

1916
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 TRINIDAD AND TOBAGO.

No. 17.—1915.

9th August.

AN ORDINANCE to amend the Customs Ordinances during the present War.

[L.S.]

GEORGE R. LE HUNTE,

GOVERNOR.

23rd August, 1915.

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

Short Title

1. This Ordinance may be cited as the Customs (War Powers) Ordinance, 1915, and shall be read as one with the Customs Ordinance (No. 178) and any Ordinance amending that Ordinance.

Amendment of Section 112 of Ordinance No. 178.

2. Section 112 of the Customs Ordinance (No. 178) is amended by inserting before the word "carriage" in line 3 thereof the words "exportation or."

Provision with respect to shipment as stores of prohibited or restricted goods.

3.—(1.) Where any goods are prohibited either to be exported or carried coastwise, or any goods are prohibited to be exported to any named country or place, it shall not be lawful for any person to ship as stores on any vessel any of the goods to which the prohibition extends, except such quantity of any of those goods as may be allowed to be so

shipped by the proper officer of Customs as being reasonably required to be shipped at the port of departure for use on board the vessel during the voyage on which it is about to depart.

(2.) If any person ships as stores any goods, or brings any goods to any quay or other place with intent to ship the same as stores, in contravention of this section, the goods shall be forfeited and he shall for each offence be liable to a penalty of £100.

4. The power of the Governor under Section 112 of the Customs Ordinance as amended by this Ordinance by proclamation to require due entry and clearance before shipment shall apply to goods intended for shipment as stores on any ship being goods subject to any prohibition or restriction outwards, as it applies to goods intended for exportation or carriage coastwise.

Pre-entry of ships' stores.

5. Where the master of any coasting ship has rendered himself liable to a penalty under Section 108 of the Customs Ordinance by departing without due clearance of his ship, the Collector of Customs may, for the purpose of enforcing the said penalty, require the deposit in the hands of the proper officer of Customs at any port where the ship is found of such sum not exceeding £100 as he thinks fit, and in default of payment of the sum so required to be deposited the ship may be detained.

Provision as to coasting ships departing without clearance.

6. Where a permit or licence to export any goods, being goods subject to any prohibition or restriction outwards, authorises the exportation thereof to a particular person or place or to a particular person at a particular place named in the licence or permit, the name of the person or place, or both, as the case may be, shall be inserted in all invoices, bills of lading, manifests and other documents relating to the goods, and if this requirement is not complied with as respects any document, the person by whom or on whose behalf the document is made out shall, if he is the exporter of the goods, be deemed to have exported the goods without a permit or licence, and, if any other person, be liable to a penalty of £100.

Provision as to exportation of goods under permit or licence.

Provisions as to declarations as to ultimate destination of exported goods.

7.—(1.) Where in pursuance of any proclamation issued by the Governor under Section 112 of the Customs Ordinance (No. 178) a person in the course of making entry before shipment makes a declaration as to the ultimate destination of any goods then, unless security has been given by bond, the exporter shall, if so required by the Collector of Customs, produce evidence to his satisfaction that those goods have not reached a destination in any territory which, under any Proclamation issued by His Majesty dealing with trading with the enemy for the time being in force, is or is treated as enemy country, and if he fails to do so he shall be liable to a penalty of treble the value of the goods or £100 at the election of the Collector of Customs, unless he proves that they reached such destination without his consent or connivance, and that he took all reasonable steps to secure that the ultimate destination of the goods should be the destination mentioned in the declaration.

(2.) If the Collector of Customs has reason to suspect that any such declaration as aforesaid is false in any material particular, the goods may be detained until the Collector of Customs is satisfied as to the truth of the declaration, and, failing such satisfaction, may be treated as if they were goods subject to a prohibition or restriction outwards.

Power to seize imported goods of enemy origin.

8. Where the Collector of Customs has reason to suspect that the country of origin of any goods imported into the Colony is an enemy country within the meaning of the last preceding section, the goods may be seized as though they were goods enumerated and described in the table of prohibitions and restrictions inwards contained in Section 11 of the Customs Ordinance (No. 178), and in any proceedings for the forfeiture and condemnation thereof the country of origin of such goods shall be deemed to be such an enemy country unless the contrary is proved.

Duration.

9. This Ordinance shall continue in force only during the continuance of the present war.

Passed in Council this Ninth day of August, in the year of Our Lord one thousand nine hundred and fifteen.

HARRY L. KNAGGS,
Clerk of the Council.

*de S. 40 of 1916
in new section
in law*