

## **New Zealand**

This is reflected in the prohibitions under New Zealand law which make it an offence to aid or abet any person in developing WMD. For example the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987 expressly makes it an offence to aid, abet or procure any person to manufacture, acquire, possess, or have control over any nuclear explosive device. This prohibition also applies extra-territorially to agents or servants of the Crown outside the New Zealand nuclear free zone.

\*It should be noted that any non-State actor attempting<sup>7</sup> to carry out the prohibited activities under New Zealand legislation in relation to WMD (i.e. to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of deliver) commits an offence under New Zealand law.

## **Treaties**

New Zealand already has legislation which gives effect to the Biological Weapons Convention, Chemical Weapons Convention and the Nuclear Non-Proliferation Treaty. The prohibitions in our legislation are consistent with, and enable us to meet, the prohibitions mandated under OP2 relating to the manufacture, acquisition, possession, development, transport, transfer or use of nuclear, chemical or biological weapons and their means of delivery.

The section in the Crimes Act prohibiting attempts would also make it an offence for non-State actors to attempt to carry out the prohibited activities under New Zealand legislation in relation to WMD. This is relevant to OP2, which calls on States to implement effective laws to prohibit non-state actors from attempting to engage in the prohibited activities outlined in OP2.

New Zealand has implemented controls on the export of "strategic goods" through the New Zealand Strategic Goods List. The items controlled are goods and technologies which are designed specifically for military use, and "dual-use" goods and technologies which are primarily for civilian use but which have significant military applications, whether they be in conventional weapons systems, or for the development of weapons of mass destruction. The export of goods on the Strategic Goods List is prohibited without the consent of the Secretary of Foreign Affairs and Trade. The New Zealand Strategic Goods List controls the export of goods regulated under the Australia Group, the Nuclear Suppliers Group, the Missile Technology Control Regime and the Wassenaar Arrangement and therefore serves to control related material as defined in these multilateral arrangements and agreements.

The Strategic Goods List is implemented under the Customs and Excise Act 1996 through a Customs Export Prohibition Order.

Party to BWC.