

A JOINT REGULATION

J.R. No. 6 of 1935.

To amend certain provisions of Joint Regulation No. 12 of 1914 and to provide for the better collection of Customs Dues from importers outside Vila and Mele.

1. Notwithstanding the provisions of Articles 13 and 27 of Joint Regulation No. 12 of 1914 the privilege of landing without previous declaration and payment of dues goods destined for any other place in the Group except Vila or Mele at any other place except Vila either directly by the importing vessel or after trans-shipment into another vessel on a through Bill of Lading may be granted subject to the following conditions.

Conditions under which goods may be landed at another port except Vila.

2. Within sixty days from the date of landing of his goods the importer shall despatch to the Collector of Customs at Vila his declaration made out in due and proper form supported by relevant invoices and other documents.

Period allowed for despatch of declaration.

3. At the same time the importer shall designate and notify to the Collector of Customs an agent in Vila who shall be empowered by him to pay to the Customs Service, on presentation of an Order to Pay the Customs Dues leviable upon the goods imported.

Importers outside Vila and Mele to appoint an agent to pay dues.

4. Duties on goods, the declarations in respect of which have not been despatched within sixty days of the landing of such goods, shall be increased by [2%] for every fifteen days or fraction of fifteen days of unauthorised delay, except in the case of force majeure, the proof of which shall be upon the importer.

Penalty for delay in despatching declaration.

J.R. 4 of 1951.

5. If dues are not liquidated within a period of eight days of the presentation to the importer's agent of an Order to Pay made out by the Customs Service, the privilege of landing his goods at any other place except Vila shall be compulsorily withdrawn from the importer and shall not be renewed without the approval of the Resident Commissioners.

Period within which Importer's Agent must settle dues.

6. If the importer fails to designate an agent at Vila, as prescribed in Article 3 above all goods consigned to him shall be compulsorily landed at Vila.

Failure of importer to appoint agent.

7. Goods landed at Vila in execution of the provisions of Articles 5 and 6 above shall, on an order from the Collector of Customs, be stored in the private bonds or warehouses of the Shipping Company which brought them or of their agents, and shall not be released until outstanding dues, as well as those corresponding to goods thus landed and stored and all charges for handling and storage, have been settled.

Disposal of goods landed compulsorily at Vila.

Landing, handling, storage and all other charges in respect of such goods shall be payable by the importer.

All charges for importer's account.

8. Goods stored in execution of the provisions of Article 7 above shall be subject to the provisions of Article 30 of Joint Regulation No. 12 of 1914.

Disposal of goods not cleared.

9. Neither the Administration nor the proprietor of the warehouse or bond shall be held responsible for the deterioration or loss of any goods stored in execution of Article 7 above.

Administration and store keeper not responsible for loss.

10. The Master of any vessel importing goods into the New Hebrides destined to be landed at any place other than Vila, either directly or after transhipment into another vessel on a through Bill of Lading, shall immediately on his arrival at Vila present to the Collector of Customs a duplicate of his manifest.

Penalty for landing refused goods except at Vila.

The collector of Customs shall endorse on this document a note of all goods which may not be landed except at Vila and then return it to the Master.

If goods, for which permission to land except at Vila has been refused, shall nevertheless be landed by the importing vessel anywhere except at Vila, or shall be transhipped into another vessel and landed at any place except at Vila, the Master of the importing vessel shall be liable to the penalties described in Article 14 of Joint Regulation No. 12 of 1914.

Liability of Master of importing vessel.

11. If the invoices and documents necessary for the proper compilation of a declaration shall not have arrived at the same time as the goods imported, the importer shall nevertheless make out a provisional declaration enumerating the goods received with their approximate value and shall forward the declaration to the Collector of Customs within the prescribed period. Except in the case of force majeure, the proof of which shall be upon him, the importer shall produce the proper invoices and documents within three months of the date on which he should have despatched his declaration, failing which the privilege of landing goods at any place except Vila shall be withdrawn from him and shall not be renewed until the document is produced unless renewed the approval of the Resident Commissioners.

Procedure when invoices and documents not available.

On receipt of the above mentioned declaration the Collector of Customs shall revise it if necessary in the light of knowledge he may possess of the current value of similar goods, and shall assess the duties thereon accordingly.

The Collector of Customs assessment shall be final and the duties shall be paid subject to subsequent adjustments either way when the invoices and other relevant documents have been produced.

12. This Regulation shall come into force three months from the date of publication and shall be cited for all purposes as "The New Hebrides Collection of Customs Amendment Regulation No. 6 of 1935".

Date of coming into force and Short Title.

Published and exhibited in the Public Offices of the Resident Commissioners for His Britannic Majesty and for the French Republic at Vila this 14th day of June 1935.

CASIMIR
The Resident Commissioner
for the French Republic.

D. BLANDY
His Britannic Majesty's Acting
Resident Commissioner.