



安全理事会

Distr.: General
8 May 2020
Chinese
Original: English

安全理事会第 1540(2004)号决议
所设委员会

2020 年 5 月 8 日新西兰常驻联合国代表团给委员会主席的普通照会

新西兰常驻联合国代表团向安全理事会第 1540(2004)号决议所设委员会主席致意，并谨随函转递新西兰关于依照安全理事会第 1540(2004)号决议所采取的
执行措施的报告和汇总表(见附件)。¹

新西兰常驻联合国代表团还谨告知，新西兰自愿在汇总表中列入了本国已签署并批准的《禁止核武器条约》的相关信息。

新西兰常驻联合国代表团谨建议，委员会不妨考虑在今后提交的报告汇总表中为《禁止核武器条约》增列一个条目。

¹ 经委员会同意，新西兰提交的汇总表将仅以原文分发。



2020 年 5 月 8 日新西兰常驻联合国代表团给委员会主席的普通照会的附件

新西兰执行安全理事会第 1540(2004)号决议情况报告

自 2004 年 10 月 28 日向安全理事会第 1540(2004)号决议所设委员会提交初次报告(S/AC.44/2004/(02)/54)以及 2006 年 1 月 11 日和 2008 年 2 月 11 日提交补充报告以来,新西兰政府进一步加强了对安全理事会第 1540(2004)号决议的执行工作,详情如下。

新承诺和进一步承诺

2014 年,新西兰与国际原子能机构(原子能机构)缔结了一项修订版小数量议定书,该议定书修正了 1972 年与原子能机构缔结的保障监督协定。

新西兰已通过新的立法,即 2016 年的《辐射安全法》,取代了早先规制核材料和放射性材料的立法。该法规定,任何人未经许可不得制造、拥有、控制、使用、进口、出口、处理辐射源或提供与之有关的服务。

《辐射安全法》完成了本国在国内法中落实《〈核材料实物保护公约〉修正案》和《制止核恐怖主义行为国际公约》的进程。新西兰于 2016 年批准了这两项公约。

2017 年,新西兰修订了 1999 年《海上犯罪法》,增列条款,将蓄意运输(包括在公海上运输)大规模毁灭性武器相关材料以及从固定平台卸载大规模毁灭性武器和相关材料定为刑事犯罪。这使新西兰得以批准《〈制止危及海上航行安全非法行为公约〉2005 年议定书》和《制止危及大陆架固定平台安全非法行为议定书 2005 年议定书》。

2018 年,新西兰通过《中介(武器和相关物项)管制法》,对与可用于制造大规模毁灭性武器的两用物品等有关的近岸中介活动制定了监管制度。

2018 年,新西兰批准了《禁止核武器条约》,根据该条约,新西兰承诺,在任何情况下都不以任何方式协助、鼓励或诱使任何人从事该条约禁止缔约国从事的任何活动。这类被禁止的活动包括:发展、试验、生产、制造、获取、拥有或储存核武器或其他核爆炸装置;直接或间接向任何接受方转让核武器或其他核爆炸装置或对这种武器或爆炸装置的控制权;使用或威胁使用核武器或其他核爆炸装置。根据该条约,新西兰还承诺维持在该条约生效时本国所负有效的原子能机构保障监督义务,但不妨碍新西兰今后可能通过的任何其他相关文书。

新西兰颁布了条例,以执行安全理事会在大规模毁灭性武器及其运载工具方面的制裁,特别是与朝鲜民主主义人民共和国有关的制裁。

法律规章的其他变动

自新西兰最近一次向委员会提交报告以来,该报告中提到的一些法律规章已进行了修订或修正。其中包括 2018 年《海关法》,对之前的立法(1996 年《海关法》)作了现代化更新;还包括 2017 年《海关出口禁令》,该禁令每三年更新一次。

2017 年，新西兰更新了危险物质和新生物体法律制度，并对负责环境保护和工作场所安全的机构进行了新的监管权限划分。根据《危险物质和新生物体法》制定的一些条例已经更新。

在所附汇总表(见附文)中，新西兰向委员会说明了新西兰如何评估本国法律规章是否符合第 1540(2004)号决议的要求。

合作与援助

近年来，新西兰继续向其他国家提供各种形式的援助，以执行第 1540(2004)号决议的规定。这些援助包括：

- 对原子能机构核保安基金的定期财政捐助和对禁止化学武器组织的自愿财政支助，例如为 2017 年的一次化学安全会议提供资金
- 为核安保、核法证学和非法核材料检测方面的国家和区域培训方案提供财政援助
- 通过向上述项目提供财政捐助，支持防止大规模毁灭性武器和材料扩散全球伙伴关系
- 参与并资助在打击核恐怖主义全球倡议的主持下开办的区域培训方案
- 2015 年根据“防扩散安全倡议”主办了一次亚太区域演习，并为该倡议其他区域伙伴主办的年度演习提供协助
- 向太平洋岛屿国家提供广泛援助，以加强它们的边境管制和法律制度
- 2019 年 9 月为太平洋岛屿国家议员主办关于第 1540(2004)号决议的研讨会

新西兰是裁军和不扩散方面大量国际论坛的积极参与者。在最近与第 1540(2004)号决议所涉问题有关的倡议方面，新西兰：

- 参加了 2010 至 2016 年间召开的四次核安全峰会，并为峰会产生的自愿倡议做出了贡献
- 2015 年至 2017 年共同主持了东南亚国家联盟区域论坛关于不扩散和裁军问题的闭会期间会议，并主办了该集团 2017 年的会议
- 2018 年加入反对使用化武有罪不罚问题国际伙伴关系
- 担任 2019/20 年导弹技术控制制度主席，并于 2019 年 10 月主持了该小组的全体会议

附文

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.

附注

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

| Adherence to legally binding instruments, membership of organizations, participation in arrangements and statements made | Relevant information (i.e. signing, deposit of instrument of accession, ratification, etc.) | Remarks (information refers to the page of the English version of the national report or an official web site) |
|--|---|--|
| 1 《不扩散核武器条约》 | Ratified 17 July 1969 | |
| 2 Nuclear-Weapon-Free Zone/Protocol(s) | 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 禁止核武器条约 | Ratified 31 July 2018 | |
| 4 制止核恐怖主义行为国际公约 | Entry into force for New Zealand 17 April 2016 | |
| 5 《核材料和核设施实物保护公约》 | 2004 年 1 月 18 日生效 | |
| 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 《关于禁止发展、生产、储存和使用化学武器及销毁此种武器的公约》 | 1997 年 4 月 29 日生效 | |
| 9 《关于禁止发展、生产和储存细菌（生物）及毒素武器和销毁此种武器的公约》 | Ratified 13 December 1972 | |
| 10 Geneva Protocol of 1925 | Deposited 24 May 1930 | |
| 11 1997 《制止恐怖主义爆炸的国际公约》 | Entry into force for New Zealand 4 December 2002 | |
| 12 1999 制止向恐怖主义提供资助的国际公约 | 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 | |
| 15 2010 《制止与国际民用航空有关的非法行为的公约》 | | |
| 16 Other relevant regional legally binding instruments | Waigani Convention, 1995 – ratified by New Zealand on 30 November 2000 | |
| 17 国际原子能机构 | Member since 13 September 1957 | |

| Adherence to legally binding instruments, membership of organizations, participation in arrangements and statements made | Relevant information (i.e. signing, deposit of instrument of accession, ratification, etc.) | Remarks (information refers to the page of the English version of the national report or an official web site) |
|--|--|--|
| 18 Directly relevant arrangements | <p>Safeguards agreement (small quantities protocol) (INFCIRC/185) 29 February 1972</p> <p>Additional Protocol (INFCIRC/185/Add.1) 24 September 1998</p> <p>Modified small quantities protocol (INFCIRC/185/Mod.1) 24 February 2014</p> <p>New Zealand participates in the following arrangements:</p> <ol style="list-style-type: none"> 1. 导弹技术控制制度 2. 核供应国集团 3. 关于常规武器和两用物品及技术出口控制的瓦森纳安排 4. 澳大利亚集团 5. 不扩散安全倡议 6. 打击核恐怖主义全球倡议 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 | <p>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 mass destruction, their means of delivery and related materials</p> | |
| 20 Membership of relevant international, regional or subregional organizations | <ol style="list-style-type: none"> 1. 世界海关组织 2. 世界卫生组织 3. 国际海事组织 4. 世界动物卫生组织 5. 国际刑事警察组织 6. 八国集团防止大规模毁灭性武器和材料扩散全球伙伴关系 | |

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/? | | | Source document of national implementation law | X/? | | | | |
| | NW | CW | BW | | NW | CW | BW | 原始交易记录 | |
| 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 输送；运输；迁移 | | | | 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 |

| 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/? | | | Source document of national implementation law | X/? | | | | |
| | NW | CW | BW | | NW | CW | BW | 原始交易记录 | |
| 6 Transfer | | | | NW: NZNFZA, sect. 5; TSA, sects. 13 C–E CW: CWPA, sect. 6 (1) (b) BW: NZNFZA, sect. 8 | | | | NW: NZNFZA, sect. 14; TSA, sects. 13 C–E CW: CWPA, sects. 6, 7, 9 and 15; TSA, sects. 6 and 7 BW: NZNFZA, sect. 14; HSNOA, part 7 | NZNFZA does not mention transfer of NW and BW but does refer to possession and control |
| 7 Use | | | | 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 | | | | 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 | |

| 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/? | | | Source document of national implementation law | X/? | | | | |
| | NW | CW | BW | | NW | CW | BW | 原始交易记录 | |
| 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 |
| 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 | | | | |
|--|--|----|-----------------|--|--|----|----|--|---------|
| | X/? | | | | X/? | | | | |
| | NW | CW | BW ^b | 原始交易记录 | NW | CW | BW | 原始交易记录 | Remarks |
| 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 | |

| | <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>X/?</i> | | | | |
| | | <i>NW</i> | <i>CW</i> | <i>BW^b</i> | 原始交易记录 | <i>NW</i> | <i>CW</i> | <i>BW</i> | 原始交易记录 | |
| 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>X/?</i> | | | | | |
| | <i>NW</i> | <i>CW</i> | <i>BW^b</i> | 原始交易记录 | <i>NW</i> | <i>CW</i> | <i>BW</i> | 原始交易记录 | | |
| 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> | | | 原始交易记录 | <i>X/?</i> | | | 原始交易记录 | |
| | | <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; CWSA, 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)

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

原始交易记录

Remarks

| | | | |
|----|---|---|--|
| 1 | 国家管理当局 | 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

原始交易记录

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

原始交易记录

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

| | 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/? | | | | X/? | | | | |
| | | NW | CW | BW | 原始交易记录 | NW | CW | BW | 原始交易记录 | |
| 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 |

| 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/? | | | | X/? | | | | |
| | NW | CW | BW | 原始交易记录 | NW | CW | BW | 原始交易记录 | |
| 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 全面控制条款 | | | | 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 | |

| 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/? | | | | X/? | | | | |
| | NW | CW | BW | 原始交易记录 | NW | CW | BW | 原始交易记录 | |
| 13 Trans-shipment control | | | | Import/export provisions of the Customs and Excise Act apply to trans-shipment | | | | As above | |
| 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 exports/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 |