

CONDOMINIUM DES NOUVELLES-HEBRIDES
NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 19 de 1965
JOINT REGULATION 19 of 1965

JOINT REGULATION

No. 19 of
1965.

To regulate the activities of Customs Agents.

[Joint Regulation No. 19 of 1965 was published in Condominium Gazette No. 237 and is reprinted as amended by Joint Regulation No. 25 of 1966 (Gazette No. 243). See also Joint Regulation No. 7 of 1966.]

MADE by the Resident Commissioners under the provisions of paragraph 2 of Article 2 and Article 7 of the Anglo-French Protocol of 1914.

1. Any person or corporate body carrying on the business of performing on behalf of another person, and against payment, the Customs formalities connected with the detailed declaration of goods—whether this business be carried on as the main business, or whether it be part of the normal complement of the main business—shall be deemed to be a Customs Agent.

2. Notwithstanding the provisions of the Business Licences (Amendment) Joint Regulation of 1956, as amended by the Business Licences (Amendment) Joint Regulation No. 2 of 1964, and the Business Licences (Amendment) Joint Regulation No. 32 of 1964, no person shall carry on the business of performing on behalf of another person the Customs formalities connected with the detailed declaration of goods if he has not been licensed as a Customs Agent.

3. (1) This Licence shall be issued by the Resident Commissioners, after consultation with the Controller of Customs and shall be personal to the applicant, following an application addressed to the Controller of Customs through the District Agents of the District concerned, in the form prescribed in the Schedule to this Regulation.

(2) The said licence shall state the Customs office or offices in which the licence is valid.

(3) This licence shall be granted within two months following the date of application.

Decisions to reject applications—the reasons for which need not be disclosed—shall be notified individually to the applicants by the Controller of Customs. If no reply is made within two months, the application may be regarded as approved.]

4. The Resident Commissioners, after consultation with the Controller of Customs, may withdraw any licence either temporarily or permanently.

(2) In the event of renunciation of the permit by the holder thereof, the decease of the holder of such a permit, or the winding up

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of a Company holding a permit, the Controller of Customs shall certify that the permit has become null and void, and shall make this fact known to all those concerned by means of public announcements in the Condominium Gazette and notices displayed in places where this is normally done.

(3) The Controller of Customs may request that the permit be withdrawn—

- (i) when an amendment to the articles of a Company holding a permit seems to him to be incompatible with the retention of the permit;
- (ii) when the holder of a permit has not carried on any professional activity for a period of one year;
- (iii) each time the holder of a permit has committed an offence either against Customs legislation or against professional practice.

At least two weeks before transmitting the file to the Resident Commissioners, the Controller of Customs shall notify the person or body concerned of the proposed measures and invite him to provide explanations in writing.

The Resident Commissioners shall give a decision with regard to the proposals made by the Controller of Customs within two months following the transmission of the file. If a decision is not taken within two months, the proposals made by the Controller of Customs may be regarded as approved.]

5. (1) Every Customs Agent shall, within a period of two months as from the date of issue of his licences, give evidence to the Controller of Customs of the following—

- [(i) that he is in possession of premises in the New Hebrides at each port where he intends to carry on his professional activity.]
- (ii) that he has paid the licence fee under the Business Licences Joint Regulations of 1956, as amended aforesaid, relative to the business of a Customs Agent.

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(2) He shall not carry out any business transaction as a Customs Agent before producing this evidence.

6. (1) The Customs Agent himself shall draw up the declaration. He may make provisional payment of the duties and taxes, and by himself present the goods for examination.

(2) He may authorise in writing his salaried employees to act on his behalf.

7. (1) Any person having already paid the licence fee under the Business Licences Joint Regulation of 1956 as amended aforesaid as a Customs Agent, at the time this Joint Regulation comes into operation, shall within two months apply for a licence as provided for in Section 3.

