



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3612 OF 16TH MARCH, 1952.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 5 OF 1952.

A LAW TO AMEND THE CUSTOMS LAW.

Law 19/53.
Law 27/53

**CAP. 292
2 of 1950**

A. B. WRIGHT,]
Governor.

[16th March, 1952.]

BE it enacted by His Excellency the Governor and
Commander-in-Chief of the Colony of Cyprus as
follows :—

1. This Law may be cited as the Customs (Amendment) Law, 1952, and shall be read as one with the Customs Law (hereinafter referred to as "the principal Law").

Short title.
Cap. 292
2 of 1950

Amendment
of Section 2
of the
principal
Law.

2. Section 2 of the principal Law is hereby amended as follows :—

(a) by the deletion therefrom of the definition “ British Empire ” ;

(b) by the insertion therein, in its proper alphabetical order, of the following definition :—

“ ‘ scheduled territory ’ means any of the territories set out in Part II of the First Schedule :

Provided that the Governor in Council may vary or amend such part by the addition thereto of any other territory or the deletion therefrom of any territory therein set out.”

(c) by the insertion therein of the following sub-section, the first part thereof being numbered as sub-section (1) :—

“(2) Whenever in this Law the words ‘ British Empire ’ occur, the words ‘ scheduled territory ’ shall be read in place and stead thereof, and whenever reference is made to goods being of British Empire origin, such reference shall be deemed to be a reference to goods having origin in a scheduled territory.

(3) Whenever in this Law the words ‘ United Kingdom ’ occur, the words shall be construed as a reference to the United Kingdom of Great Britain and Northern Ireland.”

Repeal of
section 33
of the
principal
Law and
substitution
of new
section.

3. Section 33 of the principal Law is hereby repealed and the following section substituted therefor :—

“ Import
duties
of Customs
to be levied.

First
Schedule.

33. There shall be levied and collected upon all goods which are specified in Part I of the First Schedule and which shall be imported into the Colony or taken out of bond for home consumption, the several import duties of Customs (hereinafter called ‘ import duties ’) appearing in the said part of the said Schedule and set opposite to each item respectively therein :

Provided that, where dutiable goods are re-imported after having been exported for repair, renovation or alteration and their original form and character have remained substantially unchanged, import duty shall not be charged where such repair, renovation or alteration has been occasioned by inherent defect in the goods for the remedy of which the importer satisfies the Comptroller that no charge is made ; but, save as aforesaid, import duty shall be charged at the

Repealed by
Law 64/54

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Law 64/54

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Law 64/54

appropriate rate appearing in the said part of the said Schedule as if the amount of the increase in the value of the goods attributable to the process of repair, renovation or alteration, together with all costs incidental to their despatch and return, were the whole value thereof."

4. Section 36 of the principal Law is hereby repealed and the following section substituted therefor:—

"Preferential
Tariff.

First
Schedule.

36.—(1) With a view to conferring a preference in the case of products of any scheduled territory, import duties shall be charged at the rates set forth in Part I of the First Schedule under the heading 'Preferential Tariff', where the goods are shown to the satisfaction of the Comptroller, by means of a certificate of origin properly completed in the approved form, to have been consigned from and grown, produced or manufactured in any scheduled territory, but goods shall not be deemed to have been manufactured in any such territory unless such proportion of their value, as prescribed by Regulations made by the Governor-in-Council, is the result of labour within any scheduled territory :

Provided that claim to payment of import duty under the Preferential Tariff shall not be allowed unless made by the importer before the withdrawal of the goods from Customs control, and, where applicable, the requirements set out in sub-section (2) are complied with.

(2)—(a) In the case of goods originating in any scheduled territory which have been transhipped *en route*, or have been shipped from a foreign port after overland transit from the scheduled territory of origin, the importer will be required to produce the through bill of lading or railway consignment note from the scheduled territory of origin in support of the certificate of origin :

Provided that where a through bill of lading or consignment note is not available, the local bill of lading or consignment note from the original point of origin and certificate of arrival or landing at, and exportation from, the port of transhipment, shall be accepted. Such certificate shall be signed by the proper Customs Officer at the port of transhipment and, where

Repeal of
section 36
of the
principal
Law and
substitution
of new
section.

Repealed
by Law
64/54

such port is a foreign port, the signature shall be attested by a British Consular Authority.

(b) In the case of goods imported through the post (except manufactured tobacco) from any scheduled territory, if the Comptroller is satisfied that the contents are not for sale and do not exceed £10 in value for any one addressee, a certificate signed by or on behalf of the sender in the scheduled territory of origin setting out that the contents of the package are not for sale, and that every dutiable article therein is the growth or produce, or, if a manufactured article, is to the extent of at least one-fourth of its value the bona fide manufacture of a scheduled territory, may be accepted as satisfactory evidence of origin for charging import duty under the Preferential Tariff.

(3) Where the Governor-in-Council is satisfied that any class or description of goods consigned from any scheduled territory is to a considerable extent manufactured therein from material which is not wholly grown or produced therein, the Governor-in-Council may direct that import duty under the Preferential Tariff shall be charged only in respect of such proportion of those goods as corresponds to the proportion of dutiable material used in their manufacture which is shown, to the satisfaction of the Comptroller, to have been grown or produced in any scheduled territory.

(4) For the purposes of sub-section (1), the Customs, Excise and Revenue Regulations, 1920 to 1933, shall, until other regulations are made under this Law, be deemed to be and always to have been effective as if made under the provisions of this section."

5. Section 37 of the principal Law is hereby repealed and the following section substituted therefor:—

"Time for
ascertaining
rate of duty.

37.—(1) Save as otherwise provided in this Law, all import duties shall be paid at the rate in force at the time such duties are paid to the proper Customs Officer.

(2) In the case of goods imported through the post, import duties shall be paid at the rate in force at the time when assessment of such duties is made by the Customs Officer at the Post Office."

Repeal of
section 37
of the
principal
Law and
substitution
of new
section.

6. The heading "DRAWBACKS" under Part VII of the principal Law is hereby deleted and substituted by the following heading :—

"REBATES AND DRAWBACKS".

7. Sub-section (1) of section 60 of the principal Law is hereby repealed and the following sub-section substituted therefor :—

"(1) The Governor may, at any time, direct that there shall be paid out of public revenue fixed money allowances for and on account of the Officers and other members of Her Majesty's Forces stationed in the Colony in respect of import duties paid on any goods imported by the Navy, Army and Air Force Institutes for sale to members of Her Majesty's Forces."

8. Section 75 of the principal Law is hereby amended as follows :—

(a) by the deletion in paragraph (g) at the end thereof of the word "or";

(b) by the deletion of the comma at the end of paragraph (h) and the substitution therefor of a semicolon and the insertion therein, after the semicolon, of the word "or";

(c) by the insertion therein, after paragraph (h), of the following paragraph :—

"(i) prepares or presents or causes to be prepared or presented as genuine any document required to be produced under section 27 which is not in fact a genuine document, or which is untrue or incorrect in any material particular,"

9. Section 94 of the principal Law is hereby repealed and the following section substituted therefor :—

"Disposal of goods imported duty free.

94.—(1) Subject to the provisions of sub-section (3), all goods which have been imported free of duty as the property of any department of Her Majesty's Government or of any consular officer, commercial agent, company, firm or other institution or person privileged, under any Law relating to customs in force for the time being, to import such goods free of duty, shall, in case of disposal thereof to any company, firm,

New heading under Part VII.

Repeal of sub-section (1) of section 60 and substitution of new sub-section.

Amendment of section 75 of the principal Law.

Repeal of section 94 of the principal Law and substitution of new section.