



Import, Export and Customs Powers (Defence) Act 1939

1939 CHAPTER 69 2 and 3 Geo 6

1 Control of importation and exportation.

- (1) The Board of Trade may by order make such provisions as the Board think expedient for prohibiting or regulating, in all cases or any specified classes of cases, and subject to such exceptions, if any, as may be made by or under the order, the importation into, ^{F1}..., the United Kingdom or any specified part thereof, ^{F1}..., of all goods or goods of any specified description.
- (2) An order under this section may be varied or revoked by a subsequent order.
- (3) An order under this section may suspend wholly or in part the operation of any enactment, proclamation, Order in Council or order prohibiting or regulating the importation, ^{F2}... of any goods; and an order under this section may contain such provisions (including penal provisions) as appear to the Board of Trade to be necessary for securing the due operation and enforcement of the order.
- (4) For the avoidance of doubt it is hereby declared that, without prejudice to the provisions of the [^{F3}enactments for the time being in force relating to customs or excise] with respect to ships and aircraft, the taking into ^{F4}... the United Kingdom of ships or aircraft may be prohibited or regulated by an order under this section as an importation ^{F4}... of goods, notwithstanding that the ships or aircraft are conveying goods or passengers, and whether or not they are moving under their own power.
- (5) Notwithstanding anything in [^{F3}section 145 of the ^{M1}Customs and Excise Management Act 1979], a prosecution for an offence under an order made in pursuance of this section may, in England or Northern Ireland, be instituted by, or under the authority of, the Board of Trade.

Subordinate Legislation Made

- P1** S. 1: for previous exercises of this power see Index to Government Orders.
S. 1: s. 1 power exercised by [S.I.1991/1583](#)

Changes to legislation: There are currently no known outstanding effects for the Import, Export and Customs Powers (Defence) Act 1939, Section 1. (See end of Document for details)

Textual Amendments

- F1** Words in s. 1(1) repealed (1.5.2004) by [Export Control Act 2002 \(c. 28\)](#), **ss. 15(2)(a)**, 16(2) (with s. 16(7)); S.I. 2003/2629, art. 2(2) (with art. 3)
- F2** Words in s. 1(3) repealed (1.5.2004) by [Export Control Act 2002 \(c. 28\)](#), **ss. 15(2)(b)**, 16(2) (with s. 16(7)); S.I. 2003/2629, art. 2(2) (with art. 3)
- F3** Words substituted by [Customs and Excise Management Act 1979 \(c. 2\)](#). Sch. 4 para. 12 Table Pt. I
- F4** Words in s. 1(4) repealed (1.5.2004) by [Export Control Act 2002 \(c. 28\)](#), **ss. 15(2)(c)**, 16(2) (with s. 16(7)); S.I. 2003/2629, art. 2(2) (with art. 3)

Modifications etc. (not altering text)

- C1** S. 1 restricted by [International Cocoa Agreement Act 1973 \(c. 46\)](#), **s. 1(6)**
- C2** Functions of Board of Trade now exercisable concurrently by Secretary of State: [S. I. 1970/1537](#), **art. 2(1)**

Marginal Citations

- M1** 1979 c. 2.

Changes to legislation:

There are currently no known outstanding effects for the Import, Export and Customs Powers (Defence) Act 1939, Section 1.