

**SECOND SUPPLEMENT TO THE
GIBRALTAR GAZETTE**

No. 2,861 of 15th August, 1995

LEGAL NOTICE NO. 114 OF 1995

IMPORTS AND EXPORTS ORDINANCE 1986

**IMPORTS AND EXPORTS (CONTROL) (AMENDMENT) (NO. 2)
REGULATIONS 1995**

In exercise of the powers conferred upon him by sections 16 and 129 of the Imports and Exports Ordinance 1986, and of all other enabling powers, the Governor has made the following regulations —

Title and commencement.

1. These regulations may be cited as the Imports and Exports (Control) (Amendment) (No. 2) Regulations 1995 and shall come into effect on the 16th day of August 1995.

New Regulation 6A.

2. The Imports and Exports (Control) Regulations 1987 (hereinafter called “the principal regulations”) are amended by inserting after regulation 6 the following new regulation —

“ Circumstances in which goods may be forfeit.

6A. Where in respect of any ship, as defined in the Ordinance, or any vessel, as defined in the Seaside Pleasure Boats Rules 1989 made under the Public Health Ordinance, which is liable to duty the Collector of Customs is not satisfied that duty has been paid and the ship or vessel, as the case may be, is in Gibraltar the ship or vessel, as the case may be, shall be forfeit to the Crown whether or not any person is charged with any offence in connection with the ship or vessel and in such circumstances section 119(2) shall apply as if for the reference therein to sub-section (1) there is substituted reference to this regulation:

Provided that this regulation shall not apply where the Collector of Customs is satisfied that the ship or vessel, as the case may be, entered territorial waters only for the purpose of maintaining safety at sea and the

ship or vessel is surrendered to the custody of the Collector until such time as the ship or vessel leaves territorial waters, being a period of time no longer than is in the opinion of the Collector, acting on the advice of the Captain of the Port, necessary for safety purposes.”.

Amendment to Schedule 2.

3. Schedule 2 to the principal regulations is amended in Part II by inserting after item 15 the following two new items —

“16. Any ship as defined by the Ordinance or any vessel as defined by the Seaside Pleasure Boats Rules 1989 (other than a ship or vessel which is a prohibited import) or any part or parts intended for use in the construction or assembly of a ship or vessel.

17. Tobacco or tobacco products other than products which are prohibited imports.”.

Dated this 15th day of August, 1995.

By Command,

M. J. Robinson,

Deputy Governor.