

No. III.

THE CUSTOMS LAW.

CAP. 292 AND LAWS 5 OF 1952, 19 OF 1953 AND 27 OF 1953.

REGULATIONS MADE UNDER SECTION 69.

A. B. WRIGHT,
*Governor.*Cap. 292
5 of 1952
19 of 1953
27 of 1953.

In exercise of the powers vested in me by section 69 of the Customs Law, I, the Governor, with the advice of the Executive Council, do hereby make the following Regulations:—

1. These Regulations may be cited as the Customs (Warehouse Rent) Regulations, 1954.

2. In these Regulations unless the context otherwise requires, "Customs holiday" means:—

New Year's Day;
Good Friday (Greek-Orthodox);
Saturday before Easter (Greek-Orthodox);
Easter Monday (Greek-Orthodox);
Empire Day;
Her Majesty's Birthday;
Ramazan Bairam (first day);
Qurban Bairam (first day);
Christmas Day; and
Boxing Day;

See Notification 142 "Customs warehouse" means any place, other than a ~~Customs store~~ and a licensed warehouse, provided or approved by the Government for the deposit of goods for security thereof and of the Customs duties and charges due thereon;

"Rent" means the storage charges to be paid on any goods deposited in a Customs warehouse until withdrawn from the control of the Customs.

3. The rent to be paid shall be as specified in Parts I and II of the Schedule hereto:

Provided that the Comptroller may, in any special case, and in the case of imported goods, where the period in respect of which rent is due is not less than six days, allow a reduction or remission not exceeding seventy-five per centum of the rent due at the time the goods are withdrawn from the control of the Customs.

4. No rent shall be payable in respect of any Sunday or Customs holiday.

5.—(1) Notwithstanding anything in these Regulations contained, personal hand-luggage accompanied by an incoming passenger, which is not borne on the inward manifest of the importing ship or aircraft, and personal hand-luggage intended to accompany an outgoing passenger shall, when deposited by such passenger in any Customs warehouse pending collection, be charged at the time of deposit with rent at the rate of one shilling per piece, subject to a maximum period of deposit of six months.

(2) A numbered serial ticket shall be issued to the passenger in respect of such luggage when making the deposit and such ticket shall be surrendered before delivery of the luggage.

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6. The Customs Warehouses Regulations, 1948, are hereby revoked, without prejudice to anything done or left undone thereunder:

Provided that any goods deposited in any Customs warehouse before the coming into operation of these Regulations shall be liable to rent at the rates chargeable, and shall be subject to the conditions prescribed, by the regulations hereby revoked.

SCHEDULE.

(Regulation 3).

PART I.—RENT ON IMPORTED GOODS.

(A) DEPOSITED IN ANY CUSTOMS WAREHOUSE OTHER THAN A CUSTOMS BONDED WAREHOUSE. *Per day or any part thereof.*

- (1) For goods not packed in any receptacle, not otherwise specified, for every 100 okes or part thereof 1 p.
- (2) For every package containing wine, spirits or any other liquid whatsoever :—
- (a) not exceeding 2 gallons 1 p.
- (b) exceeding 2 gallons but not exceeding 40 gallons 1½ p.
- (c) exceeding 40 gallons 2 p.
- (3) For every package containing or consisting of machinery, motor vehicles, carriages, glass or earthenware, measuring—
- (a) not more than 40 cubic feet 1½ p.
- (b) more than 40 cubic feet but not more than 80 cubic feet .. 2 p.
- (c) more than 80 cubic feet, for every 20 cubic feet or part thereof 0½ p.
- (4) For every package containing, or consisting of any goods not otherwise enumerated in paras. (2) and (3) above and (5) below—
- (a) not exceeding 25 okes gross weight 1 p.
- (b) exceeding 25 okes but not exceeding 200 okes gross weight 1½ p.
- (c) exceeding 200 okes gross weight 2 p.
- (5) For acorns, box boards, coal and potatoes, and loose goods, as follows :—
- timber, tiles and bricks—
- for every square yard or part thereof 10/40p., subject to a minimum charge of 1p.

(B) DEPOSITED IN ANY CUSTOMS BONDED WAREHOUSE. *Per week or any part thereof.*

- (1) For every package containing wine, spirits or any other liquid whatsoever :—
- (a) not exceeding 2 gallons s. p. — 6
- (b) exceeding 2 gallons but not exceeding 6 gallons 1 0
- (c) exceeding 6 gallons but not exceeding 30 gallons 1 3
- (d) exceeding 30 gallons but not exceeding 60 gallons 2 6
- (e) exceeding 60 gallons but not exceeding 100 gallons 4 0
- (f) exceeding 100 gallons 6 0
- (2) For every bag or bale containing leaf tobacco, including Persian leaf tobacco (tumbeki) :—
- (a) not exceeding 50 okes gross weight — 1½
- (b) exceeding 50 okes gross weight — 3
- (3) For timber, not packed in any receptacle, for every 40 cubic feet, or part thereof — 6
- (4) For every package containing any goods not otherwise enumerated above :—
- (a) not exceeding 25 okes gross weight — 3
- (b) exceeding 25 okes but not exceeding 100 okes gross weight — 6
- (c) exceeding 100 okes but not exceeding 250 okes gross weight 1 3
- (d) exceeding 250 okes but not exceeding 400 okes gross weight 2 0
- (e) exceeding 400 okes gross weight 6 0
- (5) For goods, not otherwise enumerated above, and not packed in any receptacle—
- For every 100 okes gross weight or part thereof — 6

Provided that—

- (a) no rent shall be payable on any goods mentioned in this Part of this Schedule for a period of five days from the day of discharge thereof from the importing

ship or aircraft, inclusive of the day of discharge and the day of clearance for home consumption, or for warehousing, or for removal from the control of the Customs ;

- (b) no rent shall be payable in respect of any goods imported by or for any Department of Her Majesty's Government in the United Kingdom or of the Government of Cyprus ;
- (c) no rent shall be payable in respect of chemical manures for any period required for any analysis thereof for Government purposes ;
- (d) no rent shall be payable in respect of any silkworm eggs for any period required for compliance, in respect thereof, with the Silkworm Industry Protection Rules, 1922, or any rules amending or replacing the same ;
- (e) goods, being goods subject to Customs control, re-exported or removed from any Customs warehouse in one port to another port in the Colony and proved to the satisfaction of the Comptroller to have been landed at the first port of discharge, either in error or owing to the importing ship not proceeding to the port to which the goods are consigned according to the inward manifest, shall be exempt from payment of rent at the first port for a period not exceeding 30 days, including the last day of discharge from the importing ship and the day of removal to such other port in the Colony, or of re-exportation ;
- (f) goods which, at the time of landing, are declared to be " in transit " to any foreign port, shall be exempt from payment of rent for a period not exceeding 30 days, including the day of discharge from the importing ship or aircraft and the last day of shipment for despatch to such foreign port, provided that the goods, without going out of Customs control, are despatched to the foreign port to which they were declared as destined, or to such other foreign port as the Comptroller may approve ;
- (g) no rent shall be payable on any goods for such time as the goods are being conveyed, on removal in bond, by authority of the Collector from one Customs Station to another in circumstances other than those to which paragraph (e) of this proviso applies. Any rent that may become payable thereon after removal shall, subject to the grant of any days, under paragraph (a) of this proviso, not enjoyed at the Customs station whence the goods were despatched, be calculated as from the day next following that on which the goods are delivered at the receiving Customs station ;
- (h) any goods, in respect of which delivery for immediate removal for home consumption from ship or lighter has been authorized by the Collector, shall be liable to payment of rent, at the expiration of 48 hours, on such part thereof as is not removed from any Customs warehouse accordingly ;
- (i) for the purposes of paragraphs (e), (f) and (h) of this proviso, the provisions of paragraph (a) thereof shall not apply ;
- (j) the Comptroller may, in his discretion and for the period of detention, waive the rent due on any goods of which delivery is withheld, pending banderolling, enquiry, investigation, marking or reference to any Government or other authority, not resulting from the negligence or fault of the consignor, consignee or owner of such goods :

Provided further that—

- (a) on all goods, other than goods to which section (B) of this Part and Part II of this Schedule applies, and subject to the provisions of the preceding proviso—
 - (i) for the first ten days on which rent is payable, there shall be paid in respect thereof the charges hereinbefore prescribed ;
 - (ii) for the ten days next following the first period of ten days, rent shall be paid at double the rates applicable to such first period ;
 - (iii) for any subsequent period, rent shall be paid at treble the rates applicable to such first period ;
- (b) in the case of a ship discharging for more than one day, the last day of discharge shall be deemed to be the day of deposit of any goods in Customs warehouse for the purpose of calculating rent, except where goods are being removed from Customs control, under direct delivery, as provided in paragraph (h) of the first proviso hereto.

**PART II.—RENT ON GOODS DEPOSITED IN ANY CUSTOMS
WAREHOUSE, PENDING EXPORT.**

1. For the following goods, not under Customs control immediately before deposit, deposited pending shipment and until shipment for exportation, or withdrawal, there shall be paid as rent the charges specified in item (5) of section (A) of Part I of this Schedule :—

(i) Fruit and vegetables, whether fresh or dried, which the Comptroller is satisfied are grown in the Colony, as follows :—

Fruit : Apples, Apricots, Cherries, Citrus of all kinds, Figs, Grapes, Loquats, Melons and Water Melons, Peaches, Pears, Plums, Pomegranates, Strawberries.

Vegetables : Beet leaf (sweet chard), broad beans, beetroot, cabbage, carrots, cauliflower, celery, colocass (kolokassi), cucumber, cow peas, egg plants, globe artichokes, haricot beans, jerusalem artichokes, lettuce, marrows, oksa (ladies' fingers), onions, potatoes, peas, spinach, sweet peppers, tomatoes and miscellaneous salad crops.

(ii) Other goods, which the Comptroller is satisfied are products of the Colony, whether natural, manufactured or semi-manufactured.

2. For goods, not under Customs control immediately before deposit, deposited pending shipment and until shipment for exportation, or withdrawal, not coming under paragraph 1 of this Part and not being passengers' baggage deposited under the provisions of clause 5 of these Regulations, there shall be paid half the charges specified in items (1) to (4) of section (A) of Part I of this Schedule.

3. Notwithstanding anything contained in paragraphs 1 and 2 of this Part—

(a) No rent shall be payable for ten days in the case of the fruits and vegetables enumerated in sub-paragraph (i) of paragraph 1 of this Part, including the day of deposit and the day of shipment or withdrawal.

(b) No rent shall be payable for six days in the case of the goods enumerated in sub-paragraph (ii) of paragraph 1 of this Part, including the day of deposit and the day of shipment or withdrawal.

(c) No rent shall be payable in the case of the goods stated in paragraph 2 of this Part for the day of deposit and the day of shipment or withdrawal.

(d) No rent shall be payable on any goods deposited by or for any department of Her Majesty's Government or of the Government of Cyprus.

4. The Comptroller may, in his discretion and for the period of detention, waive the rent due on any goods of which delivery for shipment for exportation, or withdrawal, is withheld, pending enquiry or investigation by, or reference by the Customs to any Government or other authority, not caused by or resulting from the negligence or fault of the depositor, consignee, consignor, consignee or owner of such goods.

5. The Comptroller may, if it appears to him that any goods ostensibly deposited for exportation are being kept in any Customs warehouse for any purpose other than for exportation with reasonable despatch, order the owner or depositor thereof to remove them at his expense by a date specified in such order. If such owner or depositor fails to remove the goods in accordance with the terms of such order, rent shall be payable as from and including the day next following the date specified in the order aforesaid, at three times the rate applicable to such goods as provided by this Part, until removal is complete.

6. The provisions of regulation 11 of the Agricultural Produce Export Regulations, 1953, shall apply to any article set out in paragraph 1 of this Part in any case in which an inspector (as defined in the said Regulations) has refused to pass such article for export, and the provisions of this Part shall, upon the expiration of twenty-four hours after such refusal, cease to be applicable thereto.

Made this 8th day of February, 1954.

A. S. ALDRIDGE,
Clerk of the Executive Council.

(M.P. 1743/51.)