
STATUTORY INSTRUMENTS

2015 No. 310

The Fluorinated Greenhouse Gases Regulations 2015

PART 2

Importation

Importation

6. In respect of the importation of any product or equipment referred to in Annex III to the 2014 Regulation into the United Kingdom from outside the customs territory of the EU, section 170 of the Customs and Excise Management Act 1979⁽¹⁾ has effect in relation to the fraudulent evasion or attempted evasion of the prohibition set out in Article 11(1) of the 2014 Regulation, as qualified by Article 11(2) of that Regulation.

Proof of lawful import

7.—(1) Where any product or equipment is being, or has been, imported into the United Kingdom from outside the customs territory of the EU, an officer of Revenue and Customs may require any person possessing or having control of that product or equipment to furnish, within such reasonable time as that officer may specify, evidence that the importation is, or was, in accordance with the provisions of the 2014 Regulation.

(2) Until such evidence is furnished to the satisfaction of the Commissioners for Revenue and Customs, the product or equipment may be detained by them.

(3) If such evidence is not furnished to the satisfaction of the Commissioners for Revenue and Customs within the period specified under paragraph **(1)**, the product or equipment is liable to forfeiture and the Customs and Excise Management Act 1979 applies in relation to it as if it were liable to forfeiture under that Act.

⁽¹⁾ 1979 c. 2. Section 170 is amended by section 114(1) of the Police and Criminal Evidence Act 1984 (c. 60), section 12(1) and (6) of the Finance Act 1988 (c. 39), paragraph 7 of Schedule 2 to the Finance (No. 2) Act 1992 (c. 48), section 293(4) of the Criminal Justice Act 2003 (c. 44), paragraph 8(5) of Part 2 of Schedule 17 to the Criminal Justice and Immigration Act 2008 (c. 4), and section 111(4) and (5) of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), and by S.I. 1996/2686, 2004/702 and 2005/1966.