

An Ordinance to consolidate and amend the Laws relating to Customs Duties and Trade.

In the Year 1882.—No. 10.

WHEREAS it is expedient to consolidate and amend the several Ordinances now in force for the purpose of fixing the duties of customs and levying and collecting the same:—

Be it enacted by the Governor of the Falkland Islands and their Dependencies, with the advice and consent of the Legislative Council thereof, as follows:—

1. From and after the commencement of this Ordinance there shall be raised, levied, collected and paid unto Her Majesty her heirs and successors for the use of this Colony the several duties of customs respectively inserted described and set forth in figures in the table to this Ordinance annexed entitled "Table of duties of Customs inwards."

Preamble.

Duties to be levied under Table of Duties inwards.

2. The master of every vessel whether laden or in ballast, shall, within twenty-four hours after arrival at Port Stanley from any port out of the Colony, make due report of such vessel to the Collector of Customs or other proper officer acting in his behalf in the Form No. 1. in the Schedule to this Ordinance, and containing the several particulars indicated in or required thereby, or in such other form or manner as the Governor may direct, and such report shall be made before bulk be broken or any goods whatever, except personal luggage passed by an officer of customs, shall be removed, landed, or waterborne, from any such vessel.

Master to report within 24 hours after arrival according to Form No. 1 in schedule.

3. The master of every such vessel shall at the time of making report answer all such questions relating to the vessel cargo crew and voyage as shall be put to him by the Collector of Customs: and if such master shall fail to make due report, or if the particulars or any of them contained in such report be false, or if he does not answer the questions demanded of him or does not answer truly, or if after the arrival within four leagues of the Port of Stanley bulk shall be broken or any alteration made in the stowage of the cargo of such vessel so as to facilitate the unloading of any part of such cargo, or if any part be staved, destroyed, or thrown overboard, or any package opened, unless cause be shown to the satisfaction of the Collector of Customs, in every such case the master shall forfeit a sum not exceeding one hundred pounds, and in case the said master shall fail to pay the amount of the penalties incurred under this section and all costs of recovering the same, the Collector or other proper officer as aforesaid shall have full power and authority to detain such vessel and not allow the same to leave the said port until such amount has been duly paid and all expenses attendant thereon; and in case any goods be not reported, such goods shall be forfeited unless it appear that there was no fraudulent intention, in which case the master shall be allowed to amend his report, and the goods may in the meantime be removed to the Government warehouse.

Master to answer questions.

Bulk not to be broken or stowage altered.

Penalty.

Power to detain vessel if Penalty not paid.

Goods not reported to be forfeited unless no fraudulent intention appear.

4. If the contents of any package in such vessel shall be reported by the master as being unknown to him, any duly authorised officer of customs may open and examine such package on board such ship or vessel, or bring the same to the Government Warehouse for that purpose.

Packages reported "Contents unknown" may be opened and examined.

5. The importer of any goods not subject to duties of customs, or his agent, shall deliver to the Collector of Customs an entry of such goods in the form No. 2 in the Schedule to this Ordinance, and containing the several particulars indicated in or required thereby or in such other form and manner as the Governor may direct; and if such entry shall be incorrect in any particular the importer or his agent shall within fourteen days after the landing of the goods deliver to the Collector of Customs a full and accurate account thereof.

Particulars of entry according to Form No. 2 in schedule.

Account of free goods.

6. Upon the entry of any goods the importer or his agent shall produce to the Collector of Customs if required by him, the invoice, bills of lading, and other documents relating to the goods.

Invoices, &c., to be produced to Collector if required.

7. If any goods or other things shall be found concealed in any way or packed in any package or parcel to deceive the officer of customs such package or parcel and all the contents thereof shall be forfeited; and if any goods be taken or delivered out of any ship, not having been duly entered the same shall be forfeited: Provided always, that no entry shall be required in respect of the baggage of passengers, which may be

Goods concealed in packages or delivered without entry forfeited.

Passengers' baggage.

examined, landed, and delivered under such regulations as the Governor may direct, but if any goods liable to customs duties shall be found concealed therein, either before or after landing, the same shall be forfeited, together with everything packed therewith.

Penalty on fraudulent import entries and concealments.

8. If any person shall import, or cause to be imported, goods of one denomination concealed in packages of goods of any other denomination, or any package containing goods not corresponding with the entry thereof, or shall directly or indirectly import or cause to be imported or entered any package of goods as one denomination which shall afterwards be discovered, either before or after delivery thereof, to contain other goods or goods subject to a higher rate or other amount of duty than those of the denomination by which such package or the goods in such package were entered, such package and the goods therein, shall be forfeited, and such person shall forfeit for every such offence a penalty of one hundred pounds, or treble the value of the goods contained in such package, at the election of the Governor.

Officer of Customs may take samples.

9. Any duly authorised officer of customs may on the entry of any goods, or at any time afterwards, take samples of such goods for examination, or for ascertaining the duties payable on such goods, or for such other purpose as the Collector of Customs may deem necessary, and such samples shall be disposed of and accounted for in such manner as the Governor may direct.

Unshipping, carrying, landing, weighing, &c., and depositing of goods, to be done at the expense of the importer.

10. The unshipping, carrying, and landing of all goods, and bringing them to the proper place for examination and weighing, putting them into the scales, opening, unpacking, repacking, bulking, sorting, lotting, marking, and numbering where such operations respectively are considered necessary or permitted by the Collector of Customs and removing to and placing them in the proper place of deposit until duly delivered, shall be performed by or at the expense of the importer.

Officer of Customs may board Ships to search.

11. It shall be lawful for the Collector or other proper officer of customs to go on board any ship, or vessel in the Port of Stanley at any time and to rummage and search all parts of such ship in order to ascertain the quantity of articles liable to customs duty, which such ship or vessel may contain.

Samples may be taken by Officer of Customs while goods are being landed.

12. It shall be lawful for the Collector or other proper Officer of Customs immediately on the landing of any casks or packages said to contain any articles subject or liable to duty, while the same are on the beach or jetty or in any hulk to which they may have been transhipped—or within twenty-four hours afterwards to take a sample out of such casks or other packages as aforesaid without paying for the same, such sample to be returned after due examination.

Officer of Customs permitted to search weigh or measure.

13. It shall be lawful for the Collector of Customs, or other proper Officer of Customs to search, weigh, gauge, or measure all and any spirits, wine, tobacco, beer and other articles subject to Customs duty in order to arrive at the exact amount of duty payable on such articles, even if a permit for landing them has been duly given, upon the same being landed on the beach or jetty, or placed in any hulk, or within twenty-four hours thereof.

Suspected persons and goods to be searched by Officer of Customs on landing, &c., and articles liable to duty to be seized.

14. It shall be lawful for the Collector or other proper Officer of Customs to search any person on landing, and to examine, and open all and any goods, wares or packages which he may suspect to contain tobacco, spirits or other articles liable to duty, of which no proper entry has been made, upon the same being landed on the beach or jetty or within twenty-four hours after such landing, and it shall be lawful for such officer to seize any articles liable to duty which he may find upon any person or amongst such goods or packages.

Warrants to search for and seize goods liable to forfeiture.

15. Under the authority of warrant granted by the police magistrate on information sworn before him it shall be lawful for any Officer of Customs, taking with him a peace officer, to enter any building or other place at any time, and search for and seize and secure any spirits, wine, beer, tobacco, cigars, cigarettes or other articles liable to forfeiture under this Ordinance.

Onus probandi to lie on the party claiming goods seized.

16. If any goods shall be seized for any cause of forfeiture under this Ordinance and any dispute shall arise whether the same have been lawfully imported and landed, the proof thereof shall be on the owner or claimant of such goods, and not on the officer who shall seize the same.

Goods seized to be delivered to Collector of Customs.

17. All things which shall be seized as being liable to forfeiture under this or any other Ordinance relating to the Customs duties shall be taken forthwith and delivered into the custody of the Collector of Customs at the Port of Stanley to be disposed of and applied in such manner as the Governor may direct.

Goods liable to duty to be landed in the day time.

18. No goods liable to duty shall be waterborne or landed except in the daytime, and within the usual working hours according to the season of the year, unless special permission to do so is given in writing by the Governor and any goods liable to duty waterborne or landed contrary to this section shall be liable to forfeiture.

19. No goods liable to duty shall be unladen from any vessel until due entry shall be made of such goods, and warrant granted for unloading of the same, and no such goods shall be so unladen except at some place for which a sufferance shall be granted by the Collector or other principal officer for the unloading of such goods, and no goods shall be so unladen except in the presence or with the permission in writing of the proper officer.

Rules as to unloading of goods liable to duty.

20. The person entering any goods shall deliver to the Collector or other proper officer a bill of the entry thereof containing the name of the importer and of the vessel and of the place from whence arrived, and of the place within the Port where the goods are to be unladen, and the particulars of the quantity or description of the goods, the packages containing the same, the marks and numbers on the packages and the contents thereof and such bills shall be in duplicate and shall be in the Form No. 2 in the Schedule, or to the same effect.

Bill of entry to be made out with full particulars.

21. If the importer of any goods shall make and subscribe a declaration in writing before the Collector or other proper officer that he cannot for want of full information make perfect entry thereof the Collector or other proper officer shall receive an entry by bill of sight for the packages or parcels of such goods by the best description which can be given, and grant a warrant thereupon in order that the same may be landed and secured to the satisfaction of the Collector or other proper officer of Customs, at the expense of the importer, and such goods may be seen and inspected by the importer, in the presence of the proper officer, and within three days after the goods shall have been so landed the importer shall make a perfect entry thereof, and pay down all duties due thereon, and in default of such entry or payment of duty such goods shall be taken to the Government warehouse, and if the importer shall not within one month after such landing make perfect entry of such goods or pay the duties thereon, or warehouse the same if liable to be warehoused, together with charges of removal and warehouse rent, the Collector shall cause the same to be publicly sold to the best bidder, giving four or more days' notice in the Official Gazette or notice board of the time and place appointed for the sale, and the money arising from the sale thereof shall be applied in the first place in payment of said duties, charges and warehouse rent, together with the charges that shall have been occasioned by the sale thereof, and the overplus (if any) shall be paid to the proprietor of the goods or other person authorised to receive the same.

Bill of sight for packages the contents whereof are unknown to the importer.

In default of perfect entry goods may be sold.

22. Every importer of goods shall within three days after the arrival of the importing vessel, make due entry of such goods, and in default of such entry it shall be lawful for the officers of Customs to convey such goods to the warehouse, and if the duties due upon the same be not paid within three months after such three days shall have expired, together with all charges of removal and warehouse rent, or if the same shall not be bonded, the same shall be sold in the manner hereinbefore described, and the produce thereof applied first to the payment of charges, next of duties, and the overplus (if any) paid to the proprietor of the goods or other person authorised to receive the same.

Importers to make entry within three days after arrival of goods.

In default of payment of duties or of bonding may be sold.

Disposal of proceeds.

23. Any package of which the importer or his agent shall declare the contents to be unknown to him may be opened and examined by the collector or other proper officer, in the presence of such importer or agent, who shall also bear the expense of repacking.

When the contents of packages are unknown they may be opened.

24. When any vessel has been entered, on board of which there shall be any goods on which any duty has been paid, or which are liable to duty, and the said goods shall have been injured during the voyage, or shall thereafter be lost or destroyed before the same shall be landed from such vessel or from any vessel, craft, or boat employed to land the same, then on proof being made to the satisfaction of the collector that such goods, or any part thereof, have been so lost or destroyed before the landing of the same, the duties on the whole or the part thereof so proved to be lost or destroyed shall be abated, or if the same shall have been paid be returned to the owner by the treasurer on a certificate for that purpose by the collector or other proper officer.

Goods duty paid or liable to duty, lost, or destroyed before landing.

25. Goods exempt from duty under this Ordinance as being imported for the use of Her Majesty's Army or Navy, or for any purpose for which such goods may be imported free of duty, and any other goods the property of the Crown, shall in case of the sale thereof after importation become liable to and be charged with the same duties payable on the like goods on their importation for other purposes; and if such duties be not paid, such goods shall be forfeited and may be seized and dealt with accordingly.

Goods imported duty free for the use of the Government shall if sold after importation be liable to duty.

26. The Government store shall be the proper warehouse for the warehousing

Bonded warehouses.

Scale of charges to be published.	of goods imported without the payment of duty, and should the Government store at any time prove insufficient for that purpose, the Collector of Customs shall procure such other warehouses as may be necessary, and he shall cause a scale of charges for such purpose to be prepared and laid before the Governor in Council for approval, and when approved the same shall be published in the Official Gazette or notice board, and such charges may from time to time be altered with the consent of the Governor in Council, and such alterations shall in like manner be published in the Official Gazette or notice board.
Importer may bond goods without payment of duty.	27. It shall be lawful for the importer of goods liable to duty to warehouse the same in the warehouse appointed for that purpose without payment of duty on the first entry thereof, subject, nevertheless, to the rules, regulations, and restrictions hereinbefore and hereinafter contained, and to such arrangements as the Governor in Council may consider it advisable to make for the convenience of the mercantile community and the trade of the port: Provided that, immediately thereafter any such arrangement shall be published in the Official Gazette or notice board.
Subject to published regulations of Governor in Council.	
Conditions of bond to be given by importer.	28. Upon the entry of any goods to be warehoused, the importer, instead of paying down the duties thereon, shall give a general bond with two good and sufficient sureties, to be approved by the Collector, in a sum to be approved by the Governor in Council, with the condition for the safe depositing of such goods in the warehouse mentioned in such entry; and for the payment of all duties due on such goods, or for the exportation thereof to any place out of this Colony according to the first account taken of such goods upon the landing of the same, and with the further condition that no part thereof shall be taken out of such warehouse until cleared from thence upon due entry and payment of duty or upon due entry for exportation, and with further condition that the whole of such goods shall be so cleared from such warehouse, and the duties upon any deficiency of the quantity according to such first account paid within two years from the date of the first entry thereof, and such general bond shall cover all imports and exports for twelve months, and shall not be discharged until the goods shall have been accounted for to the satisfaction of the Collector of Customs nor until the full duties due upon any deficiency of such goods not so accounted for, shall have been paid: Provided always, and it is hereby declared that no greater sum shall be recovered than double the amount of the duties payable on the goods in respect of which a breach of the said bond shall be made.
How bond to be discharged.	
More than double duties not to be recovered.	
Goods to be forfeited under certain circumstances.	29. If any goods entered to be warehoused shall not be duly carried into and deposited in the warehouse, or shall afterwards be taken out of the warehouse without due entry and clearance, or having been entered and cleared for exportation from the warehouse, shall not be duly carried and shipped, or shall afterwards be relanded, except with the permission of the proper officer of Customs, such shall be forfeited.
Proceedings on landing goods to be warehoused.	30. Upon the entry and landing of any goods to be warehoused, the proper officer of the Customs shall take a particular account of the same, and shall mark each package or lot with distinguishing marks or numbers, and shall enter the same in a book to be kept for that purpose, and no goods which have been so warehoused shall be taken or delivered from the warehouse, except upon due entry, and under the care of the proper officer for exportation, or upon due entry and clearance for home use; and whenever the whole of the goods warehoused under any entry shall be cleared from the warehouse, or whenever further time shall be granted for any such goods to remain warehoused, an account shall be made out of the quantity upon which the duties have been paid, and of the quantity exported, and of the quantity (to be then ascertained) of the packages of goods still remaining in the warehouse, as the case may be, deducting from the whole the quantity contained in any whole packages (if any), which may have been abandoned for duties; and if upon such account there shall in either case appear to be a deficiency of the original quantity, the duty payable upon the amount of such deficiency shall then be paid.
No goods to be cleared except upon due entry.	
Restriction on goods warehoused or to be taken out of bond.	31. No goods shall be warehoused unless the duties thereon amount to twenty shillings, nor shall any goods be taken out of bond unless the duties thereon amount to ten shillings, nor for exportation unless the duties thereon would, if entered for home consumption, have amounted to ten shillings. Provided always, that the foregoing restrictions shall not apply to remainders of warehoused goods; and it shall be lawful for the collector, under such regulations as he shall see fit, to permit moderate samples to be taken of any goods so warehoused, without entry and without payment of duty, except as the same shall eventually become payable as on a deficiency of the original quantity.
Samples may be taken.	
Goods may be sorted or separated for their preservation or for sale.	32. It shall be lawful for the collector under such regulations as he shall see fit, to permit the proprietor or other person having control over the goods so ware-

housed, to sort, separate, pack and repack, any such goods, and to make such lawful alterations thereto or arrangements, or assortments thereof as may be necessary for the preservation of such goods, or in order to the sale, shipment, or legal disposal of the same, and also to permit any parts of such goods so separated to be destroyed, but without prejudice to claim for duty upon the original quantity of such goods. It shall be lawful, however, for any person to abandon any whole packages to the officers of the Customs for the duties, without being liable to any duty upon the same.

Goods may be abandoned.

33. All goods so warehoused shall be duly cleared either for exportation or for home consumption within two years from the day of first entry for the warehousing thereof; and if any goods be not so cleared, it shall be lawful for the collector to cause the same to be sold in the manner hereinbefore provided, and the produce shall be applied first to the payment of the duties, next of warehouse rent and other charges, and the overplus (if any) shall be paid to the proprietor or other person authorised to receive the same. But it shall be lawful for the collector to grant further time for any such goods to remain warehoused if he shall see fit to do so.

No goods to remain in bond longer than two years.

Goods may be sold to pay expenses.

34. In all cases in which it may happen that a vessel is wrecked on any part of this Colony, and goods are in any wise saved therefrom, and articles subject to specific duties form part of the salvage and are brought or washed on shore intact or free from damage, and in cases of wrecks occurring elsewhere and the wrecked goods are brought into this Colony, the Collector of Customs shall require the full duties leviable thereon as if regularly imported, to be paid by the consignee or master of the said vessel or by the auctioneer charged with the sale thereof, and any such wrecked goods may be placed in the Government warehouse in charge of the proper officers at the expense of the parties interested, in order to the separation of damaged from sound articles, and goods liable to duty landed from vessels in distress and partially or considerably damaged may also be removed to the Government warehouse for the purpose of being rendered merchantable, either for home consumption or exportation, under such regulations as shall be made by the collector and approved by the Governor in Council.

Wrecked goods liable to duty as if regularly imported.

May be sorted in the Government warehouse.

35. In all cases where it may be necessary or expedient to tranship dutiable goods from the importing vessel to a hulk, such hulk shall be fitted with a secure store room, of sufficient capacity to contain all such dutiable goods, and the key of such store room shall be in the custody of an officer of Customs, who shall keep a correct account of all goods removed from the importing vessel and placed therein, but no goods shall be kept on board any such hulk for a longer period than seven days, unless by special permission in writing by the collector, and any such goods received on board any hulk without being placed in such secure store room as aforesaid, shall be liable to forfeiture, and the owner of such hulk shall be liable to a penalty not exceeding £50 for each offence.

Goods may be transhipped to hulks under certain conditions.

36. The master of every vessel arriving at any part of the Colony other than Port Stanley, shall make a like report to the nearest Justice of the Peace, as is required, to be made to the Collector of Customs under the 2nd Section of this Ordinance and shall comply with all the requirements of the said 2nd Section, and also of the 3rd Section of this Ordinance, substituting only a Justice of the Peace for the Collector of Customs, and the name of the port or harbour at which such vessel shall arrive for the Port of Stanley, and such master shall be liable to the like penalties as are provided in the aforesaid sections, for any breaches of the provisions thereof, and such justices are hereby authorised to exercise all the powers given to the collector by this Ordinance, as to detaining vessels for nonpayment of penalties incurred by the masters thereof.

Masters of vessels arriving at parts of the Colony other than Stanley to make report to a Justice of the Peace.

37. No dutiable goods shall be landed in any part of this colony other than at Port Stanley, until a solemn declaration shall have been made by the importer or person receiving the same, of the nature and quantities of such goods before a Justice of the Peace, in the manner provided by the form in the schedule, and before payment to such Justice of the full amount of duties to which such goods are liable, and such justice shall with all convenient speed transmit to the Treasurer at Stanley the amount of duties so received, and the declaration relating thereto, and all dutiable goods which shall be landed otherwise than is herein provided shall be forfeited, and the person or persons receiving the same shall incur a penalty in each case not exceeding £100.

Declaration to be made and duties paid before landing of dutiable goods.

In default goods to be forfeited.

Penalty on persons receiving such goods,

38. Justices of the Peace performing the duties required of them by the two preceding sections shall be entitled to demand and receive from the masters or consignees of such vessels, and from the importer or receivers of dutiable goods the fees set forth in the schedule.

Justices entitled to fees.

- Specifications for goods exported six days after clearance. 39. The exporter of any goods shall within six days after the final clearance, outwards of the exporting ship, or within such other period as the Governor may direct either by himself or his agent, deliver to the Collector of Customs a specification in the Form No. 3 or No. 4 in the schedule to this Ordinance, according to the nature of the goods, and containing the several particulars indicated in or required thereby, or in such other form and manner as the Governor may direct, and shall subscribe the declaration at the foot thereof, and on the demand of the Collector of Customs shall produce the bills of lading and other documents relating to the goods to test the accuracy of such specification; and on failure to comply with any of the foregoing requirements the exporter or agent shall for every such offence forfeit £5.
- Form No. 3 or No. 4 in Schedule. 40. Before any ship or vessel, whether laden or in ballast, calling at Port Stanley, and about to sail from there or from any other port in the colony, for any port out of the colony, shall be cleared outwards from Port Stanley, the master shall attend before the Collector of Customs, and shall answer all such questions as shall be demanded of him by such collector concerning the ship or vessel, the cargo and the voyage, and shall deliver to the said collector a content of such ship or vessel in the Form No. 5 in the schedule to this Ordinance, or to the same effect, and containing the several particulars therein required as far as the same can be known by him, and shall make and subscribe the declaration at the foot thereof in the presence of the Collector of Customs, unless such content shall be in any case dispensed with by the Governor under such regulations as he may see fit.
- Before clearance, content to be delivered to Collector of Customs in Form No. 5 in Schedule. 41. If any such ship or vessel, whether in ballast or having on board any goods shipped as cargo, or any goods reported inwards for exportation in such ship or vessel, shall depart from Port Stanley without being duly cleared, the master shall forfeit the sum of £100.
- Penalty on departing without being cleared. 42. In the case of ships or vessels sailing from Port Stanley for any other port in the Falkland Islands, and not bound for any port out of the colony, an account, with a duplicate thereof in the Form No. 6 in the Schedule to this Ordinance, and containing the several particulars indicated in or required thereby, and signed by the master, shall be delivered by him to the Collector of Customs, who shall retain the duplicate and return the original, dated and signed by him: and such account shall be the clearance of the ship or vessel for the voyage, and the transire or pass for the goods expressed therein; and if the master fail to deliver a correct account he shall forfeit a sum of £20.
- Account previous to departure of Coasting vessels to be delivered to Collector of Customs in Form No. 6 in the Schedule. 43. In the case of ships or vessels returning to Port Stanley from any port in the colony without having left the Falkland Islands within twenty-four hours after their arrival, and before any goods be unladen a report in Form No. 7 in the Schedule with the name of the place, wharf or hulk where the lading is to be discharged noted thereon, shall be delivered by the master to the Collector of Customs, who shall note thereon the date of delivery; and if any of the goods on board such ship or vessel be subject to any Customs Duty, the same shall not be unladen without the authority and permission of the Collector of Customs; and if any goods shall be unladen contrary hereto, the master shall forfeit the sum of £50.
- Report to be delivered within 24 hours after arrival in Form No. 7 in the Schedule. 44. Every person who shall knowingly harbour, keep, or conceal, or knowingly permit or suffer, or cause or procure to be harboured, kept or concealed, any goods liable to Customs Duties, which shall have been illegally imported contrary to this Ordinance, or shall knowingly acquire possession of any such goods; or shall be in any way knowingly concerned in carrying, removing, depositing, concealing, or in any manner dealing with any such goods with intent to defraud Her Majesty of any duties due thereon; or shall be in any way knowingly concerned in any fraudulent evasion or attempt at evasion of any duties of Customs, or of the laws and restrictions of the Customs relating to the importation, unshipping, landing and delivery of goods, or otherwise contrary to this Ordinance, shall for each such offence forfeit either treble the value of the goods, including the duty payable thereon, or £100 at the election of the Governor.
- Penalty for illegal unloading. 45. Every person who shall rescue, or endeavour to rescue, any goods seized by any officer of Customs or other person authorised to seize the same, or before or after seizure shall stave, break, or destroy, or endeavour to stave, break or destroy any goods, to prevent the seizure or the securing thereof by such officer or other person; or shall rescue any person apprehended for any offence punishable by fine or imprisonment under this Ordinance, or prevent or attempt to prevent his apprehension; or shall assault or obstruct any officer of Customs, or other person duly employed for the prevention of smuggling, in the execution of his duty, or in seizing of any
- Illegally harbouring. Evading Duties of Customs. Carrying. Penalty treble value or £100. Rescuing goods. Rescuing person. Assaulting, resisting or obstructing Officers.

goods liable to forfeiture under the Customs Ordinances, or shall aid, abet, or assist in committing any of the foregoing offences, shall for each such offence forfeit a penalty of one hundred pounds, or such person may at the discretion of the Court of Magistrate, be imprisoned and kept to hard labour for any term not exceeding twelve months without the option of a penalty.

46. Any person who shall neglect to comply with—or who shall offend against—any of the provisions of this Ordinance, for the breach of which no penalty is herebefore provided; may on the complaint of the Collector of Customs be summoned before the Police Magistrate or any two Justices of the Peace, and on conviction shall be liable to a penalty not exceeding five pounds. Penalties on offences not otherwise provided for.

47. Any penalty imposed by virtue of this Ordinance shall be sued for and recovered under the "Summary Jurisdiction Ordinance," No. 11 of 1853. Recovery of penalties.

48. All penalties and forfeitures incurred under this Ordinance shall be paid to the Treasurer, and shall be apportioned by him as follows, that is to say—after deducting the charges of prosecution from the produce thereof, one-third to the person who shall seize, inform, and prosecute for the same, and the other two-thirds to Her Majesty for the use of the Colony. Disposal of Penalties.

49. The following Ordinances are hereby repealed, viz., "The Spirit Duties Ordinance, No. 3 of 1870," "The Tobacco Duties Ordinance, No. 2 of 1878," "The Spirit Duties Amendment Ordinance, No. 3 of 1878," "An Ordinance to make further provision for carrying out the Customs Duties Ordinances, No. 4 of 1878," and "An Ordinance to make further provision for carrying out the Customs Duties Ordinances, No. 4 of 1880." Repeal of certain Ordinances.

50. This Ordinance may be shortly cited as "The Customs Duties Consolidation Ordinance, 1882." Short Title.

(Signed) T. KERR, *Governor.*

Passed the Legislative Council this twenty-ninth day of July, one thousand eight hundred and eighty-two.

(Signed) ALAN. KERR, *Acting Clerk to the Council.*

TABLE OF DUTIES OF CUSTOMS, INWARDS.

	s.	d.
Spirits and strong waters, per gallon	10	0
Liqueurs, Cordials and sweetened spirits, "	10	0
Articles containing any quantity of alcohol or spirit which by the Imperial Customs laws are liable to duty as spirits	10	0
Perfumed spirits and Cologne water	15	0
Wine in casks	2	0
Wine in quart bottles, per dozen	4	6
Wine in pint bottles "	2	3
British wines, ginger ale, orange wine, orange champagne, peppermint, and all other unenumerated beverages not liable to duty as spirits), except soda, potash, and mineral waters, to pay duty as wine.		
Malt liquor, mum, spruce, cider and perry, in casks, per gallon	0	3
Malt liquor, mum and spruce in bottles, per dozen quarts	0	6
do. do. do. pints	0	3
Cigars, per lb.	5	0
Cigarettes, cut tobacco and snuff "	3	0
Unmanufactured tobacco, for the preparation of sheepwash only	0	3
All other tobacco	2	0

EXEMPTIONS.

All articles imported or taken out of bond for the use of the Governor of the colony, and for the use of Her Majesty's Army and Navy.

The Governor, military and naval departments and messes purchasing any article whatsoever, duty paid, shall be entitled, when the duty thereon shall in the whole amount to not less than ten shillings, to have the same refunded out of the public treasury on the warrant of the Governor in Council, on the certificate of the Governor or the officer in command of any military or naval department, or of any of Her Majesty's Ships of War.

Form No. 1.

Official Number
 Number of Register.
 Date of Registry
 If Sailing Vessel or Steamer.

Port of
 Falkland Islands.

Report.

Ship's Name.	Tonnage.	British or Foreign? if British, Port of Registry; if Foreign, Country to which she belongs.	Number of Crew.		Name of Master, and whether a British or Foreign Subject.	Port or Place from whence arrived.
			British Seamen.	Foreign Seamen.		
<i>Here state the particulars according to the above headings.</i>						
Total . . .						

Cargo.

Name or Names of Places where laden in order of time.	Marks.	Nos.	Packages and Description of Goods, particulars of Goods stowed loose, and General Denomination of Contents of each Package of Tobacco, Cigars, Cigarettes, or Snuff, Wine, Spirits, or Beer intended to be imported at this Port.	Particulars of Packages and Goods (if any) for any other Port in the Falkland Islands.	Goods (if any) to be trans- shipped or to remain on board for Exportation.	Name of Consignee.
<i>Here state the particulars according to the above headings, or if in Ballast, state in "Ballast only."</i>						

If any wreck
fallen in
with or
picked up,
to be stated.

Stores.

Surplus stores remaining on board, viz.:—

Number of British Passengers (if any)

Number of alien Passengers (if any)

Pilot's name

Draught of water

At what station ship lying

Agent's name and address

I declare that the above is a just report of my ship and of her lading, and that the particulars therein inserted are true to the best of my knowledge, and that I have not broken bulk or delivered any goods out of my said ship since her departure from the last foreign place

of loading (except, if so, at

stating where).

Signed and declared this

(Signed)

Master.

In presence of

day of
Collector

188

Form No. 2.
 Port of
 Importer's Name.

Entry for free Goods.
 Falkland Islands.

Ship's Name.	Date of Report.	Master's Name.	Port or Place from whence.

Marks.	Nos.	Number of Packages, and quantity, description and value of goods, in accordance with the requirements of the official import list.

I enter the above Goods as free of duty, and declare the above particulars to be true
 Dated this _____ day of _____ 188
 Importer or Agent.

Form No. 3.
 Specification for Falkland Islands Goods only.

Port of Ship's Name.		Master Port or Place of Destination.		
Marks.	Numbers.	Description of Packages.	Quantity and Description of Falkland Islands goods, in accordance with the requirements of the Official Export List.	Value.

I declare that the particulars set forth above are correctly stated.

Signed _____
 Address _____

Dated _____ 188

Form No. 4.
 Specification for Foreign Goods free of duty or on which all duties have been paid.

Port of Ship's Name		Master Port or Place of Destination		
Marks.	Numbers.	Description of Packages.	Quantity and Description of Foreign goods, in accordance with the requirements of the Official Export List.	Value.

I declare that the particulars set forth above are correctly stated.

Signed _____
 Address _____

Dated _____ 188

Content.

Form No. 5.
Port of

Ship's Name and Destination.	Number of Tons.	Number of Boats.	If British, Port of Registry. If Foreign, the Country.	Number of Crew.	Name of Master.	With or without passengers or troops.

Marks and Numbers of Packages.	Shippers.	Quantity and Description of Goods.	Consignees.

I do declare that the above content is a true account of all Goods above described, shipped and intended to be shipped on board the above-named ship, and correct in all particulars.

Master.

Signed and declared this _____ day of _____ 188 _____ before me
Collector.

Form No. 6.

Transire.

Port of

Ship's Name.	Tonnage.	Port of Registry.	Master's Name.	Whither bound.

Foreign Goods.	Colonial Goods.	Goods liable to Customs Duty.	Here state "Sundry other Goods" or "No other Goods" as the case may be.

Master.

Cleared the _____ day of _____ 188 _____ before me
Collector.

Form No. 7.

Report.

Port of

Ship's Name.	Tonnage.	Port of Registry.	Master's Name.	Where from.

Form No. 7.—Continued.

Port of

Foreign Goods.	Colonial Goods.	Goods liable to Customs Duty.	Here state "Sundry other Goods" or "No other Goods," as the case may be.

Master.

Entered the day of 188 before me

Collector.

Form No. 8.

DUTIABLE GOODS.

ENTRY FOR HOME USE.

Whether Prime or Post, and if Post date of Prime entry
 Port of Importation
 Merchant in whose name the Goods are entered
 Importer's name

Ship's Name.	Date of Report.	Master's Name.	Port or Place from whence.
<i>Here state the particulars according to the above headings.</i>			

Marks.	Numbers.	Number of Packages, quantity and description, and, if a Prime Entry, value of Goods, in accordance with the requirements of the Official Import List.
<i>Here state the particulars of the goods according to the above headings.</i>		

Total amount of duty payable on this entry, £

Dated this day of 188

(Signed)

Importer or his Agent.

Form No. 9.

DUTIABLE GOODS.

ENTRY FOR WAREHOUSING.

Port
Importer's Name.

Ship's Name.	Date of Report.	Master's Name.	Port or Place from whence.
<i>Here state the particulars according to the above headings.</i>			

Marks.	Numbers.	Number of Packages, quantity and description, and, if a Prime Entry, value of Goods, in accordance with the requirements of the Official Import List.
<i>Here state the particulars of the goods according to the above headings.</i>		

I enter the above goods to be warehoused at
Dated this day of 188

(Signed)

Importer or his Agent.

Form No. 10.

ENTRY BY BILL OF SIGHT.

Port
Importer's name

Ship's Name.	Date of Report.	Master's Name.	Port or Place from whence.
<i>State the particulars according to the respective headings given above.</i>			

Marks.	Numbers.	Number of Packages, with the best description the Importer is able to give.
<i>State the particulars according to the respective headings given above.</i>		

I, the Importer (or agent to the importer) of the goods above mentioned, do hereby declare (if importer) that I have not, or (if agent) that, to the best of my knowledge, he has not received sufficient invoice, bill of lading or other advice from whence the quality, quantity, or value of the goods above-mentioned can be ascertained.

Dated this day of 188

(Signed)

Importer or his Agent.

(Signed)

Collector or proper Officer of Customs.

Form No. 11.

Declaration before Justice of Peace.

Falkland Islands.

Port of
Importer's name

Ship's Name.	Date of Report.	Master's Name.	Port or Place from whence.
<i>Here state the particulars according to the above headings.</i>			

Marks.	Numbers.	Number of Packages. Quantity, description and value of Goods.

I, _____ the Importer, do hereby solemnly declare that the above is a true account of all the dutiable goods imported by me in the above vessel.

Dated this _____ day of _____ 188
(Signed)

Importer.

Declared before me _____ this _____ day of _____ 188
(Signed) _____
Justice of the Peace.

FEEES TO JUSTICES OF THE PEACE.

	£	s.	d.
For receiving Report from Master (Form 1)	0	5	0
For taking Declaration (Form 11)	0	5	0
Any Warrant issued or Order made under the provisions of this Ordinance	0	10	0
Travelling expenses (if necessary) the actual cost incurred.			

72.

An Ordinance to Consolidate and amend the Spirit License Ordinances and to provide for Licensing Billiard and Bagatelle Tables, and for other purposes.

In the year 1882.—No. 11.

Whereas it is expedient to consolidate and amend the Laws relating to the Licensing of Public Houses and the sale of Intoxicating Liquors in this Colony, and to provide for licensing Billiard and Bagatelle Tables, and for other purposes: Be it enacted by the Governor of the Falkland Islands, and their dependencies, with the advice and consent of the Legislative Council thereof, as follows:—

1. All licenses held at the commencement of this Ordinance and all licensed persons and licensed premises holding or in respect of which a license shall be held at the commencement of this Ordinance shall except where otherwise specially provided be under and subject to the provisions of this Ordinance.

Preamble.

Licenses already hold subject to provisions of this Ordinance. Except where otherwise specially provided.