

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE CUSTOMS LAW (2010
REVISION) TO MAKE FURTHER PROVISION IN RESPECT OF THE
PENALTY FOR THE UNAUTHORIZED OPENING OF A CONTAINER
BEFORE IT IS INSPECTED BY CUSTOMS; AND TO MAKE
PROVISION FOR INCIDENTAL AND CONNECTED MATTERS**

THE CUSTOMS (AMENDMENT) BILL, 2011

MEMORANDUM OF OBJECTS AND REASONS

This Bill seeks to amend the Customs Law (2010 Revision) to impose a maximum fine of one hundred thousand dollars in respect of the unauthorized opening of a container before it is inspected by the Customs Department.

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ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Customs (Amendment) Law, 2011. Short title
2. The Customs Law (2010 Revision) is amended in section 14 by repealing subsection (6) and substituting the following subsections - Amendment of section
14 of the Customs Law
(2010 Revision) - master
or commander to make
report
 - “ (6) If at any time after a ship or aircraft carrying goods brought therein from any place outside the Islands arrives within the jurisdiction of the Islands, and before report has been made under this section -
 - (a) bulk is broken;
 - (b) any alteration is made in the stowage of any goods carried so as to facilitate the unloading of any part thereof;
 - (c) any part of the goods is staved, destroyed or thrown overboard; or
 - (d) any container is opened,

and the matter is not explained to the satisfaction of the proper officer, the master of the ship or commander of the aircraft, as the case may be, is guilty of an offence and liable on summary conviction -

- (i) in the case of an offence under paragraph (a), (b) or (c), to a fine of one thousand dollars; and
- (ii) in the case of an offence under paragraph (d), to a fine of one hundred thousand dollars, notwithstanding sections 6(2) and 8 of the Criminal Procedure Code (2010 Revision).

(6A) If at any time after a ship or aircraft carrying goods brought therein from any place outside the Islands arrives within the jurisdiction of the Islands, and after report has been made under this section, any container in Customs charge is opened before the goods have been duly customed and the matter is not explained to the satisfaction of the proper officer, the importer of the goods is guilty of an offence and liable on summary conviction to a fine of one hundred thousand dollars, notwithstanding sections 6(2) and 8 of the Criminal Procedure Code (2010 Revision).”.

Passed by the Legislative Assembly the day of , 2011.

Speaker.

Clerk of the Legislative Assembly.