
 STATUTORY INSTRUMENTS

1980 No. 762

CUSTOMS AND EXCISE

The Customs and Excise (Community Transit) Regulations 1980

<i>Made - - - -</i>	<i>3rd June 1980</i>
<i>Laid before Parliament</i>	<i>11th June 1980</i>
<i>Coming into Operation</i>	<i>2nd July 1980</i>

The Commissioners of Customs and Excise, being a Department designated **(a)** for the purposes of section 2(2) of the European Communities Act 1972 **(b)** in relation to customs matters of the European Communities, in exercise of the powers conferred upon them in that behalf, hereby make the following Regulations:—

Citation, commencement and interpretation

1. These Regulations may be cited as the Customs and Excise (Community Transit) Regulations 1980 and shall come into operation on 2nd July 1980.

2. In these Regulations—

“relevant Community provision” means any provision of a Community Regulation specified in the first and second columns of the Schedule to these Regulations and shall include any such provision as applied by Article 39 of Council Regulation (EEC) No. 222/77 **(c)** to goods carried under the internal Community transit procedure;

“the customs and excise Acts” has the same meaning as in section 1(1) of the Customs and Excise Management Act 1979 **(d)**;

“the Commissioners” means the Commissioners of Customs and Excise.

Specification of transit routes

3. Goods moving under the internal or external Community transit procedure shall be moved by such routes within the United Kingdom as the Commissioners may specify.

Offences, penalty and forfeiture

4. If any person contravenes or fails to comply with—

(a) any relevant Community provision, or

(b) any requirement imposed by or under any such provision, or

(c) any requirement imposed under Regulation 3 hereof, or

(d) any undertaking given by him pursuant to any such provision or requirement,

that person and the person then in charge of the goods shall each be liable on summary conviction to a penalty of £400 and any goods in respect of which the offence was committed shall be liable to forfeiture.

(a) S.I. 1977/980.
(d) 1979 c. 2.

(b) 1972 c. 68.

(c) O.J. No. L38, 9.2.77, p. 1.

Supplementary

5.—(1) Section 139 of and Schedule 3 to the Customs and Excise Management Act 1979 (detention, seizure and condemnation of goods) shall apply to any goods liable to forfeiture under Regulation 4 above as if the goods were liable to forfeiture under the customs and excise Acts.

(2) Sections 145 to 148 and 150 to 155 of the Customs and Excise Management Act 1979 (proceedings for offences, mitigation of penalties, proof and other matters) shall apply in relation to offences and penalties under Regulation 4 above and proceedings for such offences or for condemnation of anything as being forfeited under that Regulation as they apply in relation to offences and penalties and proceedings for offences or for condemnation under the customs and excise Acts.

N. Godfrey,
Commissioner of Customs and Excise.

3rd June 1980.

King's Beam House,
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SCHEDULE

Regulation 2

RELEVANT COMMUNITY PROVISIONS

Column 1	Column 2	Column 3
Community Regulations	Relevant Provisions	Subject Matter of Provisions
Council Regulation (EEC) No. 222/77 of 13 December 1976(a) on Community transit, as amended(b)	Article 13—sub-paragraph (a)	Principal's responsibility for production of goods at office of destination, and for observance of time limits and identification measures
	Article 19—paragraphs 1 and 2	T document to accompany goods and goods to be carried via offices of transit
	Article 21	Consignment and T document to be produced at each office of transit
	Article 22—the first sentence of paragraph 1	Carrier to give each office of transit a transit advice note
	Article 24—the first sentence of paragraph 1	Transfer of goods under supervision of customs authorities
	Article 25—the first sentence of paragraph 1	Carrier to request report where seals are broken
Commission Regulation (EEC) No. 223/77 of 22 December 1976(c) on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure, as amended (b)	Article 28	Restrictions, etc., on exportation from Community to be stated on Community transit document
	Article 61—paragraph 1	Compliance with formalities by authorised consignor
	Article 63—paragraph 4	Compliance with formalities by authorised consignee
	Article 65—paragraph 1	Authorised consignee to notify excess quantities, shortages, etc., and to send documents to office of destination
	Article 80—paragraph 1	Authorised consignor to comply with simplified procedure formalities

(a) O.J. No. L38, 9.2.77, p. 1.

(b) There is no amendment which relates expressly to the subject matter of these Regulations.

(c) O.J. No. L38, 9.2.77, p. 20.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide a penalty and a sanction of forfeiture of goods for breaches of certain provisions of Community legislation which relate to the transit of goods within the Community. The penalties and forfeiture apply also where there are breaches of requirements imposed under such Community legislation and any undertakings given pursuant to such legislation. The penalties and forfeiture are dealt with as if they were imposed under the Customs and Excise Management Act 1979.

These Regulations also give the Commissioners of Customs and Excise the power to require goods moving under the internal or external Community transit procedure within the United Kingdom to be moved by routes specified by them.

The Community legislation is contained in Council Regulation (EEC) No. 222/77 and Commission Regulation (EEC) No. 223/77.