

Customs and Excise Management Act 1979

CHAPTER 2

CUSTOMS AND EXCISE MANAGEMENT ACT 1979

PART I

PRELIMINARY

- 1 Interpretation
- 2 Application to hovercraft
- 3 Application to pipe-lines
- 4 Application to certain Crown aircraft
- 5 Time of importation, exportation, etc.

PART II

ADMINISTRATION

Appointment and duties of Commissioners, officers, etc.

- 6 Appointment and general duties of Commissioners, etc.
- 7 Privileges of Commissioners, etc.
- 8 Exercise of powers and performance of duties
- 9 General duties of Commissioners in relation to customs matters concerning the European Communities
- 10 Disclosure by Commissioners of certain information as to imported goods
- 11 Assistance to be rendered by police, etc.
- 12 Power to hold inquiries

Offences in connection with Commissioners, officers, etc.

- 13 Unlawful assumption of character of officer, etc.
- 14 Failure to surrender commission, etc.
- 15 Bribery and collusion
- 16 Obstruction of officers, etc.

Commissioners' receipts and expenses

- 17 Disposal of duties, etc.
- 18 Remuneration and expenses of Commissioners

PART III

CUSTOMS AND EXCISE CONTROL AREAS

- 19 Appointment of ports, etc.
- 20 Approved wharves
- 21 Control of movement of aircraft, etc. into and out of the United Kingdom
- 22 Approval of examination stations at customs and excise airports
- 23 Control of movement of hovercraft
- 24 Control of movement of goods by pipe-line
- 25 Approval of transit sheds
- Power to regulate movements of goods into and out of Northern Ireland by land
- 27 Officers' powers of boarding
- 28 Officers' powers of access, etc.
- 29 Officers' powers of detention of ships, etc.
- 30 Control of movement of uncleared goods within or between port or airport and other places
- 31 Control of movement of goods to and from inland clearance depot, etc.
- 32 Penalty for carrying away officers
- Power to inspect aircraft, aerodromes, records, etc.
- 34 Power to prevent flight of aircraft

PART IV

CONTROL OF IMPORTATION

Inward entry and clearance

- 35 Report inwards
- 36 Provisions as to Her Majesty's ships, etc.
- 37 Entry of goods on importation
- 38 Entry by bill of sight
- 39 Entry of surplus stores
- 40 Removal of uncleared goods to Queen's warehouse
- 41 Failure to comply with provisions as to entry
- 42 Power to regulate unloading, removal, etc. of imported goods

Provisions as to duty on imported goods

- 43 Duty on imported goods
- 44 Exclusion of s. 43(1) for importers etc. keeping standing deposits
- 45 Deferred payment of customs duty
- 46 Goods to be warehoused without payment of duty

Status: This is the original version (as it was originally enacted).

- 47 Relief from payment of duty of goods entered for transit or transhipment
- 48 Relief from payment of duty of goods temporarily imported

Forfeiture, offences, etc. in connection with importation

- 49 Forfeiture of goods improperly imported
- 50 Penalty for improper importation of goods
- 51 Special provisions as to proof in Northern Ireland

PART V

CONTROL OF EXPORTATION

Outward entry and clearance of goods

- 52 Meaning for this Part of " dutiable or restricted goods "
- 53 Entry outwards of dutiable or restricted goods
- 54 Entry outwards of goods which are not dutiable or restricted goods
- 55 Register of exporters and assignment of identifying numbers
- 56 Alternative to entry for registered exporters
- 57 Specification of certain goods
- 58 Relaxation of requirements of s. 57 where particulars of goods recorded by computer
- 59 Restrictions on putting export goods alongside for loading
- 60 Additional restrictions as to certain export goods
- 61 Provisions as to stores
- 62 Information, documentation, etc. as to export goods

Outward entry and clearance of ships, etc.

- 63 Entry outwards of exporting ships
- 64 Clearance outwards of ships and aircraft
- 65 Power to refuse or cancel clearance of ship or aircraft

General regulation of exportation, etc.

66 Power to make regulations as to exportation, etc.

Offences in relation to exportation

- 67 Offences in relation to exportation of goods
- 68 Offences in relation to exportation of prohibited or restricted goods

PART VI

CONTROL OF COASTWISE TRAFFIC

- 69 Coasting trade
- 70 Coasting trade-exceptional provisions
- 71 Clearance of coasting ship and transire
- 72 Additional powers of officers in relation to coasting ships
- 73 Power to make regulations as to carnage of goods coastwise, etc.
- 74 Offences in connection with carriage of goods coastwise

PART VII

CUSTOMS AND EXCISE CONTROL: SUPPLEMENTARY PROVISIONS

Special requirements as to movement of certain goods

- 75 Explosives
- 76 Power to require pre-entry and clearance of goods

Additional provisions as to information

- 77 Information in relation to goods imported or exported
- 78 Customs and excise control of persons entering or leaving the United Kingdom
- 79 Power to require evidence in support of information
- 80 Power to require information or production of documents where origin of goods exported is evidenced under Community law or practice

Prevention of smuggling

- 81 Power to regulate small craft
- 82 Power to haul up revenue vessels, patrol coasts, etc.
- 83 Penalty for removing seals, etc.
- 84 Penalty for signalling to smugglers
- 85 Penalty for interfering with revenue vessels, etc.
- 86 Special penalty where offender armed or disguised
- 87 Penalty for offering goods for sale as smuggled goods

Forfeiture of ships, etc. for certain offences

- 88 Forfeiture of ship, aircraft or vehicle constructed, etc. for concealing goods
- 89 Forfeiture of ship jettisoning cargo, etc.
- 90 Forfeiture of ship or aircraft unable to account for missing cargo
- 91 Ships failing to bring to

PART VIII

WAREHOUSES AND QUEEN'S WAREHOUSES AND RELATED PROVISIONS ABOUT PIPE-LINES

- 92 Approval of warehouses
- 93 Regulation of warehouses and warehoused goods
- 94 Deficiency in warehoused goods
- 95 Deficiency in goods occurring in course of removal from warehouse without payment of duty
- 96 Deficiency in certain goods moved by pipe-line
- 97 Restriction on compensation for loss or damage to goods in, or for removal of goods from, warehouse or pipe-line
- 98 Procedure on warehouse ceasing to be approved
- 99 Provisions as to deposit in Queen's warehouse
- 100 General offences relating to warehouses and warehoused goods

PART IX

CONTROL OF EXCISE LICENCE TRADES AND REVENUE TRADERS

Excise licences—general provisions

- 101 Excise licences
- 102 Payment for excise licences by cheque
- 103 Renewal of excise licences

Status: This is the original version (as it was originally enacted).

104 105 106 107	Transfer and removal of excise licence trades and licences Certain sales permitted without excise licence Offences in connection with certain excise licences Power to require person carrying on excise licence trade to display sign
	General provisions as to entries of premises, etc.
108 109 110 111	Making of entries New or further entries of same premises Proof as to entries Offences in connection with entries
	General provision as to revenue traders
112 113 114 115 116 117 118	Power of entry upon premises, etc. of revenue traders Power to search for concealed pipes, etc. Power to prohibit use of certain substances in exciseable goods Power to keep specimen on premises of revenue traders Payment of excise duty by revenue traders Execution and distress against revenue traders Liability of ostensible owner or principal manager
	PART X
	DUTIES AND DRAWBACKS—GENERAL PROVISIONS
	General provisions relating to imported goods
119 120 121	Delivery of imported goods on giving of security for duty Regulations for determining origin of goods Power to impose restrictions where duty depends on certain matters other than use
122 123 124 125 126 127	Regulations where customs duty depends on use Repayment of duty where goods returned or destroyed by importer Forfeiture for breach of certain conditions Valuation of goods for purpose of ad valorem duties Charge of excise duty on manufactured or composite imported articles Determination of disputes as to duties on imported goods
	General provisions relating to charge of duty on and delivery of goods
128 129 130 131	Restriction of delivery of goods Power to remit or repay duty on denatured goods Power to remit or repay duty on goods lost or destroyed, etc. Enforcement of bond in respect of goods removed without payment of duty
	Drawback, allowances, duties, etc.—general
132 133 134 135 136 137	Extension of drawback General provisions as to claims for drawback Drawback and allowance on goods damaged or destroyed after shipment Time limit on payment of drawback or allowance Offences in connection with claims for drawback, etc. Recovery of duties and calculation of duties, drawbacks, etc.

PART XI

DETENTION OF PERSONS, FORFEITURE AND LEGAL PROCEEDINGS

Detention of persons

138 Provisions as to detention of persons

Forfeiture

- 139 Provisions as to detention, seizure and condemnation of goods, etc.
- 140 Forfeiture of spirits
- 141 Forfeiture of ships, etc. used in connection with goods liable to forfeiture
- 142 Special provision as to forfeiture of larger ships
- 143 Penalty in lieu of forfeiture of larger ship where responsible officer implicated in offence
- Protection of officers, etc. in relation to seizure and detention of goods, etc.

General provisions as to legal proceedings

- 145 Institution of proceedings
- 146 Service of process
- 147 Proceedings for offences
- 148 Place of trial for offences
- Non-payment of penalties, etc.: maximum terms of imprisonment
- 150 Incidental provisions as to legal proceedings
- 151 Application of penalties
- Power of Commissioners to mitigate penalties, etc.
- 153 Proof of certain documents
- 154 Proof of certain other matters
- 155 Persons who may conduct proceedings

Saving for outlying enactments of certain general provisions as to offences

156 Saving for outlying enactments of certain general provisions as to offences

PART XII

GENERAL AND MISCELLANEOUS

General powers, etc.

- 157 Bonds and security
- 158 Power to require provision of facilities
- 159 Power to examine and take account of goods
- 160 Power to take samples
- 161 Power to search premises
- Power to enter land for or in connection with access to pipe-lines
- 163 Power to search vehicles or vessels
- 164 Power to search persons
- 165 Power to pay rewards
- 166 Agents

General offences

- 167 Untrue declarations, etc.
- 168 Counterfeiting documents, etc.
- 169 False scales, etc.
- 170 Penalty for fraudulent evasion of duty, etc.
- 171 General provisions as to offences and penalties

Miscellaneous

- 172 Regulations
- 173 Directions
- 174 Removal from or to Isle of Man not to be importation or exportation
- 175 Scotland-special provisions
- 176 Game licences
- 177 Consequential amendments, repeals and saving and transitional provisions
- 178 Citation and commencement

SCHEDULES

SCHEDULE 1 — Controlled Drugs: Variation of Punishments for Certain Offences under Tins Act

- 1 Section 50(4), 68(3) and 170(3) of this Act shall have...
- 2 Section 50(4), 68(3) and 170(3) of this Act shall have...
- 3 In this Schedule "Class A drug", "Class...

SCHEDULE 2 — Composite Goods: Supplementary Provisions as to Excise Duties and Drawbacks

Duties

- 1 (1) Where under subsection (1) of the principal section imported...
- 2 Where a direction given by virtue of paragraph 1 above...
- 3 Nothing in paragraphs 1 and 2 above shall affect the...

Drawbacks

- 4 Where a direction is given by virtue of paragraph 1...
- 5 (1) Where, in the case of imported goods of any...

Supplementary

- 6 Where any order under paragraph 1 or 5 above directs...
- 7 Where a resolution passed by the House of Commons has...
- 8 The power to make orders under this Schedule shall be...

Interpretation

9 In this Schedule "the principal section "means section...

SCHEDULE 3 — Provisions Relating to Forfeiture

Notice of seizure

- 1 (1) The Commissioners shall, except as provided in sub-paragraph (2)...
- 2 Notice under paragraph 1 above shall be given in writing...

Notice of claim

- 3 Any person claiming that any thing seized as liable to...
- 4 (1) Any notice under paragraph 3 above shall specify the...

Condemnation

- 5 If on the expiration of the relevant period under paragraph...
- 6 Where notice of claim in respect of any thing is...
- 7 Where any thing is in accordance with either of paragraphs...

Proceedings for condemnation by court

- 8 Proceedings for condemnation shall be civil proceedings and may be...
- 9 Proceedings for the condemnation of any thing instituted in a...
- 10 (1) In any proceedings for condemnation instituted in England, Wales...
- 11 (1) In the case of any proceedings for condemnation instituted...
- Where an appeal, including an appeal by way of case...

Provisions as to proof

- 13 In any proceedings arising out of the seizure of any...
- 14 In any proceedings, the condemnation by a court of any...

Special provisions as to certain claimants

15 For the purposes of any claim to, or proceedings for...

Power to deal with seizures before condemnation, etc.

- Where any thing has been seized as liable to forfeiture...
- 17 (1) If, where any thing is delivered up, sold or...

SCHEDULE 4 — Consequential Amendments

Construction of references in Acts passed before 1st April 1909 and in instruments made thereunder

1 Save where the context otherwise requires, any reference in, or...

Isle of Man Act 1958

2 In section 2(1) of the Isle of Man Act 1958...

Diplomatic Privileges Act 1964

3 In section 2 of the Diplomatic Privileges Act 1964, after...

Provisional Collection of Taxes Act 1964

- 4 In section 3 of the Provisional Collection of Taxes Act...
- 5 In section 3(3) of the Provisional Collection of Taxes Act...

Consular Relations Act 1968

- 6 In section 1 of the Consular Relations Act 1968, after...
- 7 In section 5 of the Consular Relations Act 1968, after...

Misuse of Drugs Act 1971

8 In section 12(1)(b) of the Misuse of Drugs Act 1971,...

Finance Act 1972

- 9 In section 17 of the Finance Act 1972, after subsection...
- 10 In section 17 of the Finance Act 1972, for subsection...
- 11 In section 27 of the Finance Act 1972, for subsection...

Table of textual amendments

12 In the enactments specified in the following Table, for so...

SCHEDULE 5 — Transitory Consequential Amendments of Enactments Relating to Purchase Tax

Purchase Tax Act 1963

- 1 In section 1(3)(a) of the Purchase Tax Act 1963 (in...
- 2 (1) In section 25 of the 1963 Act the amendments...
- 3 (1) In section 34 of the 1963 Act the amendments...
- 4 In Schedule 2 to the 1963 Act, in paragraph 2...

Finance Act 1964

5 In section 10(2)(b) of the Finance Act 1964—

Finance Act 1967

6 In section 9(1) of the Finance Act 1967 for the...

SCHEDULE 6 — Repeals

PART I — ENACTMENTS OF THE PARLIAMENT OF THE UNITED KINGDOM

PART II — ENACTMENTS OF THE PARLIAMENT OF NORTHERN IRELAND

SCHEDULE 7 — Saving and Transitional Provisions

- 1 Notwithstanding the repeal by this Act of section 258 of...
- 2 Notwithstanding the repeal by this Act of subsections (2) and...
- 3 Notwithstanding the repeal by this Act of section 308(3) of...
- 4 Nothing in the repeal by this Act of paragraph 1...
- 5 The repeal by this Act of section 5(4) of the...
- 6 The repeal by this Act of any enactment already repealed...
- 7 The repeal by this Act of section 8(4) of the...
- 8 Any such reference as is specified in paragraph 1 of...
- 9 Any such reference as is specified in sub-paragraph (2), (6)...
- 10 (1) Any provision of this Act relating to anything done...
- Any functions which, immediately before the commencement of this Act,...
- 12 (1) The repeal by this Act of subsection (4) of...