



Customs Consolidation Act 1876

1876 CHAPTER 36

AS TO THE CHANNEL ISLANDS AND OTHER POSSESSIONS.

149 Powers of Commissioners of Customs as to colonies extended to governors, &c.

The powers and authorities vested in the Commissioners of Customs with regard to any act or thing relating to the Customs, or to trade or navigation in any of the British possessions abroad, shall continue to be vested in the governor, lieutenant-governor, or other person administering the government in any such possession, and every act required by any law to be done by or with any particular officer or at any particular place, if done by or with any such officer or at any place appointed or nominated by such governor, lieutenant-governor, or other person so administering such government, shall be deemed to have been done by or with such particular officer or at such particular place, as the case may be, and as required by law; and all commissions, deputations, and appointments granted to any officers of Customs in force at the commencement of this Act shall have the same force and effect to all intents and purposes as if the same had been granted or made in the first instance by such governor, lieutenant-governor, or person so administering the government of any such possession; and all bonds or other securities which shall have been given by or for any such officers and their respective sureties for good conduct or otherwise shall remain in force, and shall and may be enforced and put in suit at the instance of or by directions of any such governor, lieutenant-governor, or person administering the government of any such possession.

150 Base coin prohibited to be imported into British possessions.

Base or counterfeit coin is hereby absolutely prohibited to be imported or brought, either by sea or inland carriage or navigation, into the British possessions in America and the Mauritius.

151 Customs Acts to extend to British possessions abroad, except where otherwise provided for.

The Customs Acts shall extend to and be of full force and effect in the several British possessions abroad, except where otherwise expressly provided for by the said Acts,

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

or limited by express reference to the United Kingdom or the Channel Islands, and except also as to any such possession as shall by local Act or ordinance have provided, or may hereafter, with the sanction and approbation of Her Majesty and her successors, make entire provision for the management and regulation of the Customs of any such possession, or make in like manner express provisions in lieu or variation of any of the clauses of the said Act for the purposes of such possession.

152 Foreign reprints of books under copyright prohibited.

Any books wherein the copyright shall be subsisting, first composed or written or printed in the United Kingdom, and printed or reprinted in any other country, shall be and are hereby absolutely prohibited to be imported into the British possessions abroad : Provided always, that no such books shall be prohibited to be imported as aforesaid unless the proprietor of such copyright, or his agent, shall have given notice in writing to the Commissioners of Customs that such copyright subsists, and in such notice shall have stated when the copyright will expire ; and the said Commissioners shall cause to be made and transmitted to the several ports in the British possessions abroad, from time to time to be publicly exposed there, lists of books respecting which such notice shall have been duly given, and all books imported contrary thereto shall be forfeited; but nothing herein contained shall be taken to prevent Her Majesty from exercising the powers vested in her by the tenth and eleventh Victoria, chapter ninety-five, intituled " An Act to amend the law " relating to the protection in the colonies of works entitled to " copyright in the United Kingdom," to suspend in certain cases such prohibition.

153 Foreign manufactures with British marks.

If any articles of foreign manufacture, and any packages of such articles, bearing any names, brands, or marks being or purporting to be the names, brands, or marks of manufacturers resident in the United Kingdom, shall be imported into any of the British possessions abroad, the same shall be forfeited.

154 Ship and cargo to be reported on arrival. Particulars of report. Penalty for false report.

The master of every ship arriving in the Channel Islands, whether laden or in ballast, shall come directly, and before bulk be broken, to the Custom House for the port or district where he arrives, and there make a report in writing to the proper officer of Customs, in the same form and manner as herein-before provided on the arrival of any ship in Great Britain or Ireland from parts beyond the seas, so far as the same may be applicable; and if any goods be unladen from any ship before such report be made, or if the master fail to make such report, or make an untrue report, or do not truly answer the questions demanded of him, he shall forfeit the sum of fifty pounds, and if any goods be not reported such goods shall be forfeited.

155 Entry of goods to be laden or unladen. Regulations inwards and outwards. Regulations coastwise. Forfeiture.

No goods shall be laden or water-borne to be laden on board any ship, or unladen from any ship, in the Channel Islands, until due entry shall have been made of such goods and warrant granted for the lading or unlading of the same; and no goods shall be so laden or water-borne or so unladen in the said Channel Islands except at some place

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

at which an officer of the Customs is appointed to attend the lading and unlading of goods, or at some place for which a sufferance shall be granted by the proper officer of Customs for the lading and unlading of such goods, and in the presence or with the permission of such officer; but the Commissioners of Customs may make such regulations for the carrying coastwise of any goods, or for the removing of any goods for shipment in the said islands, as to them shall appear expedient; and all goods laden, water-borne, or unladen contrary hereto, or to any regulations to be so made, shall be forfeited.

156 Goods grown or manufactured in Channel Islands. Duty free. Master to deliver certificate of produce.

Any goods of the growth of the Channel Islands, and any goods manufactured in the said islands from materials of the growth of the said islands, or from materials not subject to duty in Great Britain or Ireland, or from materials upon which the duty has been paid in Great Britain or Ireland, and upon which no drawback has subsequently been granted, may be imported into Great Britain or Ireland from the said islands respectively without payment of any duty, and such goods shall not be deemed to be included in any charge of duties imposed by any Act on the importation of goods generally from parts beyond the seas, except as herein-after provided; and any person who is about to export from the Channel Islands to Great Britain or Ireland any such goods may go before a magistrate of such islands and make and sign before him a declaration that such goods, stating the quantity, quality, and description thereof, and the number and denomination of the packages containing the same, are of such growth or produce or of such manufacture, and such magistrate shall administer and sign such declaration; and thereupon the governor, lieutenant-governor, or other proper authority of the island from which the goods are to be exported shall, upon the delivery to him of such declaration, grant a certificate under his hand of the proof contained in such declaration, stating the ship in which and the port to which the goods are to be exported: and such certificate shall be the proper document to be produced at such port in proof that the goods mentioned therein are of the growth, produce, or manufacture of such island respectively, and before any such goods shall be admitted to entry at any port in Great Britain or Ireland as being the produce of the said islands (if any benefit attach to such distinction), the master of the ship importing the same shall deliver such certificate to the collector or other proper officer: Provided always, that such goods shall be charged with any proportion of such duties as shall fairly countervail any duties of excise payable on the like goods the produce or manufacture of the part of Great Britain or Ireland into which they shall be imported, or payable upon any of the materials from which such goods are manufactured; and all goods manufactured in any of the said islands from any other materials than the materials aforesaid shall be declared and taken to be foreign goods.

157 Prohibited goods not to be shipped from the Channel Islands to the United Kingdom.

If in the Channel Islands any goods, the importation whereof into the United Kingdom is prohibited, or any goods in any packages or in any manner in which the same cannot be legally imported into the United Kingdom, shall be found concealed or prepared for shipment, or be shipped, removed, or brought to any wharf, quay, or other place in the said islands, or be water-borne to be shipped on board any ship without the authority of the proper officers of Customs of the said islands, such goods shall be forfeited, and any person who shall so ship, bring, or water-bear to be shipped any such goods,

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

or be otherwise knowingly concerned therein, or in whose custody or possession the same shall be found, shall forfeit the sum of one hundred pounds, or treble the value of the goods, at the election of the Commissioners of Customs.

158 Ships not to sail from Channel Islands without clearance. Penalty.

No ship or boat belonging wholly or in part to Her Majesty's subjects shall sail from the Channel Islands without a clearance, whether in ballast or having a cargo ; and if with cargo, the master shall give bond to Her Majesty in double the value of such cargo for the due landing thereof at the port for which such ship or boat clears; and shall truly answer such questions as may be put to him by the principal or other proper officer of Customs touching such ship and her intended voyage; and every such ship or boat not having such clearance, or which, having a clearance for her cargo, shall be found light, or to have discharged any part of her cargo before arrival at the port or place of discharge specified in the clearance, shall be forfeited ; and the master of every ship so departing without clearance, or refusing to answer or not answering truly any such questions, or discharging any part of the cargo of such ship before arrival at her port or place of discharge, shall forfeit the sum of fifty pounds.

159 Stores for vessels departing from the Channel Islands.

The Commissioners of Customs may from time to time establish regulations as to the quantities, custody, and disposal of tobacco, spirits, and tea to be used as stores by the master, crew, and passengers of any vessel about to depart from the Channel Islands to any port in the United Kingdom, or to any fishing grounds at sea, having regard to the time that will be occupied in the contemplated voyage, the tonnage of the vessel, and the number of her crew and passengers, the particulars of such stores to be noted on the clearance of the vessel; and if they or any part thereof be landed in the United Kingdom from the said vessel contrary to the regulations so established, or without the knowledge or permission of the proper officer of the Customs, they shall be forfeited, and the master of such vessel shall, on proof of any such landing or unshipment, forfeit the penalty of twenty pounds, and if any stores in excess of the quantity allowed by such regulations be found on board any ship so about to depart, they shall be forfeited.

160 Application of penalties. Reward to officers for seizures in Channel Islands.

All penalties and forfeitures recovered in the Channel Islands under this or any Act relating to the Customs shall be paid into the hands of the principal officer of the port or place where the same shall have been recovered, and shall be divided, paid, and applied as follows; (that is to say,) after deducting the charges and expenses incurred in respect thereof, one moiety of the net produce shall be paid to the Receiver-General of the islands, and the other moiety to or amongst the seizer or other persons by or through whom or whose information such seizure may have been effected, in such manner and proportion as the Commissioners of Customs may direct, except where such seizures shall have been made at sea by the commander or officer of any of Her Majesty's ships of war duly authorised to make seizures, in which case such last-mentioned moiety shall be paid to such commander or officer for distribution in the usual way ; and where such seizure shall consist of tobacco or spirits, the Commissioners of Customs may allow to such seizer or other persons such further reward as they see fit, not exceeding in any case the sum of five pounds.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

161 Colonial laws repugnant to Acts of Parliament void.

All laws, byelaws, usages, or customs at this time, or which hereafter shall be in practice, or endeavoured or pretended to be in force or practice, in any of the British possessions, which are in anywise contrary to the Customs Acts, are and shall be null and void.

162 As to importing and exporting spirits into and from Channel Islands in ships of 40 tons and upwards. Not to extend to spirits in glass bottles, stores, certain warehoused goods, nor to licensed boats supplying Sark.

No spirits (except rum or British spirits) shall be imported into or exported from the Channel Islands or any of them, or be removed from any one to any other of the said islands, or be carried coastwise from any one part to any other part of any one of the said islands, or shall be shipped in order to be so removed or carried in any ship other than of the burden of forty tons or upwards, or in any cask or other vessel capable of containing liquids not being of the size or content of twenty gallons at the least if foreign, or nine gallons at the least if British or Irish; and all spirits imported, exported, removed, carried, shipped, or water-borne to be so shipped, removed, or carried contrary hereto, shall be forfeited, together with the ship, and any boat importing, exporting, removing, or carrying the same: Provided always, that nothing herein contained shall extend to any spirits imported in any such ship in glass bottles as part of the cargo, nor to any spirits being really intended for the consumption of the seamen and passengers of such ship during their voyage and not being more in quantity than is necessary for that purpose, nor to any boat of less burden than ten tons for having on board at any one time any foreign spirits of the quantity of ten gallons or under, such boat having a license from the proper officer of Customs at either of the islands of Guernsey or Jersey for the purpose, being employed in carrying commodities for the supply of the island of Sark, which license such officer is hereby required to grant without fee or reward; but if any such boat shall have on board at any one time any greater quantity of spirits than ten gallons, unless in casks or packages of the size and content of twenty gallons at the least if foreign, or nine gallons at the least if British or Irish, such spirits and boats shall be forfeited.

163 Provision as to importation of tobacco, &c. into Channel Islands.

No tobacco, cigars, or snuff shall be imported into the Channel Islands, nor be carried from any one of the said islands to another of them, or from one part of any of the said islands to another part of the same, unless in ships of not less burden than forty tons, nor unless in packages each containing not less than eighty pounds net weight of such tobacco, cigars, or snuff, nor unless the provisions in and under which the like sort of goods may be legally imported into the United Kingdom are complied with; and all tobacco, cigars, or snuff imported into the said islands, or found, carried, shipped, or removed contrary hereto, or which shall be found or discovered to have been on board any ship or boat within one league of the coasts thereof, shall be forfeited, together with the ship or boat.

164 Malta deemed to be in Europe.

The Island of Malta and its dependencies shall be deemed to be in Europe.