

LAWS OF DOMINICA

*Customs (Control and Management)* Chap. 69:01

109

*Arrival and Departure of Vessels (Unloading and  
Loading of Goods) Regulations*

[Subsidiary]

3. (1) Goods unloaded from a vessel into another vessel for landing at an approved wharf shall not, except with the permission of the proper officer, be again removed into another vessel before they are landed, but shall be taken directly to and landed at that wharf. Transhipment of goods.

(2) Where any goods are removed in contravention of, or are not taken directly to an approved wharf as required by this regulation, the person responsible for that removal or failure is liable to a fine of five thousand dollars, and the goods in respect of which the offence was committed are liable to forfeiture.

4. (1) Save as the Comptroller may otherwise permit, goods for which an entry is required under section 26 of the Act – Landing of goods.

(a) shall not be landed except in the presence of the proper officer;

(b) when landed shall, unless they are already entered under that section or section 27 of the Act, be taken directly to and deposited in a transit shed; and

(c) shall not be permitted to be removed from their place of landing or a transit shed except in the presence of the proper officer.

(2) Where goods are landed or removed from their place of landing, not taken to, deposited in or removed from a transit shed, in contravention of this regulation, the person responsible for that landing, removal or failure is liable to a fine of five thousand dollars, and the goods in respect of which the offence was committed are liable to forfeiture.

5. (1) Where goods intended for exportation or for use as stores are taken into any customs port, they shall, except where they are to be loaded immediately, be taken to and deposited in a transit shed. Deposit of goods for exportation.

(2) Where goods are not taken to and deposited in a transit shed as required by this regulation, the person responsible for that failure is liable to a fine of five thousand dollars, and the goods in respect of which the offence was committed are liable to forfeiture.

6. (1) Save as the Comptroller may otherwise permit, no person shall load into any vessel or make waterborne for loading any goods for exportation or for use as stores except at an approved wharf and in the presence of the proper officer. Loading of goods.

L.R.O. 1/1995

LAWS OF DOMINICA

110

**Chap. 69:01** *Customs (Control and Management)*

[Subsidiary]

*Arrival and Departure of Vessels (Unloading and  
Loading of Goods) Regulations*

(2) Any person who loads goods in contravention of this regulation is liable to a fine of two thousand dollars, and the goods in respect of which the offence was committed are liable to forfeiture.

Departure of  
vessels.

7. (1) Save as provided by the Act and as the Comptroller may otherwise permit, every vessel with clearance to leave a port under section 35 or 42 of the Act shall leave that port by a direct route, without touching any other place save as may be necessary for the safe navigation of the vessel.

(2) Where a vessel leaving a port does not follow a route required or permitted by the Comptroller, or touches a place in contravention of this regulation, the master of that vessel is liable to a fine of five thousand dollars.

(3) Where a vessel departs as aforesaid under subregulation (1) on a voyage to a place outside of Dominica, if the vessel immediately returns to any place in Dominica or the waters thereof, unless this is done –

(a) in accordance with the Act or any customs enactment;  
or

(b) with the permission of the proper officer; or

(c) for some cause which the master of the vessel shall explain to the satisfaction of the Comptroller,

then, the master of the vessel is liable to a fine of five thousand dollars.

---

LAWS OF DOMINICA

*Customs (Control and Management)*    **Chap. 69:01**    111  
*Pleasure Craft Regulations*    [Subsidiary]

**SUBSIDIARY LEGISLATION**

**PLEASURE CRAFT REGULATIONS**    6/1986.

*made under section 20*

[12th August 1985]    Commencement.

1. These Regulations may be cited as the –    Short title.

**PLEASURE CRAFT REGULATIONS.**

2. With the exception of the requirements imposed by the following sections of the Act, any other requirement imposed by Parts IV, V and VI of the Act shall not apply to pleasure craft –    Application of Act to pleasure craft.

- (a) section 21 (procedure on arrival of vessels);
- (b) section 25 (power to make Regulations as to arriving vessels and aircraft and the unloading of imported goods) in so far as any Regulation made thereunder requires a procedure to be followed by a vessel arriving at a customs port;
- (c) section 25 (report inwards);
- (d) section 31 (power to make Regulations as to the loading of goods and departing vessels and aircraft) in so far as any Regulation made thereunder requires a procedure to be followed by a vessel intending to leave ports for destinations outside Dominica; and
- (e) section 35 (clearance).

3. No vessel shall be a pleasure craft at any time whilst it is carrying cargo.    Cargo.

LAWS OF DOMINICA

112            **Chap. 69:01**    *Customs (Control and Management)*

[Subsidiary]                            *Arrival and Departure of Aircraft (Unloading and  
Loading of Goods) Regulations*

**SUBSIDIARY LEGISLATION**

---

**ARRIVAL AND DEPARTURE OF AIRCRAFT  
(UNLOADING AND LOADING OF GOODS) REGULATIONS**

**ARRANGEMENT OF REGULATIONS**

REGULATION

1. Short title.
  2. Arrival of aircraft.
  3. Unloading and removal of goods.
  4. Deposit of goods for exportation.
  5. Loading of goods.
-

LAWS OF DOMINICA

*Customs (Control and Management)* Chap. 69:01 113

*Arrival and Departure of Aircraft (Unloading and Loading of Goods) Regulations* [Subsidiary]

SUBSIDIARY LEGISLATION

ARRIVAL AND DEPARTURE OF AIRCRAFT 1/1986.  
(UNLOADING AND LOADING OF GOODS) REGULATIONS

*made under sections 23, 31 and 40*

[12th August 1985] Commencement.

1. These Regulations may be cited as the – Short title.

ARRIVAL AND DEPARTURE OF AIRCRAFT  
(UNLOADING AND LOADING OF GOODS) REGULATIONS.

2. (1) Save as the Comptroller may otherwise permit, the commander of every aircraft arriving at a customs airport who is required by section 25(2) of the Act to deliver a report shall immediately on landing take that aircraft or cause it to be taken to the examination station at that airport. Arrival of aircraft.

(2) If through circumstances over which the commander of an aircraft has no control that aircraft is prevented from being taken to an examination station as required by this regulation, that commander shall –

(a) immediately make a report of that aircraft as required by section 25(2) of the Act; and

(b) remove all goods in the aircraft to a transit shed or such other place as may be required by the proper officer.

(3) Save as provided by subregulation (2), where any aircraft is not taken to an examination station as required by this regulation, the commander of that aircraft is liable to a fine of five thousand dollars.

3. (1) Save as the Comptroller may otherwise permit, no person shall unload, or permit the unloading of, any goods imported by air from any importing aircraft – Unloading and removal of goods.

(a) except in the presence of the proper officer; and

(b) save as the proper officer may otherwise permit, at any place other than an examination station.

L.R.O. 1/1995

LAWS OF DOMINICA

114      **Chap. 69:01**      *Customs (Control and Management)*

**[Subsidiary]**      *Arrival and Departure of Aircraft (Unloading and  
Loading of Goods) Regulations*

(2) Save as the Comptroller may otherwise permit, no person shall remove or permit to be removed any goods imported by air from any examination station or any other place where goods are permitted to be unloaded under subregulation (1)(b) –

(a) except to a transit shed; or

(b) in the case of goods entered under section 26 or 27 of the Act, except in the presence of the proper officer.

(3) Save as the Comptroller may otherwise permit, no person shall remove or permit to be removed any goods imported by air from any transit shed –

(a) except to a customs warehouse; or

(b) in the case of goods entered under section 26 or 27 of the Act, except in the presence of the proper officer.

(4) Where any goods are unloaded, removed or permitted to be removed in contravention of this regulation, the person responsible for that unloading, removal or permission is liable to a fine of five thousand dollars, and the goods in respect of which the offence was committed are liable to forfeiture.

Deposit of goods  
for exportation.

**4.** (1) Where goods intended for exportation or for use as stores are taken on to any customs airport, they shall, except where they are to be loaded immediately, be taken to and deposited in a transit shed.

(2) Where any goods are not taken to and deposited in a transit shed as required by this regulation, the person responsible for that failure is liable to a fine of five thousand dollars, and the goods in respect of which the offence was committed are liable to forfeiture.

Loading of  
goods.

**5.** (1) Save as the Comptroller may otherwise permit, no person shall load on to any aircraft about to depart on a flight to an eventual destination outside Dominica any goods for exportation or for use as stores –

(a) except in the presence of the proper officer; and

(b) save as the proper officer may otherwise permit, at any place other than an examination station.

(2) Where any person loads goods in contravention of this regulation, that person is liable to a fine of five thousand dollars, and the goods in respect of which the offence was committed are liable to forfeiture.

---

**LAWS OF DOMINICA**

*Customs (Control and Management)*    **Chap. 69:01**    115  
*Warehousing Regulations*    [Subsidiary]

**SUBSIDIARY LEGISLATION**

**WAREHOUSING REGULATIONS**

**ARRANGEMENT OF REGULATIONS**

**REGULATION**

1. Short title.
2. Interpretation.
3. Application.
4. Registration numbers.
5. Locks.
6. Alterations and additions.
7. Time of warehousing.
8. Licence fees.
9. Bonds and insurance.
10. Receipt of goods into and out of warehouse.
11. Charges for attendance of officers.
12. Quantities of goods to be warehoused.
13. Carriage of goods to and from warehouse.
14. Condition of warehouse.
15. Condition of warehoused goods.
16. Weighing.
17. Stowage.
18. Marking.
19. Examination of goods.
20. Samples.
21. Operations on warehoused goods.
22. Entry of goods.
23. Receipt of goods.
24. Stock account.
25. Preservation of records.
26. Stocktaking.
27. Removal of goods.
28. Access.
29. Production.
30. Abandonment and destruction.

**SCHEDULE I.**

**SCHEDULE II.**

**SCHEDULE III.**

LAWS OF DOMINICA

116      **Chap. 69:01**      *Customs (Control and Management)*

[Subsidiary]      *Warehousing Regulations*

**SUBSIDIARY LEGISLATION**

**WAREHOUSING REGULATIONS**

15/1986.  
[55/1989].

*made under section 46*

Commencement.      [1st January 1986]

Short title.      **1. These Regulations may be cited as the –  
WAREHOUSING REGULATIONS.**

Interpretation.      **2. In these Regulations –**  
“general warehouse” means a warehouse where no restriction is placed  
on the ownership of the goods that may be warehoused in that  
warehouse;  
“private warehouse” means a warehouse where the goods that may be  
warehoused in that warehouse are restricted to those owned by  
the occupier of that warehouse.

Application.      **3. These Regulations shall apply to all warehouses and to all  
warehoused goods.**

Registration  
numbers.      **4. (1) The registration number of a warehouse, as allocated by the  
Comptroller, shall be legibly displayed on the outside of that warehouse.**  
**(2) Where the registration number of a warehouse is not dis-  
played as required by this regulation, the occupier of the warehouse is  
liable to a fine of five hundred dollars.**

Locks.      **5. (1) The principal entrance to every warehouse shall be secured  
by two good locks, the keys to one of which, in the case of a licensed  
warehouse, shall be furnished and kept by the owner or occupier of the  
warehouse, and the other by the Comptroller.**  
**(2) Every entrance to a warehouse, other than the principal  
entrance, shall be fastened from the inside.**  
**(3) Where any entrance to a warehouse is not secured as  
required by this regulation, the occupier of that warehouse is liable to a  
fine of five hundred dollars.**



LAWS OF DOMINICA

*Customs (Control and Management)* Chap. 69:01

117

*Warehousing Regulations*

[Subsidiary]

6. (1) The occupier of a warehouse shall maintain that warehouse in the same state in which it was approved under section 45 of the Act and save as the Comptroller may otherwise permit in writing or is required by these Regulations, shall not make or allow to be made any alteration or addition to it. Alterations and additions.

(2) Where a warehouse is not maintained, or is altered or added to, in contravention of this regulation, the occupier of that warehouse is liable to a fine of five thousand dollars.

7. Goods brought to a warehouse shall become warehoused goods when they are placed in that warehouse for that purpose. Time of warehousing.

8. (1) Subject to subregulation (3), no goods shall be warehoused at a warehouse in any calendar year unless there has been paid to the Comptroller the licence fee payable in respect of that warehouse for that year. Licence fees.

(2) The licence fee payable in respect of a warehouse shall be as prescribed in Schedule I, and the licence fee shall only permit goods to be warehoused during the calendar year to which it applies. Schedule I.

(3) Where a warehouse has been approved before the coming into operation of these Regulations, the licence fee prescribed for that warehouse may be paid at any time up to the expiration of twenty-eight days from the coming into operation of these Regulations.

(4) Where goods are warehoused in any warehouse in contravention of this regulation, the occupier of that warehouse is liable to a fine of five thousand dollars, and the goods in respect of which the offence was committed are liable to forfeiture.

9. (1) No goods shall be warehoused at a warehouse until the occupier of that warehouse has – Bonds and insurance.

(a) deposited with the Comptroller a bond of sufficient surety to cover all the duty chargeable on those goods and all the other goods warehoused at that time in that warehouse; and

(b) insured against the loss or unlawful removal of those goods and all other goods warehoused at that time in that warehouse, such insurance to be for the duty paid value of those goods.

LAWS OF DOMINICA

118                      **Chap. 69:01**      *Customs (Control and Management)*  
[Subsidiary]                                      *Warehousing Regulations*

---

(2) Where goods are warehoused in any warehouse in contravention of this regulation, the occupier of that warehouse is liable to a fine of five thousand dollars, and the goods in respect of which the offence was committed are liable to forfeiture.

Receipt of goods  
into and out of  
warehouse.

**10.** (1) Save as the Comptroller may otherwise permit, no goods shall be received at or removed from a warehouse except in the presence of the proper officer.

(2) Subject to regulation 11(2), the Comptroller upon a request for the attendance of an officer by the occupier of a warehouse or the proprietor of goods –

- (a) where the request is for the attendance of an officer during the working hours prescribed by section 7 of the Act, shall provide for the attendance of an officer; and
- (b) where the request is for the attendance of an officer outside the working hours prescribed by section 7 of the Act, may provide for the attendance of an officer.

(3) Where the Comptroller considers it necessary to do so, he may require that an officer be in full-time attendance at a warehouse.

(4) Where goods are received at or removed from a warehouse in contravention of this regulation by the occupier or his agent or by any person under his direction or with his knowledge or consent, the occupier of that warehouse and any such other person is liable to a fine of five thousand dollars, and the goods in respect of which the offence was committed are liable to forfeiture.

Charges for  
attendance of  
officers.  
Schedule II.

**11.** (1) In respect of any requested attendance of an officer at a warehouse there shall be payable to the Comptroller by the person who made the request the amounts prescribed by Schedule II.

(2) Any amount payable under this regulation shall be paid within fourteen days of the date of the invoice requiring payment and, where the payment is not made within such time –

- (a) where the attendance was requested by the occupier of a warehouse, the Comptroller may refuse to provide an officer to further attend that or any other warehouse occupied by that person; and
- (b) where the attendance was requested by the proprietor of the goods, the Comptroller may refuse to provide an

LAWS OF DOMINICA

*Customs (Control and Management)* Chap. 69:01

119

*Warehousing Regulations*

[Subsidiary]

officer to further attend upon any dealing with any other goods belonging to that proprietor at any warehouse.

**12.** (1) No goods listed in Schedule III shall be warehoused or removed from a warehouse in quantities less than those stated in that Schedule, except that where any balance of such goods remaining in a warehouse is less than that quantity, those goods may be removed from that warehouse.

Quantities of goods to be warehoused. Schedule III.

(2) Where goods are warehoused in or removed from a warehouse in contravention of this regulation, the occupier of that warehouse is liable to a fine of five hundred dollars.

**13.** (1) Imported goods entered for warehousing shall, within two working days of the lodging of their entry with the proper officer, be removed by the person entering them and shall be conveyed under such conditions and supervision and in such vehicle or by such means only as shall be permitted by that officer.

Carriage of goods to and from warehouse.

(2) Any goods, other than goods entered for home use, shall, on their removal from a warehouse, be carried by the most direct route, or such other route as the proper officer may require, to the destination for which they are entered.

(3) No person shall carry any goods on a journey as referred to in this regulation unless he is insured for any loss or damage to those goods, such insurance to be for the duty paid value of the goods, and any person who so carries the goods whilst not so insured is liable to a fine of one thousand dollars.

(4) Where goods carried on a journey referred to in this regulation, are carried on a route other than one required by this regulation, the person carrying them is liable to a fine of one thousand dollars.

(5) Where any goods are not removed by the person entering them as required by this regulation, that person is liable to a fine of five hundred dollars, together with a further fine of ten dollars for each day on which the failure continues, to a maximum of one thousand dollars.

**14.** (1) The occupier of a warehouse shall –

Condition of warehouse.

(a) keep that warehouse free from the accumulation of any dirt or rubbish;

L.R.O. 1/1995