

**CHAPTER 323.****IMPORTATION OF TEXTILES (QUOTAS).**

## ARRANGEMENT OF SECTIONS.

## SECTION.

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**CHAPTER 323.\*****IMPORTATION OF TEXTILES (QUOTAS).**

32 of 1934.  
25 of 1937.

**An Ordinance to regulate the importation of Textile Goods from Foreign Countries.**

[22ND DECEMBER, 1934.]

Short title.

1. This Ordinance may be cited as the Importation of Textiles (Quotas) Ordinance.

Interpretation.

2. In this Ordinance unless the context otherwise requires—

“ quota ” means the quantity of textile goods or any class or classes of textile goods manufactured in any individual foreign country which may be imported during any period in accordance with a proclamation made by the Governor under section 3 of this Ordinance;

“ quota period ” means any period in respect of which any quota has been fixed by the Governor under section 3 of this Ordinance;

\*The operation of this Chapter has been suspended by the Importation of Textile (Suspension of Quotas) Regulations, 1939.

“foreign country” means any country or territory not being part of the British Empire as defined in the Customs Duties Ordinance (No. 2), 1933\*;

No. 24 of  
1933.

“regulated textiles” means any textile goods, and any class or classes of textile goods manufactured in a foreign country, in respect of which any quota has been fixed by the Governor under section 3 of this Ordinance:

25 of 1937,  
s. 2.

Provided that for the purposes of this Ordinance any textile goods of a class in respect of which a quota has been fixed shall be deemed to be manufactured in a foreign country unless accompanied by a certificate of British origin in the manner and form prescribed;

“the Comptroller” means the Comptroller of Customs;

“prescribed” means prescribed by regulations under this Ordinance.

3. The Governor may fix by proclamation the total quantity of textile goods or of any class or classes of textile goods manufactured in any foreign country which may be imported during any period.

Fixing of  
quotas.

4. (1) No person shall import any regulated textiles otherwise than in accordance with a direction given under section 10 of this Ordinance, except under licence issued by the Comptroller.

Issue of  
licences.

(2) Applications for licences to import any regulated textiles shall be made to the Comptroller and shall state full particulars of the quantity, class and country of manufacture of the goods proposed to be imported under it.

(3) Every licence issued under this Ordinance shall state the quantity, class, and country of manufacture of textile goods which may be imported under it and the period during which the licence is valid.

(4) The period during which any licence is valid shall fall wholly within a single quota period.

(5) The total quantity of imports of any regulated textiles, manufactured in any country, during any quota period which may be authorised by licences issued under this Ordinance shall not exceed the quota for that country fixed for that quota period.

\*The Ordinance is no longer in force, but the definition of “the British Empire” given in it is—

“the British Empire” means the United Kingdom of Great Britain and Northern Ireland, the Dominions, India, the territories administered by Her Majesty’s Governments in the Dominions under Mandate or otherwise, the British Colonies, the British Protectorates and protected States, and the Mandated Territories of Tanganyika, the Cameroons under British Mandate and Togoland under British Mandate.

(6) On the issue of a licence a fee to be prescribed shall be paid by the person to whom the licence is issued.

Restriction  
of licences.

5. (1) If it appears to the Comptroller that, in respect of any particular foreign country, and any quota period the quantity of any regulated textiles in respect of which licences are likely to be applied for will exceed the appropriate quota for that country and quota period, he may cause a notice to be published in the Gazette to the effect that the issue of licences for the import of such goods will be restricted.

(2) Any notice issued under subsection (1) of this section shall specify the regulated textiles, the quota period and the foreign country to which it relates and shall further specify a period within which applications for licences for such imports may be submitted.

(3) On the expiry of the period within which applications may be submitted, the Comptroller shall consider all the applications received and, if the total quantity of goods covered by such applications does not exceed the appropriate quota, he may issue licences in accordance with all applications. If the total quantity of goods covered by the applications exceeds the appropriate quota the Comptroller shall in his discretion, subject to the approval of the Governor, issue licences to the several applicants for quantities proportionate to the volume of their previous importations during any period determined by the Governor or to the quantities specified in their application or on any other basis.

Transfer of  
licence.

6. A licence may, with the consent of the Comptroller, be transferred from the person to whom it was issued to any other person designated by him.

Returns and  
declarations  
of origin.

7. Any person who imports any regulated textiles shall at the time of importation submit to the Comptroller a return of the quantity, class and origin of the goods imported and a declaration of the origin in the prescribed form.

Endorsement  
and cancel-  
lation of  
licence.

8. On the importation of any regulated textiles the proper officer of Customs shall endorse on the appropriate licence the quantity and class of the textile goods, and when the total quantity of goods the importation of which is thereby authorised has been imported, the licence shall be surrendered to the Comptroller and cancelled.

9. (1) The imports of regulated textiles manufactured in any foreign country shall be separately recorded by the Comptroller.

Records of imports and publication thereof.

(2) Any person may at any time on payment of the prescribed fee require the Comptroller to furnish a statement of the total quantity already imported of any regulated textiles manufactured in any individual foreign country during any quota period and the Comptroller shall furnish such statement accordingly.

10. Notwithstanding anything in this Ordinance, the Governor may if he thinks fit, in any proclamation issued under this Ordinance, direct that regulated textiles in excess of the several quotas therein fixed may be imported on payment of such duties, in addition to those prescribed by the Customs Duties Ordinance or any Ordinance amending the same, as may be specified in the proclamation, and accordingly this Ordinance shall have effect subject to such direction.

Imports in excess of quota.

Cap. 310.

11. Any person who shall knowingly import any regulated textiles contrary to the provisions of section 4 or 7 of this Ordinance shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one thousand dollars, and the textile goods shall be forfeited and may be disposed of as the Governor may direct.

Offences and penalties.

12. The Governor in Council may make regulations for giving effect to the provisions of this Ordinance.

Regulations.

13. This Ordinance shall be construed as one with the Customs Ordinance, and all rights, duties, powers and privileges conferred thereunder upon the Comptroller and any officer of Customs in relation to the importation, examination, entry and forfeiture of goods and all other powers and provisions whatsoever contained in the said Ordinance shall apply, *mutatis mutandis*, to the importation, examination, entry and forfeiture of regulated textiles.

Construction with and application of Cap. 309.

14. The Importation of Textiles (Quotas) Ordinance, 1934, is hereby repealed:

Repeal of Ord. No. 18 of 1934.

Provided that nothing in this repeal shall affect any proclamation or regulation made under the said Ordinance, but any such proclamation or regulation shall have effect as if made under this Ordinance.