

British Guiana.

REGULATIONS FOR THE APPLICATION OF THE LAW RELATING TO CUSTOMS TO AIRCRAFT ARRIVING IN OR DEPARTING FROM THE COLONY.

1. These Regulations may be cited as the Air Navigation (Customs) Regulations, 1937. Short title.
2. Subject to these Regulations, the Customs Ordinance (hereinafter referred to as "the Ordinance") shall apply to aircraft arriving in or departing from the Colony. General application of Cap. 33 to aircraft.
- 3.—(1) In the Ordinance and in these Regulations the definitions set out in the Ordinance shall apply to aircraft subject to the following additions and modifications :—
Definitions and interpretation of terms.
 - "Customs aerodrome" means a customs aerodrome appointed under regulation 4 of these regulations ;
 - "Examination station" means a space at a customs aerodrome approved by the Comptroller of Customs as an examination station for the disembarkation of passengers and the examination of their luggage and for the landing and shipping of cargo ;

- “Master” includes pilot of an aircraft ;
 “Name of ship” or “ship’s name” includes registration mark of an aircraft ;
 “Navy” includes Royal Air Force ;
 “the Order” means the Air Navigation (Colonies, Protectorates and Mandated Territories) Order, 1927 ;
 “Pilot” includes person in charge of an aircraft ;
 “Port” includes a customs aerodrome ;
 “Seaman” includes any member of the crew of an aircraft ;
 “Ship” and “Vessel” include aircraft ; and “shipped,” “shipping,” “shipment,” “unshipped” and “unshipping” shall be construed accordingly.

Cap. 5. (2) The Interpretation Ordinance shall apply for the purpose of the interpretation of these Regulations as it applies for the purpose of the interpretation of an Ordinance and as if these Regulations were an Ordinance.

Appoint-
ment of cus-
toms aero-
dromes. 4. The Governor may from time to time appoint any area within the Colony to be a customs aerodrome and may at any time revoke any such appointment.

Attendance
of officers at
customs
aerodromes. 5. Officers of customs will not be stationed permanently at customs aerodromes, but the attendance of officers on the arrival of aircraft in the Colony will be arranged by the Comptroller.

Expenses to
be borne by
owner of
aircraft or
agent. 6. All expenses in connection with the attendance of officer of customs and the examination by such officers of cargo or baggage and of any supervision of an aircraft or its lading shall be borne by the owner of the aircraft or his agent.

Aircraft on
arrival to
land at cus-
toms aero-
drome.
Exceptions. 7. An aircraft entering the Colony from a place outside the Colony shall not land therein except at a customs aerodrome :

Provided that this regulation shall not apply where an aircraft is compelled to land other than at a customs aerodrome, owing to accident, stress of weather, or other unavoidable cause, in which event the procedure laid down in article 23 (2) (b) of the Order shall be followed.

Breaking
of foreign
Customs
seal pro-
hibited. 8. No person shall break or alter any seal placed upon any part of an aircraft or upon any goods therein by a customs officer at the aerodrome from which the aircraft departed for the Colony, except in the presence, and with the permission, of an officer of customs.

Duties of
pilot of air-
craft arriv-
ing in
Colony. 9.—(1) On the arrival of an aircraft from a place outside the Colony the pilot shall on landing :—
 (a) forthwith take his aircraft to the examination station at a customs aerodrome :

Provided that a pilot shall not be deemed to have contra-

vened or failed to comply with the provisions of this paragraph if he proves that circumstances over which he had no control prevented him from taking his aircraft to the examination station ;

- (b) produce, on demand, the log book belonging to the aircraft to an officer of customs, who shall sign it and return it to the pilot ; and
- (c) land or disembark at such aerodrome for examination of baggage all passengers carried in the aircraft and after making the report required by section 38 of the Ordinance as applied by these Regulations, shall produce, and if required to do so, shall land all goods in such aircraft for examination.

(2) The pilot shall not allow any goods to be unloaded therefrom without the consent of an officer of customs, and no passengers arriving thereby shall leave the immediate vicinity without the consent of an officer of customs or police constable.

10. The provisions of section 33 of the Ordinance as to the stationing of an officer of customs on board a ship shall apply whether such officer is stationed actually on board or in the vicinity of an aircraft, and the obligation of a master to provide bed or hammock accommodation under the deck, in the said section mentioned, shall be deemed to be satisfied if bed or hammock accommodation is provided either in the aircraft, or if such accommodation is, in the opinion of the Comptroller, not practicable or desirable in the aircraft, then in a building or craft in the vicinity of the aircraft.

Accommodation for customs officer on or in vicinity of of aircraft.

11. In the application of section 35 of the Customs Ordinance to aircraft arriving in the Colony the following provisions shall apply—

- (a) the word “hold” shall include any part of an aircraft capable of containing goods, and the word “hatchway” shall include any opening whereby access may be had to such part ;
- (b) the word “locked” as applied to a place, box or chest means closed in any manner ;
- (c) where means of opening other than keys are necessary in order to examine any place, box or chest, then in such case officers of customs may open such place, box or chest in the best manner in their power.

Searching aircraft and securing goods.

12. The provisions of subsection (3) of section 38 of the Ordinance as to delivery by the master of the clearance of a ship from the last port shall be deemed to be satisfied if the manifest and declaration of the goods on board the aircraft signed by the proper customs or revenue officer at the aerodrome from which he departed to the Colony are delivered by the pilot to the proper officer of customs.

Proof of clearance of aircraft from foreign aerodrome.

Importer to produce goods to customs officer at aerodrome.

13. The importer of any goods imported in an aircraft shall produce such goods to the proper officer of customs at the customs aerodrome of importation, and permit him to inspect such goods.

Imported goods to be discharged at examination station.

14.—(1) Subject to the provisions of article 23 (2) (b) of the Order, a person importing goods in an aircraft shall not bring the goods into any place in the Colony other than a customs aerodrome, or unload the goods therefrom except at an examination station.

(2) Such unloading shall not take place except between such hours as the Comptroller may prescribe.

Removal of imported goods to colonial bonded warehouse.

15. All goods imported in an aircraft shall, as soon as possible after its arrival, be removed to a colonial bonded warehouse in the presence of an officer of customs.

Spirits, tobacco, etc. not to be imported in aircraft except as stores or as samples.

16. In the application of sections 28, 104 and 123 of, and the First Schedule to, the Ordinance an aircraft shall be deemed to be a ship of less burden than 35 tons

Provided that spirits, tobacco, cigars and cigarettes may be imported or exported in reasonable quantities for the personal use or consumption of its passengers and crew or as *bona fide* samples duly declared on the manifest as such.

Right of officer of customs to inspect customs aerodrome and aircraft.

17.—(1) The proprietor or person in charge of any customs aerodrome shall at all times permit any officer of customs to enter and inspect his aerodrome and all buildings and goods therein.

(2) The pilot of any aircraft shall permit any officer of customs at any time to board and inspect his aircraft, and any goods laden therein, and every such officer shall have the right of access at any time to any place to which access is necessary for the purpose of such inspection.

Aircraft may carry stores.

18. In the application of section 124 of the Ordinance, an aircraft shall be deemed to be a ship of the burden of 40 tons or upwards

Goods to be produced to customs officer at aerodrome.

19. The exporter of any goods exported in an aircraft shall produce such goods to the proper officer of customs at the customs aerodrome of exportation, and permit him to inspect the goods.

Unloading of goods laden for exportation and breaking of seal prohibited.

20. A person shall not, without the consent of the proper officer of customs—

(a) unload from any aircraft any goods loaded therein for exportation which have been cleared ; or

(b) open, alter or break any lock, mark or seal placed by any officer of customs on any goods in any aircraft about to depart from the Colony.

21.—(1) The pilot of an aircraft about to proceed direct to any place outside the Colony or his duly authorised agent shall deliver in duplicate, to the proper officer of customs together with the journey log-book belonging to the aircraft a manifest and declaration in the form prescribed by the Comptroller, declaring the goods and stores on such aircraft and shall truly state therein the particulars required by such form respectively; and such form, when signed by such officers shall be the clearance and authority for the aircraft to proceed to its foreign destination.

Clearance and departure of aircraft outwards.

(2) A pilot shall not depart in an aircraft from the Colony until he has obtained such authority, and, after obtaining such authority shall not call at any other place in the Colony before proceeding to his foreign destination. Any pilot intending to land at one or more Customs aerodromes before proceeding to his foreign destination shall apply for his clearance and authority at the last Customs aerodrome at which he lands.

22. No aircraft shall fly to a place outside the Colony unless its place of final departure is a customs aerodrome;

Aircraft to depart from Colony only from customs aerodrome.

Provided that this regulation shall not apply where an aircraft is compelled to land after leaving a customs aerodrome owing to accident, stress of weather, or unavoidable cause in which event the procedure laid down in regulation 20 of these Regulations and in article 23 (2) (b) of the Order shall be followed

23. The Comptroller may modify the form of any document prescribed by the Ordinance so as to make such form applicable to aircraft, or to goods carried therein,

Power of Comptroller to modify statutory forms.

24. The provisions of the Ordinance set out in the first column of the First Schedule to these Regulations shall apply, with the modifications and to the extent specified in the second column, to aircraft arriving in or departing from the Colony.

Provisions of Cap. 33 applied with modifications.

25. The provisions of the Ordinance set out in the Second Schedule to these Regulations shall not apply to aircraft.

Provisions of Cap. 33 not applied to aircraft.

26. The Air Navigation (Customs) Regulations, 1921, are hereby revoked.

Repealing clause.

Made by the Governor under article 23 (4) of the Air Navigation (Colonies, Protectorates and Mandated Territories) Order, 1927, this 7th day of October 1937.

W. BAIN GRAY.

Colonial Secretary (Acting).

Section 24.

FIRST SCHEDULE.

Section.	Nature of modification.
19, 108(1)	...The words "or by air" to be inserted after the words "inland navigation" wherever they occur.
33	...The words "in Council" in the third line to be deleted.
40(2)	...The words "of the coast" in the fourth line to be deleted.
62, 106(2)	...The words "owner of the aircraft or his agent" to be substituted for the words "importer" and "exporter" respectively in the last line.
132(1)	...The words "within the colony or the territorial waters thereof" to be substituted for the words "within the territorial waters of the colony or within one league of the coast of the colony, in the second, third and fourth lines.

Section 25.

SECOND SCHEDULE.

Sections 34, 61(1), 127, 134(1), 136 to 144 inclusive.