



Import, Export and Customs Powers (Defence) Act 1939

1939 CHAPTER 69 2 and 3 Geo 6

3 Application and extension of law as to prohibited goods.

- (1) If any goods—
- (a) are imported, exported, carried coastwise or shipped as ships' stores in contravention either of an order under this Act or of the law relating to trading with the enemy, or
 - (b) are brought to any quay or other place, or waterborne, for the purpose of being exported or of being so carried or shipped in contravention either of an order under this Act or of the law relating to trading with the enemy,

those goods shall be deemed to be prohibited goods and shall be forfeited; and the exporter of the goods or his agent, or the shipper of the goods, shall be liable, in addition to any other penalty under the [^{F1}enactments for the time being in force relating to customs or excise], to a customs penalty of [^{F2}level 5 on the standard scale].

- (2) If any such order as aforesaid prohibits the exportation of any goods unless consigned to a particular place or person, and such goods so consigned are delivered otherwise than to that place or person, as the case may be, the vessel in which the goods were exported shall be deemed to have been used in the conveyance of prohibited goods.
- (3) If any goods are imported, exported, carried coastwise or shipped as ships' stores, or are brought to any quay or other place, or waterborne, for the purpose of being exported or of being so carried or shipped, an officer of Customs and Excise may require any person possessing or having control of the goods to furnish proof that the importation, exportation or carriage coastwise of the goods or the shipment of the goods as ships' stores, as the case may be, is not unlawful by virtue either of an order under this Act or of the law relating to trading with the enemy; and if such proof is not furnished to the satisfaction of the Commissioners of Customs and Excise, [^{F3}then, unless the contrary is proved, the goods shall be deemed to be prohibited goods and shall be forfeited].

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Import, Export and Customs Powers (Defence) Act 1939, Section 3. (See end of Document for details)

Textual Amendments

- F1** Words substituted by [Customs and Excise Management Act 1979 \(c. 2\)](#), Sch. 4 para. 12 Table Pt. I
- F2** Words substituted by virtue of [Customs and Excise Management Act 1979 \(c. 2, SIF 40:1\)](#), [s. 156](#), (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 38, 46](#), (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [ss. 289F](#), 289G and (N.I.) by S.I. 1984/703, (N.I.3), arts. 5, 6
- F3** Words substituted by [Emergency Laws \(Miscellaneous Provisions\) Act 1953 \(c. 47\)](#), [Sch. 1 para. 5\(1\)](#)
- F4** Words repealed by [Customs and Excise Act 1952 \(c. 44\)](#) Sch. 12 Pt. I

Modifications etc. (not altering text)

- C1** [S. 3\(3\)](#) extended by [Emergency Laws \(Miscellaneous Provisions\) Act 1953 \(c. 47\)](#), [Sch. 1 para. 5\(2\)\(3\)](#)

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