

GUYANA

BILL No. 21 of 2018

CUSTOMS (AMENDMENT) BILL 2018

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Amendment of section 23 of the Principal Act.
3. Amendment of section 52 of the Principal Act.

A BILL

Intituled

AN ACT to amend the Customs Act.

A.D. 2018 Enacted by the Parliament of Guyana:-

Short title. 1. This Act, which amends the Customs Act, may be cited as the Customs
Cap: 82:01 (Amendment) Act 2018.

Amendment of section 23 of the Principal Act. 2. Section 23 of the Principal Act is amended by the substitution for subsection (1), of the following –

“(1)(a) Subject to paragraph (c), exemption of import duty on a motor vehicle is allowed on the import of a motor vehicle by eligible public officers, qualifying re-migrants, settlers and returning students who have completed three years of training overseas.

(b) Re-migrants may be allowed exemption of import duty on more than one motor vehicle subject to the conditions specified in paragraph (c) for each vehicle and the approval of the Commissioner-General.

(c) The exemption under paragraph (a) is available to re-migrants, settlers and returning students once, within six months of re-assuming residence by the re-migrant and returning student and within six months after the arrival of the settler in Guyana and on the conditions that –

(i) the total exemption shall not exceed the sum of five million dollars in customs duty, excise tax and value-added-tax; and

(ii) where the duties and taxes payable exceed the sum of five million dollars, the re-migrant, settler or returning student shall be permitted to pay the additional duties and taxes.”.

Amendment of section 52 of the 3. Section 52 of the Principal Act is amended by the substitution for that

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Act.

section, of the following –

“52. (1) Any money overpaid as duties of customs may be, on the production of documents of proof of such overpayment and the determination of the Commissioner-General –

(a) refunded at any time within six months of the date of such overpayment; or

(b) applied towards the payment of duties at any date.

(2) The duties refunded and applied under subsection (1) shall be from the revenues collected and paid into the Customs and Trade Administration Account of the Revenue Authority and any net customs duty shall be paid into the Consolidated Fund.”.

Explanatory Memorandum

Clause 2 of the Bill amends section 23 of the Customs Act to provide for returning students who have completed three years of training overseas to be allowed exemption of import duty on a motor vehicle within six months of re-assuming residence, and for re-migrants to be allowed exemption of import duty on more than one motor vehicle on satisfying certain conditions and on the approval of the Commissioner-General.

Clause 3 amends section 52 of the Act to provide for overpaid duties to be refunded or applied towards the payment of duties at any date on the determination of the Commissioner-General. It provides also for the duties to be refunded and applied to be taken from the Customs and Trade Administration Account and net customs duty to be paid into the Consolidated Fund.

Hon. Winston Jordan, M.P.
Minister of Finance