

# STATES OF JERSEY

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## **DRAFT CUSTOMS AND EXCISE (JERSEY) LAW 1999 (APPOINTED DAY) (No. 2) ACT 200**

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**Lodged au Greffe on 29th September 2006  
by the Minister for Home Affairs**

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**STATES GREFFE**





Jersey

## **DRAFT CUSTOMS AND EXCISE (JERSEY) LAW 1999 (APPOINTED DAY) (No. 2) ACT 200**

### **REPORT**

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The Customs and Excise (Jersey) Law 1999 was adopted by the States on 13th April 1999, sanctioned by Order of Her Majesty in Council on 24th November 1999 and registered in the Royal Court on 24th December 1999.

The Law came into force on the first day of November 2000 with the exception of the following provisions –

- (a) Article 19; and
- (b) those parts of Part I of the Fourth Schedule that relate to the repeal of the Import and Export (Control) (Jersey) Law 1946.

The Island, via the Minister for Home Affairs, controls the import and export of items that are not the subject of specific legislation by an Order made under the Import and Export (Control) (Jersey) Law 1946. The latest Order is the Import and Export Control (Jersey) Order 1992.

The 1992 Order controls imports and/or exports by setting a licensing regime for restricted goods. These goods are listed in the Schedules to the 1992 Order and it is an offence to import or export them, as the case may be, without a licence issued either by the Minister or the Agent of the Impôts.

Article 19 of the Customs and Excise (Jersey) Law 1999 was intended to replace the 1946 Law and allow an order to be made under the 1999 Law. However on the advice of the Attorney General Article 19 was not enacted at the same time as the rest of the Law due to potential problems with certain legal technicalities. These potential problems have now been resolved.

The Customs and Excise (Jersey) Law 1999 (Appointed Day) (No. 2) Act 200 will bring into force Article 19 together with the part of the Fourth Schedule to that Law that relates to the repeal of the Import and Export (Control) (Jersey) Law 1946.

The related Order – Customs and Excise (Import and Export Control) (Jersey) Order 2006 – will revoke and replace the 1992 Order and will come into force on the same day as Article 19 of the Customs and Excise (Jersey) Law 1999.

This draft Act has no financial or manpower implications for the States.

## **Explanatory Note**

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The purpose of this Act is to appoint the day on which Article 19 of the Customs and Excise (Jersey) Law 1999 comes into force together with the part of the Fourth Schedule to that Law that relates to the repeal of the Import and Export (Control) (Jersey) Law 1946. The day appointed will be 6 weeks after this Act is made.

The Customs and Excise (Jersey) Law 1999 (P.21/1999) was adopted, as amended by P.39/1999, by the States on 13th April 1999. The Law (except for Article 19 and those parts of the Fourth Schedule relating to the repeal of the Import and Export (Control) (Jersey) Law 1946) came into force on 1st November 2000 as provided by the Customs and Excise (Jersey) Law 1999 (Appointed Day) Act 2000 (P.162/2000).

Article 19 gives the Minister for Home Affairs the power to make an Order to prohibit or regulate the importation into, or exportation from, Jersey of all goods or goods of any specified description. The commencement of the remaining part of the Fourth Schedule to the 1999 Law will repeal the Import and Export (Control) (Jersey) Law 1946. The 1946 Law regulates importation into and exportation of goods from Jersey by means of the Import and Export (Control) (Jersey) Order 1992. That Order will be replaced by an Order made under Article 19 of the 1999 Law and that Order will come into force on the same day as Article 19.





Jersey

# **DRAFT CUSTOMS AND EXCISE (JERSEY) LAW 1999 (APPOINTED DAY) (No. 2) ACT 200**

*Made*

*[date to be inserted]*

*Coming into force*

*[date to be inserted]*

**THE STATES**, in pursuance of Article 74 of the Customs and Excise (Jersey) Law 1999<sup>[1]</sup>, have made the following Act –

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## **1 Commencement of Article 19 and ancillary provisions**

The following provisions of the Customs and Excise (Jersey) Law 1999 shall come into force 6 weeks after this Act is made –

- (a) Article 19; and
- (b) the part of Part 1 of the Fourth Schedule that relates to the repeal of the Import and Export (Control) (Jersey) Law 1946.

## **2 Citation**

This Act may be cited as the Customs and Excise (Jersey) Law 1999 (Appointed Day) (No. 2) Act 200.

