

ANTIGUA AND BARBUDA



THE CUSTOMS (CONTROL AND MANAGEMENT) (AMENDMENT) BILL, 2015

No. of 2015

THE CUSTOMS (CONTROL AND MANAGEMENT) (AMENDMENT) ACT, 2013

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THE CUSTOMS (CONTROL AND MANAGEMENT) (AMENDMENT) ACT, 2013

No. of 2013

AN ACT to amend the Customs Control and Management Act, 2013, and for incidental and connected purposes.

ENACTED by the Parliament of Antigua and Barbuda as follows:

1. Short title

This Act may be cited as the Customs Control and Management (Amendment) Act, 2015.

2. Interpretation

In this Act—

“principal Act” means the Customs Control and Management Act, 2013.

“authorized user” means a person who has been authorized under section 103A to use the Customs System;

"Customs System" mean the electronic communication system established under section 103A;

"electronic" has the same meaning as in Section 2 of the Electronic Transactions Act and "electronically" shall be construed accordingly;

“registered”, in relation to a declaration, means accepted by way of the issuance electronically of a registration number in the Customs System in respect of the declaration;”;

3. Repeal of Section 34A

Section “34A” of the principal Act is hereby repealed.

4. Amendment of Section 38

Section 38 of the principal Act is amended by inserting immediately after section 38(4) the following—

“(5) A person who contravenes the provisions of Section 38(1) commits an offense and is liable on conviction to a fine of \$50,000, or 5 times the value of goods so removed, whichever is higher and 5 years imprisonment.

5. Amendemnt to Section 88

Section 88 of the principal Act is amended in subsection (1) by repealing any references to “section 87(1)” and substituting “section 86(1)”.

6. Insertion of Part XIII

The principal Act is amended by inserting immediately after section 103 the following—

PART XIII

CUSTOMS SYSTEM

103A. (1) The Comptroller may establish an electronic communication system for any or all of the following purposes—

- (a) the communication by electronic means of any document or information that is required or authorized to be provided under this Act by any person to the Comptroller or by Comptroller to any person;
- (b) the payment or collection, by electronic means, of customs duties or any other tax, duty, fee or other amount collectible by the Comptroller.
- (c) expediting the process of dealing with the importation and exportation of goods and the movement of persons entering and leaving Antigua and Barbuda.

(2) No person, other than an officer, shall use the Customs System unless such person is authorized by the Comptroller to use the system.

103B. (1) A person other than an officer (hereinafter called an “applicant”) may apply to the Comptroller for an authorization to use the Customs System by submitting an application to the Comptroller in a form and manner prescribed in rules made under section 103F.

(2) The Comptroller may require an applicant to provide additional information that the Comptroller considers necessary for the purposes of deciding whether to grant an application.