) على النحو المفصل أدناه.

الالتزامات الجديدة والمستكملة

في عام 2014، أبرمت نيوزيلندا بروتوكولا معدلاً للكميات الصغيرة مع الوكالة الدولية للطاقة الذرية، يعدل اتفاق الضمانات المبرم مع الوكالة في عام 1972.

وأقرت نيوزيلندا تشريعاً جديداً، هو قانون الأمان من الإشعاع لعام 2016، ليحل محل تشريع سابق ينظم استخدام المواد النووية والمشعة. وينص التشريع الجديد على أنه لا يجوز لأي شخص تصنيع أية مصادر إشعاع أو امتلاكها أو السيطرة عليها أو استعمالها أو استيرادها أو تصديرها أو تقديم خدمات بشأنها أو التعامل بها بدون إذن.

وقد استكمل قانون الأمان من الإشعاع إجراءات البلد المتعلقة بإعمال تعديل اتفاقية الحماية المادية للمواد النووية والاتفاقية الدولية لقمع أعمال الإرهاب النووي في القانون المحلي. وصدّقت نيوزيلندا على الاتفاقيتين في عام 2016.

وفي عام 2017، عدّلت نيوزيلندا قانون الجرائم البحرية لعام 1999 ليشمل أحكاماً لتجريم النقل المتعمد للمواد المتصلة بأسلحة الدمار الشامل، بما في ذلك في أعالي البحار، علاوةً على إطلاق أسلحة الدمار الشامل والمواد ذات الصلة من المنصات الثابتة. وقد مكّن ذلك نيوزيلندا من التصديق على بروتوكول عام 2005 الملحق باتفاقية قمع الأعمال غير المشروعة الموجهة ضد سلامة الملاحة البحرية، وبروتوكول عام 2005 الملحق ببروتوكول قمع الأعمال غير المشروعة الموجهة ضد سلامة المنشآت الثابتة الموجودة على الجرف القاري.

وفي عام 2018، أقرت نيوزيلندا قانون ضوابط السمسرة (الأسلحة وما يتصل بها من مواد)، الذي ينص على نظام تنظيمي لأنشطة السمسرة البحرية المتصلة، في جملة أمور، بالمواد المزدوجة الاستخدام التي يمكن استخدامها في صنع أسلحة الدمار الشامل.

وفي عام 2018، صدّقت نيوزيلندا على معاهدة حظر الأسلحة النووية، حيث تعهّدت بموجبها، في جملة أمور، ألا تقوم تحت أي ظروف بمساعدة أو تشجيع أو حث أي كان، بأي طريقة كانت، على القيام بأنشطة محظورة على دولة طرف بموجب هذه المعاهدة. وتشمل هذه الأنشطة المحظورة استحداث أي أسلحة نووية أو أجهزة متفجرة نووية أخرى أو تجربتها أو إنتاجها أو تصنيعها أو اقتنائها أو حيازتها أو تخزينها؛ ونقل أية أسلحة نووية أو أجهزة متفجرة نووية أخرى إلى أي مكان، لا مباشرة ولا بصورة غير مباشرة، أو أية سيطرة على مثل تلك الأسلحة أو الأجهزة؛ واستعمال أية أسلحة نووية أو أجهزة متفجرة أخرى أو التهديد

بإستعمالها. وبموجب المعاهدة، تتعهد نيوزيلندا أيضا بأن تحافظ على سريان ما تعهّدت به من الالتزامات المتعلقة بضمانات الوكالة الدولية للطاقة الذرية في وقت دخول المعاهدة حيز النفاذ، دون المساس بأية صكوك إضافية ذات صلة قد تقرّها في المستقبل.

وسنّت نيوزيلندا أنظمة لتطبيق جزاءات مجلس الأمن المتعلقة بأسلحة الدمار الشامل ووسائل إيصالها، ولا سيما فيما يتعلق بجمهورية كوريا الشعبية الديمقراطية.

تغييرات أخرى في القوانين والأنظمة

منذ أن قدمت نيوزيلندا أحدث تقرير لها إلى اللجنة، نقّحت أو عدّلت عددا من القوانين والأنظمة المشار إليها في التقرير. وتشمل هذه التعديلات والتتقيحات قانون الجمارك والمكوس لعام 2018، الذي يجري بموجبه تحديث التشريع السابق (قانون الجمارك والمكوس لعام 1996)، والأمر المتعلق بحظر الصادرات الجمركية لعام 2017، الذي يحدّد كل ثلاث سنوات.

وفي عام 2017، قامت نيوزيلندا بتحديث نظامها القانوني للمواد الخطرة والكائنات الجديدة، وبإعمال توزيع جديد للسلطة التنظيمية بين الوكالات المسؤولة عن حماية البيئة وسلامة مكان العمل. وتم تحديث عدد من الأنظمة التي صيغت بموجب قانون المواد الخطرة والكائنات الجديدة.

وتبيّن نيوزيلندا للجنة في المصفوفة المرفقة (انظر الضميمة) نهجها في تقييم مدى استيفاء قوانينها وأنظمتها لمتطلبات القرار 1540 (2004).

التعاون والمساعدة

واصلت نيوزيلندا في السنوات الأخيرة تزويد دول أخرى بمختلف أشكال المساعدة لتنفيذ أحكام القرار 1540 (2004). وتشمل هذه المساعدة ما يلي:

- تقديم مساهمات مالية عادية لصندوق الأمن النووي التابع للوكالة الدولية للطاقة الذرية، ودعم مالي طوعي لمنظمة حظر الأسلحة الكيميائية، بما في ذلك على سبيل المثال تمويل مؤتمر معني بالأمن الكيميائي عُقد في عام 2017
- تقديم المساعدة المالية لبرامج التدريب الوطنية والإقليمية في مجالات الأمن النووي، والتحليل الجنائية النووية، والكشف عن المواد النووية غير المشروعة
- تقديم الدعم للشراكة العالمية لمكافحة انتشار أسلحة ومواد الدمار الشامل وذلك من خلال مساهمات مالية للمشاريع المشار إليها أعلاه
- المشاركة في برامج التدريب الإقليمية التي تُجرى برعاية المبادرة العالمية لمكافحة الإرهاب النووي وتقديم الدعم المالي لها
- استضافة تدريب إقليمي لمنطقة آسيا والمحيط الهادئ في إطار المبادرة الأمنية لمكافحة الانتشار في عام 2015 والمساهمة في التدريبات السنوية التي يستضيفها شركاء إقليميون آخرون للمبادرة
- تقديم مجموعة واسعة من أشكال المساعدة إلى بلدان جزر المحيط الهادئ لتعزيز ضوابطها الحدودية ونظمها القانونية

- استضافة حلقة دراسية بشأن القرار 1540 (2004) موجهة للبرلمانيين من بلدان جزر المحيط الهادئ في أيلول/سبتمبر 2019
- وتشارك نيوزيلندا بنشاط في عدد كبير من المحافل الدولية لنزع السلاح وعدم الانتشار. وفيما يتعلق بالمبادرات الأخيرة المرتبطة بالمسائل المشمولة بالقرار 1540 (2004)، قامت نيوزيلندا بما يلي:
- المشاركة في مؤتمرات القمة الأربع للأمن النووي التي عُقدت في الفترة بين عامي 2010 و 2016، والمساهمة في المبادرات الطوعية التي تمخضت عنها
- المشاركة في رئاسة اجتماع المنتدى الإقليمي المعقود بين الدورات بشأن عدم الانتشار ونزع السلاح لرابطة أمم جنوب شرق آسيا في الفترة من عام 2015 إلى عام 2017، واستضافة اجتماع المجموعة في عام 2017
- الانضمام إلى الشراكة الدولية لمكافحة الإفلات من العقاب على استخدام الأسلحة الكيميائية في عام 2018
- تولي رئاسة نظام التحكم في تكنولوجيا القذائف للفترة 2019-2020 واستضافة الاجتماع العام للمجموعة في تشرين الأول/أكتوبر 2019

Implementation matrix

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to intergovernmental organizations. The matrices are prepared under the direction of the Security Council Committee established pursuant to resolution 1540 (2004).

The 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 (2004).

The matrices are not a tool for measuring compliance of States with their non-proliferation obligations but for facilitating the implementation of resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside the Committee, in the Security Council or any of its organs of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purposes only and does not constitute in any way a legal obligation arising from resolution 1540 (2004) or its successive resolutions.

Matrix entries are only indicators of fact and not indicators of the degree of compliance under resolution 1540 (2004) and its successor resolutions.

An "X" in any data field signifies only that the Committee considers that a State has taken the steps required and/or has provided specific references to the applicable legal basis or executive behaviour as evidence of such steps. An "X" against any data field does not necessarily signify that a State has met in full its obligations under the resolution for that data field.

A "?" in any data field signifies that the references to legislative or other measures may not be directly relevant or are incomplete.

"N/A" (not applicable) in any data field signifies that the data field is not applicable to a State that, through legally binding instruments, specified that it did not possess related materials or facilities.

A blank in any data field signifies that there is insufficient information available to enter an "X" or a "?" against a particular data field.

Notes

All references are to legislation as amended and in force as at 31 October 2019.

References to particular sections of legislation indicate the primary relevant provision, but this should be read in the context of the instrument as a whole.

Paragraph 1 and related matters from paragraphs 5, 8 (a), (b) and (c) and 10

<i>Adherence to legally binding instruments, membership of organizations, participation in arrangements and statements made</i>		<i>Relevant information (i.e. signing, deposit of instrument of accession, ratification, etc.)</i>	<i>Remarks (information refers to the page of the English version of the national report or an official web site)</i>
1	Treaty on the Non-Proliferation of Nuclear Weapons	Ratified 17 July 1969	
2	Nuclear-Weapon-Free Zone/Protocol(s)	<ol style="list-style-type: none"> 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 establishes a nuclear-free zone in New Zealand 	
3	Treaty on the Prohibition of Nuclear Weapons	Ratified 31 July 2018	
4	International Convention for the Suppression of Acts of Nuclear Terrorism	Entry into force for New Zealand 17 April 2016	
5	Convention on the Physical Protection of Nuclear Material	Entry into force 18 January 2004	
6	2005 Amendment to the Convention	Entry into force for New Zealand 8 May 2016	
7	Comprehensive Nuclear-Test-Ban Treaty (not in force)	Ratified 19 March 1999	
8	Chemical Weapons Convention	Entry into force 29 April 1997	
9	Biological Weapons Convention	Ratified 13 December 1972	
10	Geneva Protocol of 1925	Deposited 24 May 1930	
11	1997 International Convention for the Suppression of Terrorist Bombings	Entry into force for New Zealand 4 December 2002	
12	1999 International Convention for the Suppression of the Financing of Terrorism	Entry into force for New Zealand 4 December 2002	
13	2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation	Entry into force for New Zealand 6 June 2018	
14	2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf	Entry into force for New Zealand 6 June 2018	

<i>Adherence to legally binding instruments, membership of organizations, participation in arrangements and statements made</i>	<i>Relevant information (i.e. signing, deposit of instrument of accession, ratification, etc.)</i>	<i>Remarks (information refers to the page of the English version of the national report or an official web site)</i>
15 2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation	Waigani Convention, 1995 – ratified by New Zealand on 30 November 2000	
16 Other relevant regional legally binding instruments	Waigani Convention, 1995 – ratified by New Zealand on 30 November 2000	
17 International Atomic Energy Agency	Member since 13 September 1957 Safeguards agreement (small quantities protocol) (INFCIRC/185) 29 February 1972 Additional Protocol (INFCIRC/185/Add.1) 24 September 1998 Modified small quantities protocol (INFCIRC/185/Mod.1) 24 February 2014	
18 Directly relevant arrangements	New Zealand participates in the following arrangements: 1. Missile Technology Control Regime 2. Nuclear Suppliers Group 3. Wassenaar Arrangement 4. Australia Group 5. Proliferation Security Initiative 6. Global Initiative to Combat Nuclear Terrorism 7. World Customs Organization Framework of Standards to Secure and Facilitate Global Trade	
19 Statement on non-provision of weapons of mass destruction and related materials to non-State actors	New Zealand does not provide any support whatsoever to any entity – whether a State or non-State actor – attempting to develop, acquire, manufacture, possess, transport or use weapons of	

<i>Adherence to legally binding instruments, membership of organizations, participation in arrangements and statements made</i>	<i>Relevant information (i.e. signing, deposit of instrument of accession, ratification, etc.)</i>	<i>Remarks (information refers to the page of the English version of the national report or an official web site)</i>
20 Membership of relevant international, regional or subregional organizations	mass destruction, their means of delivery and related materials 1. World Customs Organization 2. World Health Organization 3. International Maritime Organization 4. World Organization for Animal Health 5. International Criminal Police Organization 6. Global Partnership Against the Spread of Weapons and Materials of Mass Destruction	

Paragraph 2: nuclear weapons, chemical weapons and biological weapons

National legislation that prohibits persons or entities from engaging in one of the following activities and its enforcement		National legal framework			Enforcement and civil/criminal penalties					Remarks
		X/?			X/?					
		NW	CW	BW	Source document of national implementation law					
1	Manufacture				NW: NZNFZA, sect. 5; TSA, sects. 13 C–E CW: CWPA, sect. 6 BW: NZNFZA, sect. 8; HSNOA, sect. 25				NW: NZNFZA, sect. 14; TSA, sects. 13 C–E CW: CWPA, sects. 6, 7, 9 and 15 BW: NZNFZA, sect. 14; HSNOA, part 7	
2	Acquire				As above				As above	
3	Possess				As above				As above	CWPA refers to “retain”
4	Develop				NW: TSA, sects. 13 C–E CW: CWPA, sect. 6 BW: HSNOA, sect. 25				NW: NZNFZA, sect. 14; TSA, sects. 13 C–E CW: CWPA, sects. 6, 7, 9 and 15 BW: HSNOA, part 7	
5	Transport				All: Maritime Crimes Act, sects. 4 B and 5 A NW: NZNFZA, sect. 6 CW: CWPA, sect. 6 (1) (b) BW. NZNFZA, sect. 8				All: Maritime Crimes Act, sects. 4 B and 8 NW: NZNFZA, sect. 14 CW: CWPA, sects. 6, 7, 9 and 15 BW: NZNFZA, sect. 14; HSNOA, part 7	CWPA prohibits transfer; hence transport is also prohibited NZNFZA prohibits control; hence transport of NW and BW is also prohibited
6	Transfer				NW: NZNFZA, sect. 5; TSA, sects. 13 C–E CW: CWPA, sect. 6 (1) (b)				NW: NZNFZA, sect. 14; TSA, sects. 13 C–E CW: CWPA, sects. 6, 7, 9 and 15; TSA, sects. 6 and 7	NZNFZA does not mention transfer of NW and BW but does refer to possession and control

		National legal framework				Enforcement and civil/criminal penalties				
		X/?			Source document of national implementation law	X/?			Source document	Remarks
		NW	CW	BW		NW	CW	BW		
National legislation that prohibits persons or entities from engaging in one of the following activities and its enforcement										
7	Use				BW: NZNFZA, sect. 8 NW: TSA, sects. 13 C–E; NZNFZA, sect. 7 CW: CWPA, sect. 6; TSA, sects. 4–7 and 13 C–E BW: TSA, sects. 4–7; HSNOA, sect. 25				BW: NZNFZA, sect. 14; HSNOA, part 7 NW: NZNFZA, sect. 14; TSA, sects. 6, 7 and 13 C–E CW: CWPA, sects. 6, 7, 9 and 15; TSA, sects. 6, 7 and 13 C–E, BW: TSA, sects. 6 and 7; HSNOA, part 7	TSA with regard to terrorist acts; HSNOA with regard to new organisms
8	Attempt to engage in above-mentioned activities				All: Crimes Act, sect. 72				All: Crimes Act, sect. 72	
9	Participate as an accomplice in above-mentioned activities				All: Crimes Act, sect. 66 NW: NZNFZA, sect. 5 CW: CWPA, sect. 6				All: Crimes Act, sect. 66 NW: NZNFZA, sect. 14 CW: CWPA, sect. 6	
10	Assist in above-mentioned activities				As above				As above	
11	Finance above-mentioned activities				All: TSA, sects. 8–10; AML/CFT, sects. 37–39, 91–99, 101–104 and 106–111; Crimes Act, part 4 NW: NZNFZA, sect. 5 CW: CWPA, sect. 6 (1) (e)				All: TSA, sects. 8–10; AML/CTF, sects. 72–90, 100, 105 and 112; Crimes Act, part 4 NW: NZNFZA, sect. 14 CW: CWPA, sects. 6, 7, 9 and 15	Finance is covered by the provisions of NZNFZA on aiding and abetting

National legislation that prohibits persons or entities from engaging in one of the following activities and its enforcement	National legal framework				Enforcement and civil/criminal penalties				
	X/?			Source document of national implementation law	X/?			Source document	Remarks
	NW	CW	BW		NW	CW	BW		
12 Above-mentioned activities related to means of delivery ^a				All: Customs and Excise Act, sect. 97; Customs Export Prohibition Order, sect. 6 NW: NZNFZA, sect. 5; TSA, sects. 13 C–E CW: CWPA, sect. 6 BW: NZNFZA, sect. 8				All: Crimes Act, part 4; Customs and Excise Act, sects. 388 and 389 NW: NZNFZA, sect. 14; TSA, sects. 13 C–E CW: CWPA, sect. 6 BW: NZNFZA, sect. 14	Customs legislation covers the export of means of delivery; NZNFZA and TSA cover delivery insofar as they cover control and use; CWPA refers to military preparations

Abbreviations: AML/CTF, Anti-Money Laundering and Countering Financing of Terrorism Act, 2009; BW, biological weapons; CW, chemical weapons; CWPA, Chemical Weapons Prohibition Act, 1996; HSNOA, Hazardous Substances and New Organisms Act, 1996; NW, nuclear weapons; NZNFZA, New Zealand Nuclear Free Zone, Disarmament and Arms Control Act, 1987; TSA, Terrorism Suppression Act, 2002.

^a Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical or biological weapons that are specially designed for such use.

Paragraph 3 (a) and (b): account for/secure/physically protect nuclear weapons, chemical weapons and biological weapons, including related materials^a

Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials	National legal and/or regulatory framework				Enforcement and civil/criminal penalties				Remarks
	X/?			Source document	X/?			Source document	
	NW	CW	BW ^b		NW	CW	BW		
1 Measures to account for production				NW: IAEA safeguards agreement (INFCIRC/185); RSA, sect. 35 CW: CWPA, sects. 12–14, HSNOA, sect. 28 BW: HSNOA, sect. 34				NW: RSA, sect. 67 CW: CWPA, sects. 13–15; HSNOA, parts 7 and 7 A BW: HSNOA, parts 7 and 7 A	
2 Measures to account for use				NW: IAEA safeguards agreement (INFCIRC/185); RSA, sects. 21–23 and 35 CW: CWPA, sects. 12–14; HSNOA, sects. 28–33; Health and Safety at Work (Hazardous Substances) Regulations, 2017, part 13 BW: HSNOA, sects. 26–29, 34–38 and 50, schedule 2				NW: RSA, subpart 3 CW: CWPA, sects. 13–15; HSNOA, parts 7 and 7 A; Health and Safety at Work (Infringement Offences and Fees) Regulations, 2016 BW: HSNOA, parts 7 and 7 A	
3 Measures to account for storage				NW: IAEA safeguards agreement (INFCIRC/185); RSA, sect. 35 CW: CWPA, sects. 12–14; HSNOA, sects. 28–33 and 109; Health and Safety at Work (Hazardous Substances) Regulations, 2017, part 13 BW: HSNOA, sects. 26–29, 34–38 and 50, schedule 2				As above	

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	Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials	National legal and/or regulatory framework				Enforcement and civil/criminal penalties				Remarks
		X/?			Source document	X/?			Source document	
		NW	CW	BW ^b		NW	CW	BW		
4	Measures to account for transport				NW: RSA, sect. 35 CW: CWPA, sects. 12–14, HSNOA, sects. 28–33 and 51, schedule 3, part 3 BW: HSNOA, sects. 34–49, 51 and 124; Hazardous Substances and New Organisms (Genetically Modified Organisms – Information Requirements for Segregation and Tracing) Regulations, 2008				NW: RSA, subpart 3 CW: CWPA, sects. 13–15; HSNOA, parts 7 and 7 A BW: HSNOA, parts 7 and 7 A	CWPA refers to “transfer”
5	Measures to secure production				NW: RSA, sect. 11 CW: HSNOA, sects. 77–79, schedule 1 A A BW: HSNOA, sects. 39–45 and 50, schedule 2 [•]				As above	
6	Measures to secure use				NW: RSA, sects. 11 and 30–32 CW: HSNOA, sects. 77–79; Health and Safety at Work (Hazardous Substances) Regulations, 2017 BW: HSNOA, sects. 39–45 A and 50, schedule 2				NW: RSA, subpart 3 CW: HSNOA, parts 7 and 7 A; Health and Safety at Work (Hazardous Substances) Regulations, 2017; Health and Safety at Work (Infringement Offences and Fees) Regulations, 2016 BW: HSNOA, parts 7 and 7 A	

	<i>Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials</i>	<i>National legal and/or regulatory framework</i>				<i>Enforcement and civil/criminal penalties</i>				<i>Remarks</i>
		<i>X/?</i>			<i>Source document</i>	<i>X/?</i>			<i>Source document</i>	
		<i>NW</i>	<i>CW</i>	<i>BW^b</i>		<i>NW</i>	<i>CW</i>	<i>BW</i>		
7	Measures to secure storage				NW: RSA, sects. 12 and 20 CW: HSNOA, sects. 77–79, schedule 3, part 3; Health and Safety at Work (Hazardous Substances) Regulations, 2017; Hazardous Substances (Hazardous Property Controls) Notice, 2017; Hazardous Substances (Storage and Disposal) of Persistent Organic Pollutants) Notice, 2004 BW: HSNOA, sects. 39–45 A; Hazardous Substances and New Organisms (Genetically Modified Organisms – Information Requirements for Segregation and Tracing) Regulations, 2008; Biosecurity Act, sect. 39				As above	
8	Measures to secure transport				All: Land Transport Rule: Dangerous Goods, 2005; Maritime Transport Act (Rule 24); Civil Aviation Act (Part 92) NW: RSA, sects. 12 and 24 (import/export) CW: HSNOA, sects. 28–33 (import) and 51, schedule 3, part 3				NW: RSA, subpart 3 CW: HSNOA, parts 7 and 7 A BW: HSNOA, parts 7 and 7 A	

<i>Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials</i>	<i>National legal and/or regulatory framework</i>				<i>Enforcement and civil/criminal penalties</i>				<i>Remarks</i>
	<i>X/?</i>			<i>Source document</i>	<i>X/?</i>			<i>Source document</i>	
	<i>NW</i>	<i>CW</i>	<i>BW^b</i>		<i>NW</i>	<i>CW</i>	<i>BW</i>		
				BW: HSNOA, sects. 34–49, 51 and 124, schedule 3, parts 1 and 2; Hazardous Substances and New Organisms (Genetically Modified Organisms – Information Requirements for Segregation and Tracing) Regulations, 2008					
9 Physical protection measures				NW: RSA, sects. 11 and 20 CW: Health and Safety at Work (Hazardous Substances) Regulations, 2017 BW: HSNOA, sect. 38 K				NW: RSA, subpart 3 CW: HSNOA, parts 7 and 7 A BW: HSNOA, parts 7 and 7 A	
10 Personnel reliability				NW: RSA, sects. 19 (1) (a) (i) and 22 (1) (c) and (d) CW: Health and Safety at Work (Hazardous Substances) Regulations, 2017, regulations. 4.1–4.6 BW: Hazardous Substances and New Organisms (Personnel Qualifications) Regulations, 2001, regulations. 9 and 10				NW: RSA, subpart 3, and licensing procedures CW: HSNOA, parts 7 and 7 A; Health and Safety at Work (Hazardous Substances) Regulations, 2017; Health and Safety at Work (Infringement Offences and Fees) Regulations, 2016 BW: HSNOA, parts 7 and 7 A	

Abbreviations: BW, biological weapons; CW, chemical weapons; CWPA, Chemical Weapons Prohibition Act, 1996; HSNOA, Hazardous Substances and New Organisms Act, 1996; IAEA, International Atomic Energy Agency; NW, nuclear weapons; RSA, Radiation Safety Act, 2016.

^a Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

^b Information required in this section may also be available in the State's confidence-building measures report, if submitted to the Biological Weapons Convention Implementation Support Unit.

Paragraph 3 (a) and (b): account for/secure/physically protect nuclear weapons, including related materials (nuclear weapon-specific)

	<i>Measures to establish domestic controls to prevent the proliferation of nuclear weapons, and their means of delivery; controls over related materials</i>	<i>Source document</i>	<i>Remarks</i>
1	National regulatory authority	Office of Radiation Safety, Ministry of Health, in accordance with the Radiation Safety Act	
2	Licensing of nuclear installations/entities/use of materials	Radiation Safety Act, sects. 13–23	
3	International Atomic Energy Agency (IAEA) safeguards agreements	Safeguards agreement (small quantities protocol) (INFCIRC/185) 29 February 1972 Additional Protocol (INFCIRC/Add.1) 24 September 1998 Modified small quantities protocol (INFCIRC/185/Mod.1) 24 February 2014	
4	IAEA Code of Conduct on the Safety and Security of Radioactive Sources	Radiation Safety Act	
5	Supplementary Guidance on the Import and Export of Radioactive Sources	Radiation Safety Act	
6	IAEA Incident and Trafficking Database	New Zealand agreed to report incidents in 1997 and continues to do so	
7	Integrated Nuclear Security Support Plan/International Physical Protection Advisory Service	The Integrated Nuclear Security Support Plan is implemented by the Radiation Safety Act New Zealand received a visit by the International Physical Protection Advisory Service in 2015 and has implemented many of its recommendations	
8	Applying the physical protection recommendations in INFCIRC/225/Rev.5	Implemented and regulated by the Radiation Safety Act	
9	Other agreements related to IAEA		
10	National legislation and regulations related to nuclear material, including the Convention on the Physical Protection on Nuclear Material	Radiation Safety Act, 2016 Codes of safe practice, in particular ORS-C6 (transport) and a new code on security (to be issued shortly)	For updates to codes of practice, see www.health.govt.nz/our-work/ionising-radiation-safety/managing-entities-radiation-sources/codes-practice

Paragraph 3 (a) and (b): account for/secure/physically protect chemical weapons, including related materials (chemical weapon-specific)

Measures to establish domestic controls to prevent the proliferation of chemical weapons, and their means of delivery; controls over related materials

Source document

Remarks

- | | | | |
|---|---|---|---|
| 1 | National Chemical Weapons Convention authority | Ministry of Foreign Affairs and Trade as the administering authority of the Chemical Weapons (Prohibition) Act | |
| 2 | Licensing/registration of installations/facilities/persons/entities/use/handling of related materials | Hazardous Substances and New Organisms Act, 1996
Health and Safety at Work (Major Hazard Facilities) Regulations, 2016
Health and Safety at Work (Hazardous Substances) Regulations, 2017 | |
| 3 | Old or abandoned chemical weapons | N/A | There are no old or abandoned chemical weapons in New Zealand |

Paragraph 3 (a) and (b): account for/secure/physically protect biological weapons, including related materials (biological weapon-specific)

Measures to establish domestic controls to prevent the proliferation of biological weapons, their means of delivery; controls over related materials

Source document

Remarks

- | | | |
|---|---|---|
| 1 | Licensing/registration of installations/facilities/persons/entities/use/handling of materials | Hazardous Substances and New Organisms Act, 1996, and subsidiary regulations
Biosecurity Act, 1993, part 3 |
|---|---|---|

Paragraph 3 (c) and (d) and related matters from paragraph 6: controls of nuclear weapons, chemical weapons and biological weapons, including related materials

<i>Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery, including related materials</i>	<i>National legal framework</i>				<i>Enforcement and civil/criminal penalties</i>				<i>Remarks</i>
	<i>X/?</i>			<i>Source document</i>	<i>X/?</i>			<i>Source document</i>	
	<i>NW</i>	<i>CW</i>	<i>BW</i>		<i>NW</i>	<i>CW</i>	<i>BW</i>		
1	Border control to detect, deter, prevent and combat illicit trafficking			Customs and Excise Act				Customs and Excise Act, part 4	
2	Law enforcement to detect, deter, prevent and combat illicit trafficking			As above				As above	
3	Border control detection measures			As above				As above	
4	Control of brokering			Brokering (Weapons and Related Items) Controls Act				Brokering (Weapons and Related Items) Controls Act, sect. 12	
5	Export control legislation in place			Customs and Excise Act, sects. 96 and 97				Customs and Excise Act, sects. 388 and 389	
6	Licensing provisions and authority			Under the Customs and Excise Act, sects. 96 and 97, the Minister for Foreign Affairs and Trade is authorized to issue licences				As above	
7	Control lists of materials, equipment and technology			Under the Customs and Excise Act, sect. 96, the publication of a New Zealand strategic goods list is authorized				As above	The list is available at www.mfat.govt.nz/assets/Strategic-goods-forms/2018-NZ-Strategic-Goods-List-August-2018-with-Table-of-Contents-reviewed.docx

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Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery, including related materials	National legal framework				Enforcement and civil/criminal penalties					Remarks
	X/?			Source document	X/?			Source document		
	NW	CW	BW		NW	CW	BW			
8	Intangible technology transfers				Under the Customs and Excise Act, sect. 96 (11), the export of some intangible transfers, e.g. data stored on a tangible item and data sent in electronic form, is controlled				As above	
9	Inclusion of means of delivery				Means of delivery are controlled by the Customs and Excise Act, sects. 96 (by which the New Zealand strategic goods list is authorized) and 97 (catch-all controls), and the Customs Export Prohibition Order, 2017				As above	
10	End user controls				End user certificates may be required as a condition of approval to export strategic goods					
11	Catch-all clause				Customs and Excise Act, sect. 97; Customs Export Prohibition Regulations, 2017, sect. 6				Customs and Excise Act, sects. 388 and 389	
12	Transit control				Import/export provisions of the Customs and Excise Act apply to transit				As above	
13	Trans-shipment control				Import/export provisions of the Customs				As above	

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<i>Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery, including related materials</i>	<i>National legal framework</i>				<i>Enforcement and civil/criminal penalties</i>					<i>Remarks</i>
	<i>X/?</i>			<i>Source document</i>	<i>X/?</i>			<i>Source document</i>		
	<i>NW</i>	<i>CW</i>	<i>BW</i>		<i>NW</i>	<i>CW</i>	<i>BW</i>			
				and Excise Act apply to trans-shipment						
14 Re-export control				Export provisions of the Customs and Excise Act apply to re-export				As above		
15 Control over financing of exports/ trans-shipments that would contribute to proliferation				Terrorism Suppression Act, 2002, sects. 8–10; Anti-Money Laundering and Countering Financing of Terrorism Act, 2009, sects. 37, 38, 91–99, 101–104 and 106–111; Crimes Act, part 4				All: Crimes Act, part 4; Terrorism Suppression Act, 2002, sects. 8–10; Anti-Money Laundering and Countering Financing of Terrorism Act, sects. 72–90, 100, 105 and 112 NW: New Zealand Nuclear Free Zone, Disarmament and Arms Control Act, sect. 14 CW: Chemical Weapons Prohibition Act, sects. 6, 7, 9 and 15		
16 Control over services related to ex-ports/trans-shipments that would contribute to proliferation, including transportation				Crimes Act, part 4, provisions on aiding and abetting				As above		

Paragraphs 7 and 8 (d): assistance, work with and inform industry and the public, and other information

<i>Assistance, work with and inform industry, and other information</i>		<i>Remarks</i>
1	Assistance offered	New Zealand provides assistance to Pacific Island States to implement Security Council resolution 1540 (2004) , for example through measures to strengthen border measures and customs procedures and provide legal drafting assistance. The Parliament of New Zealand co-hosted a seminar on resolution 1540 (2004) for parliamentarians of Pacific Island States in 2019
2	Assistance point of contact (for assistance providers only)	International Security and Disarmament Division, Ministry of Foreign Affairs and Trade
3	Assistance requested	None
4	Action taken to work with and inform industry	New Zealand government agencies have a programme of outreach to companies and research institutions that engage in the export of strategic goods to raise awareness of proliferation risks and ways to mitigate them
5	Action taken to work with and inform the public	New Zealand law and regulations to implement resolution 1540 (2004) are available through government publications and websites. New Zealand positions on disarmament and non-proliferation are also publicly available
6	Point of contact	International Disarmament and Security Division, Ministry of Foreign Affairs and Trade
7	Voluntary national implementation action plan	N/A
8	Committee visits to States	N/A