



THE ANGUILLA HOUSE OF ASSEMBLY

MOTION PAPER FIFTH MEETING OF THE FIRST SESSION OF THE ELEVENTH ANGUILLA HOUSE OF ASSEMBLY

9TH NOVEMBER 2015

MOTION: 450

HOUSE OF ASSEMBLY

CUSTOMS DUTY EXEMPTION (MOTIONS NOS. 450) RESOLUTION, 2015

Regulations of Anguilla No. 27/2015

Resolution made by the House of Assembly under section 77 (1) of the Customs Act, R.S.A. c.C169.3 was proposed and seconded in the House of Assembly on the 09th day of November 2015;

BE IT RESOLVED that, under the powers contained in section 77(1) of the Customs Act, R.S.A. c. 169, the House of Assembly exempts from duty the goods imported into Anguilla specified in the Schedule.

1. The following conditions apply in respect of all goods exempted from duty by virtue of this Resolution –
 - (a) The goods shall not, within 5 years of the date of importation, be sold, exchanged, given away or applied to any use other than the use specified in the Schedule;
 - (b) On the expiry of 6 months from the date of importation and each successive 6 month period within the 5 year period after the date of importation, the importer shall certify to the Comptroller of Customs, in a form acceptable to the Comptroller of Customs, that he has complied with the conditions set out in paragraph (a);
 - (c) Upon demand made by a customs officer, the goods exempted from duty under this Resolution shall be produced or otherwise accounted for to the customs officer;

(d) In accordance with the Customs Administrative Costs Recovery Act, R.S.A. c. 170, at the time of import, the importer shall pay the Customs Administrative Charge at the rate specified in the Schedule.

2. In accordance with section 71 of the Customs Act, R.S.A. c 169, the following apply in the event that a condition referred to in section 1 of this Resolution is contravened or not complied with –

(a) If any of the goods exempted from duty under this Resolution are sold, exchanged, given away or applied to any use other than the use specified in the Schedule within 5 years of the date of importation –

(i) the importer shall pay the duty on the value of such goods at the rate of duty specified in the Integrated Customs Tariff at the date of importation;

(ii) the importer and any person knowingly concerned in such sale, exchange, gift or unsanctioned use is guilty of an offence and may be arrested and is liable to a fine of \$20,000 or 3 times the duty relieved, whichever is the greater, or to imprisonment for a term of 2 years or to both; and

(iii) the goods in respect of which the exemption was granted are liable to forfeiture.

(b) If the importer fails to certify that he has not sold, exchanged, given away or applied the goods to any use other than the use specified in the Schedule –

(i) the importer shall produce or account for the goods exempted from duty under this Resolution to the Comptroller of Customs;

(ii) any goods not produced or accounted for will be deemed to have been sold, exchanged, given away or applied to some use other than the use specified in the Schedule and paragraph (a)(i) applied; and

(iii) If any goods not produced or accounted for are subsequently found, they are liable to forfeiture.

(c) If the importer fails to produce or account for the goods exempted from duty under this Resolution upon demand by a customs officer –

- (i) the importer and any person knowingly concerned in such failure are guilty of an offence and may be arrested and are liable to a fine of \$20,000 or 3 times the value of the goods, whichever is the greater, or to imprisonment for a term of 2 years or to both; and
 - (ii) if any goods not produced or accounted for are subsequently found they are liable to forfeiture.
- (d) If the importer fails to pay the Customs Administrative Charge at the rate specified in the Schedule, at the expiry of 30 days from the date of delivery of a demand for payment made by the Comptroller of Customs, or such longer period as may be designated by the Comptroller of Customs –
- (i) the importer shall pay the duty on the value of such goods at the rate of duty specified in the Integrated Customs Tariff at the date of importation;
 - (ii) the importer and any person knowingly concerned in such failure are guilty of an offence and may be arrested and are liable to a fine of \$20,000 or 3 times the value of the goods, whichever is the greater, or to imprisonment for a term of 2 years or to both; and
 - (iii) the goods exempted from duty under this Resolution are liable to forfeiture.

Leroy C Rogers
Speaker

Passed by Resolution of the House of Assembly the 09th day of November 2015.

Lenox J Proctor
Clerk, House of Assembly

MOTION NO. 450
SCHEDULE

IMPORTER: Derek Romney / Anguilla Roads & Construction.

PURPOSE: Asphalt Plant

PERIOD DURING WHICH IMPORTATION ALLOWED: July 21, 2015 – July 20, 2016

GOODS THAT MAY BE IMPORTED: - Asphalt Plant

RATE OF CUSTOMS ADMINISTRATIVE CHARGE: 5% Administrative Charge of the value of the goods in respect of which customs duty exemption is granted.

DUTY LOSS: - EC \$ 150,000.00.

Derick Romney
Anguilla Road and Construction
Blowing Point
Anguilla

MOTION: 451

HOUSE OF ASSEMBLY

CUSTOMS DUTY EXEMPTION (MOTIONS NOS. 451) RESOLUTION, 2015

Regulations of Anguilla No. 28/2015

Resolution made by the House of Assembly under section 77 (1) of the Customs Act, R.S.A. c.C169.3 was proposed and seconded in the House of Assembly on the 09th day of November 2015;

BE IT RESOLVED that, under the powers contained in section 77(1) of the Customs Act, R.S.A. c. 169, the House of Assembly exempts from duty the goods imported into Anguilla specified in the Schedule.

1. The following conditions apply in respect of all goods exempted from duty by virtue of this Resolution –

- (e) The goods shall not, within 5 years of the date of importation, be sold, exchanged, given away or applied to any use other than the use specified in the Schedule;
- (e) On the expiry of 6 months from the date of importation and each successive 6 month period within the 5 year period after the date of importation, the importer shall certify to the Comptroller of Customs, in a form acceptable to the Comptroller of Customs, that he has complied with the conditions set out in paragraph (a);
- (f) Upon demand made by a customs officer, the goods exempted from duty under this Resolution shall be produced or otherwise accounted for to the customs officer;
- (g) In accordance with the Customs Administrative Costs Recovery Act, R.S.A. c. 170, at the time of import, the importer shall pay the Customs Administrative Charge at the rate specified in the Schedule.

2. In accordance with section 71 of the Customs Act, R.S.A. c 169, the following apply in the event that a condition referred to in section 1 of this Resolution is contravened or not complied with –

- (a) If any of the goods exempted from duty under this Resolution are sold, exchanged,

given away or applied to any use other than the use specified in the Schedule within 5 years of the date of importation –

- (i) the importer shall pay the duty on the value of such goods at the rate of duty specified in the Integrated Customs Tariff at the date of importation;
 - (ii) the importer and any person knowingly concerned in such sale, exchange, gift or unsanctioned use is guilty of an offence and may be arrested and is liable to a fine of \$20,000 or 3 times the duty relieved, whichever is the greater, or to imprisonment for a term of 2 years or to both; and
 - (iii) the goods in respect of which the exemption was granted are liable to forfeiture.
- (f) If the importer fails to certify that he has not sold, exchanged, given away or applied the goods to any use other than the use specified in the Schedule –
- (iv) the importer shall produce or account for the goods exempted from duty under this Resolution to the Comptroller of Customs;
 - (v) any goods not produced or accounted for will be deemed to have been sold, exchanged, given away or applied to some use other than the use specified in the Schedule and paragraph (a)(i) applied; and
 - (vi) If any goods not produced or accounted for are subsequently found, they are liable to forfeiture.
- (g) If the importer fails to produce or account for the goods exempted from duty under this Resolution upon demand by a customs officer –
- (iii) the importer and any person knowingly concerned in such failure are guilty of an offence and may be arrested and are liable to a fine of \$20,000 or 3 times the value of the goods, whichever is the greater, or to imprisonment for a term of 2 years or to both; and
 - (iv) if any goods not produced or accounted for are subsequently found they are liable to forfeiture.

- (h) If the importer fails to pay the Customs Administrative Charge at the rate specified in the Schedule, at the expiry of 30 days from the date of delivery of a demand for payment made by the Comptroller of Customs, or such longer period as may be designated by the Comptroller of Customs –
- (iv) the importer shall pay the duty on the value of such goods at the rate of duty specified in the Integrated Customs Tariff at the date of importation;
 - (v) the importer and any person knowingly concerned in such failure are guilty of an offence and may be arrested and are liable to a fine of \$20,000 or 3 times the value of the goods, whichever is the greater, or to imprisonment for a term of 2 years or to both; and
 - (vi) the goods exempted from duty under this Resolution are liable to forfeiture.

Leroy C Rogers
Speaker

Passed by Resolution of the House of Assembly the 09th day of November 2015.

Lenox J Proctor
Clerk, House of Assembly

MOTION NO. 451
SCHEDULE

IMPORTER: Duquaine Brooks / Results Driven Fitness Centre.

PURPOSE: Fitness Centre

PERIOD DURING WHICH IMPORTATION ALLOWED: August 24, 2015 – August 23, 2016

GOODS THAT MAY BE IMPORTED: - LIST ATTACHED

RATE OF CUSTOMS ADMINISTRATIVE CHARGE: 5% Administrative Charge of the value of the goods in respect of which customs duty exemption is granted.

DUTY LOSS: - EC \$ 27,093.46.

Duquaine Brooks
Results Driven Fitness Centre
The Valley
Anguilla

Items List

Quantity	Item	Price (USD)	Cost (USD)	Cost (€C\$)	Classification	Rate of Duty	Total Duty Loss
10	Treadmills	\$ 2,500.00	\$ 25,000.00	\$ 67,000.00	9506919000	0.2	\$ 13,400.00
10	Spinner Bikes	\$ 900.00	\$ 9,000.00	\$ 24,120.00	9506911000	0.2	\$ 4,824.00
2	Stair Master	\$ 3,200.00	\$ 6,400.00	\$ 17,152.00	9506911000	0.2	\$ 3,430.40
10	Steppers	\$ 100.00	\$ 1,000.00	\$ 2,680.00	9506911000	0.2	\$ 536.00
10	Step Risers	\$ 50.00	\$ 500.00	\$ 1,340.00	9506919000	0.2	\$ 268.00
2	Stepper Storage	\$ 450.00	\$ 900.00	\$ 2,412.00	9506911000	0.2	\$ 482.40
5	TRX	\$ 300.00	\$ 1,500.00	\$ 4,020.00	9506919000	0.2	\$ 804.00
10	Barbells	\$ 200.00	\$ 2,000.00	\$ 5,360.00	9506919000	0.2	\$ 1,072.00
1	Barbell Rack	\$ 450.00	\$ 450.00	\$ 1,206.00	9506919000	0.2	\$ 241.20
10	Dumbbells (pairs)	\$ 80.00	\$ 800.00	\$ 2,144.00	9506919000	0.2	\$ 428.80
1	Dumbbells Stand	\$ 150.00	\$ 150.00	\$ 402.00	9506919000	0.2	\$ 80.40
10	Kettlebells	\$ 80.00	\$ 800.00	\$ 2,144.00	9506919000	0.2	\$ 428.80
10	Slam Balls	\$ 75.00	\$ 750.00	\$ 2,010.00	(9506320000)	0.2	\$ 402.00
5	Exercise balls	\$ 40.00	\$ 200.00	\$ 536.00	(9506320000)	0.2	\$ 107.20
1	Gym Floor	\$ 635.00	\$ 635.00	\$ 1,701.80	(9506320000)	0.2	\$ 340.36
2	Ropes	\$ 200.00	\$ 400.00	\$ 1,072.00	9506919000	0.2	\$ 214.40
1	Stop clock	\$ 250.00	\$ 250.00	\$ 670.00	(9106900000)	0.05	\$ 33.50
							\$ 27,093.46