Revised Regulations of Anguilla: C169-2

CUSTOMS ACT (R.S.A. c. C169)

ARRIVAL AND DEPARTURE OF VESSELS (UNLOADING AND LOADING OF GOODS) REGULATIONS

Note: These Regulations are enabled under sections 21, 33 and 43 of the Customs Act, R.S.A. c. C169.

Arrival of Vessels

1. (1) Where a boarding station has been appointed at a customs port, then subject to subsection (4) and save as the Comptroller may otherwise permit, the master of every vessel arriving at that port who is required by section 23(1) or (2) of the Act to deliver a report shall bring his vessel to that boarding station and shall not move until ordered to proceed by the proper officer.

(2) Subject to subsection (4) and save as the Comptroller may otherwise permit, the master of every vessel ordered to proceed from a boarding station under subsection (1) and the master of every other vessel arriving at any port, shall bring their vessel as directly to the proper mooring or approved wharf as the nature of the port will permit, without touching at any other place, save as may be necessary for the safe navigation of the vessel.

(3) Where a vessel is brought to a mooring or an approved wharf as required by subsection (2), it shall not be moved to any other place in Anguilla—

(a) except directly to some other mooring or approved wharf; and

(b) unless the proper officer has been informed of the move.

(4) Save as provided for by this section, where a vessel is not brought to any boarding station, mooring or approved wharf as required by, or is removed from such a place in contravention of, this section, the master of that vessel is liable to a fine of $5,000.

Transshipment of goods

2. (1) Goods unloaded from a vessel into another vessel or landing at an approved wharf shall not, except with the permission of the proper officer, be again removed into another vessel before they are landed, but shall be taken directly to and landed at the wharf.

(2) Where any goods are removed in contravention of, or are not taken directly to an approved wharf as required by this section, the person responsible for that removal or failure is liable to a fine of $5,000, and the goods in respect of which the offence was committed are liable to forfeiture.

Landing of goods

3. (1) Save as the Comptroller may otherwise permit, goods for which an entry is required under section 24 of the Act—

(a) shall not be landed except in the presence of the proper officer;

(b) when landed shall, unless they are already entered under that section or section 25 of the Act, be taken directly to and deposited in a transit shed; and

(c) shall not be permitted to be removed from their place of landing or a transit shed except in the presence of the proper officer.

(2) Where goods are landed or moved from their place of landing, not taken to, deposited in or removed from a transit shed, in contravention of this section, the person responsible for that landing, removal or failure is liable to a fine of $5,000, and the goods in respect of which the offence was committed are liable to forfeiture.

Deposit of goods for exportation

4. (1) Where goods intended for exportation or for use as stores are taken into any customs port, they shall, except where they are to be loaded immediately, be taken to and deposited in a transit shed.

(2) Where goods are not taken to and deposited in a transit shed as required by this section, the person responsible for that failure is liable to a fine of $5,000, and the goods in respect of which the offence was committed are liable to forfeiture.

Loading of goods

5. (1) Save as the Comptroller may otherwise permit, no person shall load in to any vessel or make waterborne for loading any goods for exportation or for use as stores except at an approved wharf and in the presence of the proper officer.

(2) Any person who loads goods in contravention of this section is liable to a fine of $2,000, and the goods in respect of which the offence was committed are liable to forfeiture.

Departure of vessels

6. (1) Save as provided by the Act and as the Comptroller may otherwise permit, every vessel with clearance to leave a port under section 37 or 45 of the Act shall leave that port by a direct route, without touching any other place save as may be necessary for the safe navigation of the vessel.

(2) Where a vessel leaving a port does not follow a route required or permitted by the Comptroller, or touches a place in contravention of this section, the master of that vessel is liable to a fine of $5,000.

(3) Where a vessel departs as aforesaid under subsection (1) on a voyage to a place outside of Anguilla, if the vessel immediately returns to any place in Anguilla or the waters thereof, unless this is done—

(a) in accordance with the Act or any customs enactment; or

(b) with the permission of the proper officer; or

(c) for some cause which the master of the vessel shall explain to the satisfaction of the Comptroller;

then, the master of the vessel is liable to a fine of $5,000.

Citation

7. These Regulations may be cited as the Arrival and Departure of Vessels (Unloading and Loading of Goods) Regulations, Revised Regulations of Anguilla C169-2.

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