



# Naval Prize Act 1864

1864 CHAPTER 25 27 and 28 Vict

## VI.—MISCELLANEOUS PROVISIONS

### *Customs Duties and Regulations*

#### **47 Prize ships and goods liable to duties and forfeiture.**

All ships (<sup>F1</sup>aircraft] and goods taken as prize and brought into a port of the United Kingdom [<sup>F1</sup>or brought to a place within the United Kingdom as the case may be] shall be liable to and be charged with the same rates and charges and [<sup>F2</sup>duties chargeable on imported goods (whether of Customs or Excise)] as under any Act relating to [<sup>F2</sup>Customs or Excise] may be chargeable on other ships [<sup>F1</sup>aircraft] and goods of the like description; and

All goods brought in as prize which would on the voluntary importation thereof be liable to forfeiture or subject to any restriction under the laws relating to [<sup>F2</sup>Customs or Excise] shall be deemed to be so liable and subject, unless the Commissioners of [<sup>F3</sup>Customs and Excise] see fit to authorize the sale or delivery thereof for home use or exportation, unconditionally or subject to such conditions and regulations as they may direct.

#### **Textual Amendments**

- F1** Words inserted by [Prize Act 1939 \(c. 65\), Sch. Pt. I](#)
- F2** Words substituted by [Customs and Excise Management Act 1979 \(c. 2\), Sch. 4 para. 12](#) Table Pt. I
- F3** Words substituted by virtue of [Customs and Excise Management Act 1979 \(c. 2\), Sch. 4 para. 1](#)

#### **48 Regulations of Customs to be observed as to prize ships and goods.**

Where any ship or goods taken as prize is or are brought into a port of the United Kingdom, the master or other person in charge or command of the ship which has been taken or in which the goods are brought shall, on arrival at such port, bring to at the proper place of discharge, and shall, when required by any officer of Customs, deliver

*Changes to legislation:* There are currently no known outstanding effects for the Naval Prize Act 1864, Cross Heading: Customs Duties and Regulations. (See end of Document for details)

an account in writing under his hand concerning such ship and goods, giving such particulars relating thereto as may be in his power, and shall truly answer all questions concerning such ship or goods asked by any such officer, and in default shall forfeit a sum not exceeding one hundred pounds, such forfeiture to be enforced as forfeitures for offences against the laws [<sup>F4</sup>relating to Customs or Excise] are enforced; and every such ship shall be liable to such searches as other ships are liable to, and the officers of the Customs may freely go on board such ship and bring to the Queen's warehouse any goods on board the same, subject, nevertheless, to such regulations in respect of ships of war belonging to Her Majesty as shall from time to time be issued by the Treasury.

#### Textual Amendments

**F4** Words substituted by [Customs and Excise Management Act 1979 \(c. 2\)](#), [Sch. 4 para. 12](#) Table Pt. I

#### Modifications etc. (not altering text)

**C1** [S. 48](#) excluded by [Prize Act 1939 \(c. 65\)](#), s. 1(3), [Sch. Pt. II](#)

[<sup>F5</sup>48A

Where any aircraft or goods taken as prize is or are brought to any place within the jurisdiction of a prize court, the pilot or other person in charge or command of the aircraft which has been taken or in which the goods are brought shall, when required by an officer of Customs deliver an account in writing under his hand concerning such aircraft and goods, giving such particulars relating thereto as may be in his power, and shall truly answer all questions concerning such aircraft or goods asked by any such officer, and in default shall forfeit a sum not exceeding one hundred pounds, such forfeiture to be enforced as forfeitures for offences against the laws [<sup>F6</sup>relating to Customs or Excise] are enforced; and every such aircraft shall be liable to such searches as other aircraft are liable to; and the officers of the Customs may freely go on board such aircraft and bring to the King's warehouse any goods on board the same, subject, nevertheless, to such regulations in respect of military aircraft belonging to His Majesty as shall from time to time be issued by the Treasury.]

#### Textual Amendments

**F5** [S. 48A](#) added by [Prize Act 1939 \(c. 65\)](#), [Sch. Pt. I](#)

**F6** Words substituted by [Customs and Excise Management Act 1979 \(c. 2\)](#), [Sch. 4 para. 12](#) Table Pt. I

## 49 Power for Treasury to remit Customs duties in certain cases.

Goods taken as prize may be sold either for home consumption or for exportation; and if in the former case the proceeds thereof, after payment of [<sup>F7</sup>duties (whether of Customs or Excise) chargeable on imported goods], are insufficient to satisfy the just and reasonable claims thereon, the Treasury may remit the whole or such part of the said duties as they see fit.

#### Textual Amendments

**F7** Words substituted by [Customs and Excise Management Act 1979 \(c. 2\)](#), [Sch. 4 para. 12](#) Table Pt. I

**Changes to legislation:**

There are currently no known outstanding effects for the Naval Prize Act 1864, Cross Heading: Customs Duties and Regulations.