

Imports and Exports

1986-21

IMPORTS AND EXPORTS (CONTROL) REGULATIONS, 1987

This version is out of date

**Subsidiary
1987/006**

Regulations made under ss.16, 80 and 129.

IMPORTS AND EXPORTS (CONTROL) REGULATIONS, 1987

(LN. 1987/006)

1.1.1987

Amending enactments	Relevant current provisions	Commencement date
LN. 1987/145	Sch. 1	5.11.1987
1988/067	Sch. 2	16.6.1988
1989/046	Schs. 1-2	1.6.1989
1989/087	Sch. 1	12.10.1989
1989/105	Sch. 1	7.12.1989
1990/006	Sch. 1	8.1.1990

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SCHEDULE 5.

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Forms.

Title and commencement.

1.(1) These Regulations may be cited as the Imports and Exports (Control) Regulations, 1987.

(2) These Regulations shall be deemed to have come into operation on the 1st day of January, 1987.

Imports.

Prohibited imports.

2. The importation of the goods specified in Schedule 1 is prohibited, subject to the provisions of that Schedule.

General licence.

3. Licence is hereby granted for the importation of any goods other than those specified in Schedules 1 and 2.

Licences for particular goods.

4.(1) The goods specified in Schedule 2 may be imported only under and in accordance with a licence granted under these Regulations.

(2) Notwithstanding the provisions of subregulation (1), the Collector may, if he is satisfied that any goods specified in Part II of Schedule 2 are not being imported in a commercial quantity and are not being imported for any commercial purpose, allow the importation of those goods without a licence, subject to—

- (a) any general or special directions given to him in writing by the Financial and Development Secretary; and
- (b) the condition that they shall not be imported or used for any commercial purpose.

(3) Any goods which are imported or used in contravention of subregulation (2)(b) shall be liable to forfeiture.

Authorities for issue of licences.

5.(1) The Financial and Development Secretary may grant licences in respect of goods specified in Part 1 of Schedule 2.

(2) The Consumer Protection Officer may grant licences in respect of goods specified in Part II of Schedule 2.

Conditions of import licences.

6. A licence granted under regulation 5–

- (a) shall be personal to the person named therein and shall not be transferred or assigned without the permission of the officer who granted the licence;
- (b) may be subject to all or any of the conditions set out in Schedule 3 as the officer granting the licence may think fit.

Exports.

Goods freely exportable.

7. The goods specified in Schedule 4 may be exported to any destination:

Provided that nothing in this regulation shall permit the exportation of any goods the exportation of which has been specifically prohibited, restricted or regulated.

Goods in transit.

8.(1) Any goods arriving in Gibraltar in transit or through bills of lading or otherwise may be exported without licence to any country.

- (2) For the purposes of this regulation, goods shall be in transit only if–
 - (a) the importation of such goods into Gibraltar is only a portion of a complete journey beginning and terminating at different points outside Gibraltar;
 - (b) the final destination of the goods beyond Gibraltar has been identified by the consignor before the goods arrive in Gibraltar; and
 - (c) the goods are removed from Gibraltar within 14 days of such importation or such longer period as may be approved by the Collector in any particular case.

Licences to export other goods.

9. Subject to the provisions of regulations 7 and 8, no goods shall be exported except under and in accordance with a licence granted by the Collector.

Restrictions on exports to South Africa.

10. Notwithstanding anything contained in regulations 7 and 8, no arms or military equipment may be exported to the Republic of South Africa.

Conditions of export licences.

11. An export licence granted under regulation 9–

- (a) shall be personal to the person named therein and shall not be transferred or assigned without the permission of the Collector;
- (b) may be subject to all or any of the conditions set out in Schedule 5, as the Collector may think fit.

Appeals.

Appeals.

12. Any person aggrieved by the refusal of an import or export licence or by any condition imposed upon the grant of a licence may appeal to the Governor.

Forms.

Forms.

13. The forms set out in Schedule 6 shall be used for the several purposes to which they are expressed to relate, with such modifications as may be necessary.

Saving.

Saving.

14. Nothing in these Regulations shall be deemed to authorize the importation or exportation without licence of any goods of which the importation or exportation is prohibited, restricted or regulated under any other Act.

SCHEDULE 1

Regulation 2

PROHIBITED IMPORTS.

1. Any knife which has a blade which opens automatically by hand pressure applied to a button, spring or other device in or attached to the handle of the knife, sometimes known as a “flick knife” or “flick gun”.
2. Any knife which has a blade which is released from the handle or sheath thereof by the force of gravity or the application of centrifugal force and which, when released, is locked in place by means of a button, spring, level or other device, sometimes known as a “gravity knife”.
3. Unpasteurized goat’s milk cheese.
4. (a) Any imitation coin as defined by this paragraph:

Provided that the Governor may permit the importation of any imitation coin in a particular instance if he is satisfied that such importation is for the purposes of knowledge or art, or any exhibition or collection, or for any lawful purpose, and that the imitation coin is not likely to circulate as current coin or to be otherwise used for deceiving the public;

- (b) each of the following articles, if not a British or foreign coin, shall be an imitation coin within the meaning of this paragraph that is to say—
 - (i) any piece of gold, silver, copper or bronze, or of metal or mixed metal, purporting to be a British or foreign coin or a token for British or foreign money, or bearing any word or device which indicates or may reasonably be taken to indicate that the holder thereof is entitled to demand any value in British or foreign money denoted thereon; and
 - (ii) any metal, cast, coin or other like thing made wholly or partially of metal or any metallic combination, and resembling in size, figure and colour any British or foreign coin, or having thereon a device resembling any device or any British or foreign coin, or being so formed that it can, by gilding, silvering, colouring, washing or

other like process, be so dealt with as to resemble any British or foreign coin;

(c) in this paragraph—

“British coins” means any coin coined in or for any of Her Majesty’s mints or lawfully current by virtue of proclamation or otherwise in any part of Her Majesty’s dominions;

“British money” means money expressed in the terms of any British coin;

“foreign coin” means any coin lawfully current in any foreign country; and

“foreign money” means money expressed in the terms of any foreign coin.

5. Any structure designed or adapted for human habitation and capable of being moved from one place to another (whether by being towed or transported on a motor vehicle or trailer, and not being a tent) or any motor vehicle so designed or adapted (which structure or motor vehicle is hereinafter referred to as a caravan):

Provided that a caravan may be imported if prior to its embarkation a licence has been obtained from the Governor authorizing such importation. Any such licence may stipulate conditions which shall be observed after the caravan has been imported.

6. (a) Fresh meat and meat products imported otherwise than for sale for human consumption whose country of origin does not, at the time of importation, have its health marks recognised by the Chief Environmental Health Officer;
- (b) For the purposes of this paragraph the terms “fresh meat” has the same meaning as in regulation 2 of the Imported Food Regulations, 1988 and the terms “health marks” and “meat products” have the same meaning as in regulation 10(1) of the said Regulations.

7. Petroleum spirit, as defined in section 2 of the Petroleum Act, of a kind used as fuel in motor vehicles, with a lead content in excess of 0.15 grams per litre:

Provided that nothing contained in this paragraph shall apply to the petroleum spirit present in the tank of a motor vehicle entering Gibraltar where such petroleum spirit is to be used for the propulsion of that vehicle or for the driving of any ancillary engine or equipment forming part of that vehicle.

8. Catapults, slingshots, crossbows and similar articles made, or adapted for use, or likely to be used, for causing injury to persons or property.

9. Fast launches as defined in section 2 of the Fast Launches (Control) Act¹:

Provided that a fast launch may be imported if, prior to its entry into the territorial waters of Gibraltar, a licence has been obtained from the Governor authorising such importation. Any such licence may stipulate conditions which shall be observed after importation.

10. Any fireworks except under, and in accordance with the conditions, if any, of a licence granted by the Collector of Customs.

11. Gibraltar Postage stamps in consignments containing unused stamps having a total face value in excess of £25;

Provided that the Director of Postal Services may issue a licence for the importation of unused Gibraltar postage stamps having a total face value in excess of £25 in a particular instance for the purposes of any exhibition or collection.

12. Raw and worked ivory derived from the African elephant (*Loxodonia africana*);

Provided that-

- (a) musical instruments containing parts made of ivory which is proven to have been re-exported from the European Economic Community;
- (b) antiques;
- (c) hunting trophies which are proven to have resulted from the exercise of a hunting permit issued with a view to enhancing the survival of the population in question;

¹ 1987-20

- (d) personal effects and household goods (not including tourist souvenirs) accompanied by an export permit from the country of origin where that country requires the issue of such a document for the export of worked ivory,

may be imported if prior permission has been obtained from the Collector of Customs.

13. Raw fur skins and fur skins tanned or dressed including fur skins assembled in plates, crosses and similar forms or articles made of such fur skins of—

- (a) whitecoat pups of harp seals; or
- (b) pups of hooded seals (blue backs).

SCHEDULE 2

Regulations 3 and 4

GOODS THE IMPORTATION OF WHICH IS NOT LICENSED UNDER
REGULATION 3.

PART I.

1. Gold bullion and gold coins.
2. Petrol.

PART II.

1. Butter.
2. Flour.
3. Frozen meat except as a constituent of another whole product.
4. Lard (Compound).
5. Margarine.
6. Milk.
7. Edible cooking oil.
8. Sugar.
9. Potatoes.
10. Eggs.
11. Fresh fruit, fresh vegetables and fresh fish.
12. Mineral and table waters.
13. *Omitted.*
14. Untoasted and leavened brown or white bread, in whole loaves, sliced loaves or rolls except as a constituent of another whole product.
15. Bread and roll making dough, whether fresh or frozen.

SCHEDULE 3

Regulation 6

CONDITIONS OF IMPORT LICENCES.

Conditions which may be imposed by the officer granting an import licence—

- (a) that the import shall be effected within such time as may be specified in the licence;
- (b) that the commodities imported under the licence shall be distributed as may be directed by the officer granting the licence;
- (c) that the importer should maintain in a good condition a reserve stock of the commodity authorized to be imported (or any other commodity), in such quantity as may be directed by the officer granting the licence;
- (d) that the importer shall submit such periodical returns of his reserve stocks as he may be required to do by the officer granting the licence;
- (e) that the importer shall not dispose of his reserve stocks without the approval of the officer granting the licence;
- (f) that the reserve stocks shall be open to inspection by the officer granting the licence at all reasonable times;
- (g) such other conditions as the officer granting the licence may think fit to impose.

SCHEDULE 4

Regulation 7

GOODS WHICH MAY BE EXPORTED TO ANY DESTINATION.

Commercial traveller's samples.

Supplies exported to Her Majesty's Forces.

Personal effects other than—

- (a) articles wholly or mainly of gold or platinum, or
- (b) diamonds, precious and semi-precious stones, pearls and articles mounted or set with diamonds, precious or semi-precious stones or pearls.

Foodstuffs personally carried by individuals up to a maximum of 12.70kg. in weight.

SCHEDULE 5

Regulation 11

CONDITIONS OF EXPORT LICENCES.

Conditions which may be imposed by the Collector in granting an export licence—

- (a) that the export shall be effected within the time specified in the licence;
- (b) that satisfactory evidence shall be produced to the Collector if required by him, that the goods covered by the licence have reached the ultimate destination specified in the licence;
- (c) that notification of export shall be given in the form set out in Form I/E 5 of Schedule 6;
- (d) such other conditions as the Collector may think fit to impose.

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SCHEDULE 6.

FORMS.

Regulation 13

Form I/E 1.

IMPORTS AND EXPORTS (CONTROL) REGULATIONS 1987.

APPLICATION FOR IMPORT LICENCE.

Application to Customs

I/We hereby apply for permission to place an order with Messrs :.....of..... for the importation of the following goods.

Bags/Cases/ etc Quantity	Commodity and Brand	Exporting country	Countries of origin or manufac- ture	Unit s per case	Net Weight of unit	Total Net Weight: kg	Total Value C.I.F. £

The goods are required for and payment therefore will be effected as follows:-

local use or consumption**
export**

.....
(insert here method and currency in which payment will be made)

I/We undertake to place the above order as soon as the application is sanctioned, and to notify you if it is cancelled or suspended, or if intimation is received that it cannot be fulfilled.

DECLARATION: I/We the undersigned do hereby declare the above information to be correct to the best of my/our knowledge and belief.

Date19 Signature

.....
Agent/Wholesaler/Shipchandler/Retailer

IMPORT	<u>LICENCE</u> PERMIT	The placing of the above order is accordingly authorised subject to the conditions appearing below.
No.	Date.....	Collector of Customs
<u>CONDITIO</u>	1.	Goods to be despatched within months

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NS:

- from date of permit.
 2. Distribution on arrival to be subject to requirements of the Authorising Officer.
 3. shall be sold by wholesale or retail at prices not exceeding such maximum prices as may be published from time to time by notice in the Official Gazette.
 4. Sales to other wholesalers or to retailers shall be made subject to condition 3 above and a note to this effect shall be made on all invoices or other documents covering the transaction.
 5. The order is received in one shipment.
 6. This licence is surrendered to the Customs Authorities for their retention at the time the importation is effected.
-

"Delete descriptions not applicable. In the arse of a combined order by an Agent, comprising quantities intended for several importers, their names and the net weight (in kg.) Ordered by each should be stated overleaf.

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Forms of Entry

From I/E2

IMPORTS AND EXPORTS (CONTROL) REGULATIONS, 1987.

ENTRY FOR GOODS LIABLE TO DUTY

GIBRALTAR CUSTOMS	Name and Addresses in BLOCK CAPITALS	<u>Import Licence No.</u> Rate of exchange Ship's name or Aircraft Flight No. Date of arrival Where from B/Lading or Air Waybill No. Country from which consigned Country of origin of goods	Ship's file copy 1 For Official Use Import Rotation No. Entry No. and date lodged Passing Officer Duty payment Amount£..... Initials.....
Importer			
Importer's Agent, if any			
Consignor			

No. of packages Marks and Nos.	Description n of goods	Tariff group No.	Net quantities in Tariff units	Value	Rate of Entry	Duty
				£		£
						Total

TRANSIT SHED STORAGE CHARGES					FOR OFFICIAL USE	
Storage No.	No. of Packages	Date Storage commence d	Date delivered	No. of months	Amount due £ p	Storage charges checked
						Ref..... Amount £..... Office's inits.....

I.....of
.....*the
authorized agent of the Importer declare that the particulars shown in this entry are true and complete, and that the Importer has purchased the goods unconditionally from.....
for the total amount shown in the attached(No) invoices and that no further payment will be made by the Importer for the goods except as follows.....
*Delete the words in italics as necessary (see notes overleaf)

Signature.....

Status..... Date.....

Warning: Any person who makes or signs or causes to be made or signed any declaration relating to the Customs which is untrue in any material particular is liable to heavy penalties.

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Forms of Entry

Form I/E 3

IMPORTS AND EXPORTS (CONTROL) REGULATIONS 1987.

ENTRY FOR GOODS NOT LIABLE TO DUTY.

GIBRALTAR CUSTOMS	Name and Addresses in BLOCK CAPITALS	Import Licence No. Rate of exchange Ship's name or Aircraft Flight No. Date of arrival Where from B/Lading or Air Waybill No. Country from which consigned Country of origin of goods	Ship's file copy 1 <hr/> For Official Use Import Rotation No. Entry No. and date lodged Passed..... . Passing Officer Duty payment Amount£..... Initials..... .
Importer Importer's Agent, if any			
Consignor			

No. of packages Marks and Nos.	Description of goods	Tariff group No.	Net quantities in Tariff units	Value £ p

TRANSIT SHED STORAGE CHARGES					FOR OFFICIAL USE	
Storage No.	No. of Packages	Date Storage commence d	Date delivered	No. of months	Amount due £ p	Storage charges checked
						Ref..... Amount £..... Office's inits..... .

I.....of.....**the*
Authorized agent of the Importer declare that the particulars shown in this entry are true and complete.
 (See notes overleaf)
**Delete the words in italics as necessary.*

Signature.....
 Status..... Date.....

Warning: Any person who makes or signs or causes to be made or signed any declaration relating to the Customs which is untrue in any material is liable to heavy penalties.

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Forms of Entry

Form I/E 4

IMPORTS AND EXPORTS (CONTROL) REGULATIONS 1987

ENTRY FOR GOODS TO BE STORED IN A GOVERNMENT STORE OR PRIVATE BONDED STORE

GIBRALTAR CUSTOMS	Name and Addresses in BLOCK CAPITALS	Import Licence No. Rate of exchange Ship's name or Aircraft Flight No. Date of arrival Where from B/Lading or Air Waybill No. Country from which consigned Country of origin of goods	Ship's file copy 1 For Official Use Import Rotation No. Entry No. and date lodged Ledger..... Folio..... Office's..... Initials.....
Importer Importer's Agent, if any			
Consignor			

For Official Use Bay Nos.	No. of packages Marks and Nos.	Description of goods	Tariff group No.	Net quantities in Tariff units	Value £

I.....of
*the authorized
 agent of the Importer declare that the particulars shown in this entry are true and complete, and that the Importer
 has purchased the goods unconditionally from..... for the total amount shown in the
 attached.....(No) invoices and that no further payment will be made by the Importer
 for the goods except as follows.....
 *Delete the words in italics as necessary (see notes overleaf)

Signature.....

Status..... Date.....

Warning: Any person who makes or signs or causes to be made or signed any declaration relating to the Customs
 which is untrue in any material particular is liable to heavy penalties.

FOR OFFICIAL USE ONLY.

LONG ROOM

EXAMINING OFFICER

NOTES.

(1) Declarations may be made by:-

- (a) the actual importer if an individual
- (b) a partner in the case of a partnership;
- (c) a director or the secretary in the case of an incorporated company;
- (d) an employee duly authorized in writing by one of the aforementioned persons.

(2) Examples of charges to be declared in the certificate overleaf are:

Additional expenses incurred in respect of the goods themselves, e.g. commission or other remuneration; royalty or licence fees; tooling or design casts, cost of materials, equipment or services in connection with producing the goods, provided by or on behalf of the importer; inspection fees. Expenses of delivery of the goods e.g. packing, carriage to and charges at the port of shipment, freight, insurance premium(s), charges for discharging from the ship's hold. Foreign duties or taxes.

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Form I/E 5

IMPORTS AND EXPORTS (CONTROL) REGULATIONS 1987.

APPLICATION FOR EXPORT LICENCE*

Notification of Export*

Name and address of applicant

Name and address of Consignee

Date of export by

- (a) Sea per s.s on
- (b) Landon
- (c) Air..... on
- (d) Parcel Post on

Destination of goods

Ultimate destination of goods . .

Description of goods and origin .

Value.....

Quantity

Number of ParcelsWeightTonnesKilograms

State here how payment is to be received and in what currency

State Number of Permit under which goods were imported

into Gibraltar. If received in transit, give full particulars

If goods were bought in Gibraltar state from whom bought.....:.....

DECLARATION. We the undermentioned do hereby declare the above information to be correct to the best of my/our knowledge and belief and I/we hereby undertake to place at the disposal of Government, if required, any foreign currency or credit received in payment thereof.

Date.....

N.B.-(1) To facilitate issue of licence any correspondence or invoice in support of this application should be attached.

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(2) A certificate of ultimate destination must be forwarded to the Office of the Collector of Customs before the goods are exported unless otherwise approved.

*Delete whichever is inapplicable Endorsement overleaf (P.T.O)

ENDORSEMENTS

Date of export	Quantity exported	Value £	Cumulative value £	Signature of Customs Officer

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FORM 1/E6. WARRANT FOR DELIVERY OF GOODS FROM WAREHOUSE. FOR HOME USE EXPORTATION†

I FOR OFFICE USE Warrant No. and date	Name and Address of Trader.....
Ledger & folio
Offrs. Intls.	Address of Warehouse.....
I/We request permission to remove the following goods from Warehouse for home use/exportation††	
Date.....	
Signed.....	

†Delete as necessary

For Official Use Bay Nos.	No. of Packages Marks & Nos	Goods	Tariff Group No.	Rate of exchange		Country of origin	
				Net Quantity in Tariff units	Value £	Rate of duty	Duty £
						Total duty	

CERTIFICATE OF SHIPMENT

I certify that the goods shown above have been received on board.....
 Name of ship or No. of Aircraft
 for exportation and will remain unopened and in my charge until the vessel departs from Gibraltar.
 Date.....19..... Signed.....Master
 Note: This certificate should be deleted when the Warrant is for home use delivery.

STORAGE CHARGES (where applicable)	Duty payment Amount £..... Initials
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Storage No.	No. of packages	Date storage commenced	Date delivered	No. of months	Amount due £	Duty payment
						Amount £..... Initials..... . FOR OFFICIAL USE Storage payment Amount £..... Cashier

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