

ANTIGUA AND BARBUDA



THE CUSTOMS (CONTROL AND MANAGEMENT) (AMENDMENT) ACT, 2017

No. 35 of 2017

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ANTIGUA AND BARBUDA

THE CUSTOMS (CONTROL AND MANAGEMENT) (AMENDMENT) ACT, 2017

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Interpretation
3. General amendment of the principal Act
4. Amendment of section 2
5. Insertion of section 70A
6. Amendment of section 80
7. Amendment of sections 183 and 184
8. Amendment of section 186
9. Amendment of section 187
10. Amendment of section 242

[L.S.]



I Assent,

Rodney Williams,
Governor-General.

9th January, 2018.

ANTIGUA AND BARBUDA

THE CUSTOMS (CONTROL AND MANAGEMENT) (AMENDMENT) ACT, 2017

No. 35 of 2017

AN ACT to amend the Customs (Control and Management) Act, No. 3 of 2013.

ENACTED by the Parliament of Antigua and Barbuda as follows:

1. Short title

This Act may be cited as the Customs (Control and Management) (Amendment) Act, 2017.

2. Interpretation

In this Act—

“principal Act” means the Customs (Control and Management) Act, No. 3 of 2013.

3. General amendment of the principal Act

The principal Act is amended in sections 11, 40(2)(c), 89(2), 124(1), 144(3), 145(2), 163(1), 237 and 243 by repealing the words, “Customs Department” wherever occurring, and substituting the words, “Customs and Excise Division”.

4. Amendment of section 2

The principal Act is amended in section 2 by inserting the following definitions in the appropriate alphabetical order—

“ “private customs area” includes customs controlled areas not occupied by or in the use of the Government;

“private transit shed” means any building or place appointed by the Comptroller by notice in the *Gazette* to be a private transit shed.”

5. Insertion of section 70A

The principal Act is amended by inserting immediately after section 70 the following new section—

“70A. Payment of duties in special circumstances

Notwithstanding section 70(7) of this Act and the terms of any bond agreement which exists between the State and an importer regarding the payment of duty, the State shall receive payment for duty owed in priority to all other creditors of that importer in the event of liquidation of the importer’s business, force majeure or any other special or unforeseen circumstance.”

6. Amendment of section 80

The principal Act is amended by repealing the preamble of section 80(2) and substituting the following—

“(2) Subject to any regulations that may be prescribed, the person giving the security under subsection (1) shall be released from the conditions of the security if, within 3 months from the date of the entry of the goods, or within such longer period up to 12 months as the Comptroller may allow in any particular case, the Comptroller is satisfied that the goods have been—”

7. Amendment of sections 183 and 184

The principal Act is amended in section 183(3) and 184 by repealing the word “vessel” wherever occurring and substituting the word “conveyance”.

8. Amendment of section 186

The principal Act is amended in section 186 by repealing subsection (5) and substituting the following—

“(5) All moneys arising from the sale of anything at auction under this section shall be paid by the Comptroller into the Consolidated Fund.”

9. Amendment of section 187

The principal Act is amended in section 187 by repealing subsection (4) and substituting the following—

“(4) All moneys arising from the sale of anything at auction under this section shall be paid by the Comptroller into the Consolidated Fund.”

10. Amendment of section 242

The principal Act is amended by repealing section 242 and substituting the following—

“242. Regulations regarding brokers

The Minister may make regulations for the licensing of customs brokers, the establishment of a Brokers Board and for the general control and management of customs brokers in Antigua and Barbuda.”

Passed by the House of Representatives on
the 9th day of November, 2017.

Passed by the Senate on the 27th
day of November, 2017.

Gerald Watt, Q.C.,
Speaker.

Alincia Williams Grant,
President.

Ramona Small,
Clerk to the House of Representatives.

Ramona Small,
Clerk to the Senate.