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No. 9 of 1968.

GUYANA.

REGULATIONS

MADE UNDER

THE CUSTOMS ORDINANCE

(Chapter 309)

UNDER SECTION 273 OF THE CUSTOMS ORDINANCE AND BY VIRTUE AND IN EXERCISE OF ALL OTHER POWERS ENABLING HIM IN THAT BEHALF, THE FOLLOWING REGULATIONS HAVE BEEN MADE BY THE MINISTER:—

1.(1) These Regulations may be cited as the Customs (Amendment) Regulations, 1968, and shall be construed and read as one with the Customs Regulations*, hereinafter referred to as the Principal Regulations, and all amendments thereto.

(2) These Regulations shall come into operation on the day proclaimed under subsection (2) of section 2 of the Customs (Amendment) Act, 1968**.

2. Regulation 31(1) of the Principal Regulations is hereby amended by the addition of the following —

“C68 Entry for goods which are, by virtue of section 14A, not liable to duty.”

3. Regulation 109 of the Principal Regulations is hereby amended by the addition of the following —

“C68 Shipping Bill for goods to which item 11 of Part IV of the first schedule to the Ordinance applies.”

4. Regulation 113 of the Principal Regulations is hereby amended by the insertion after the letter and figures “C35” of the word, letter and figures “or C68”.

5. The Principal Regulations are hereby amended by the insertion after Part XV of the following Part —

* Cap. 309.

** No. 8 of 1968.

PART XVA — CARIBBEAN FREE TRADE AREA
TARIFF TREATMENT

Extension of application of regulations in Part XV, subject to modifications.

168A. Regulations 154, 156, 157, 158, 159, 160, 161, 162, 165, 166 and 168 shall, as they have effect for the regulation of matters relating to preferential treatment, have effect for the regulation of like matters relating to the application in Guyana of Association rates of duty and shall be construed for the purpose with all necessary modifications and adaptations and, in particular, with the following —

- (a) the substitution for all references to admission under the Preferential Tariff, and to entry thereunder, of references to admission at an Association rate of duty and to entry thereat, respectively;
- (b) the substitution for all references to any such invoice as described in regulation 154, and any such certificate as described therein, of references to an invoice and to a declaration and certificate or declarations, as the case may be, in the form set forth in Appendix B1 or B2 (as appropriate) or Appendix B3:

Provided that paragraph 2(b) of the declaration of origin in Appendix B1 and paragraph A(b) of the Notes for preparation of the form in Appendix B2 or B3 shall not be applicable unless and until the fourth schedule to the Ordinance is amended to give effect to such Caribbean Free Trade Association Process List mentioned in those paragraphs as may be established;

- (c) the substitution for references to the preferential rate of duty, in regulation 158, of references to the relevant Association rate of duty;
- (d) the substitution for references to a Scheduled Territory, a foreign port and a foreign country, in regulations 165 and 166, of references to an Association Territory and a port and territory of a country, other than an Association Territory, respectively;
- (e) in so far as the second sentence of regulation 165 applies in reference to an ocean bill of lading from a port of any Scheduled Territory (not being an Association Territory) by virtue of paragraph (d) of this regulation, the substitution for references in the said sentence to the British Consul of references to the customs authorities of that port;
- (f) the substitution for the reference to Scheduled Territory origin in regulation 168(b) of reference to Association Territory origin as required by the fourth schedule to the Ordinance.

168B. Save as provided by regulation 168A, nothing in the preceding Part shall affect the application in Guyana of any Association rate of duty.

Part XV not otherwise to regulate Area tariff treatment.

Drawback. 168C. (1) The authority conferred by paragraph (i) of the proviso to subsection (1) of section 14A may be exercised where the Comptroller is not satisfied that any allowable drawback, admission or arrangement has not been, or will not be, allowed inconsistently with the declaration made in that behalf pursuant to paragraph (b) of regulation 16SA.

(2) The authority conferred upon the Comptroller by paragraph (ii) of the last-mentioned subsection may be exercised, and the provisions of that paragraph shall have effect accordingly, where any such allowance as aforesaid in relation to goods admitted as mentioned in that paragraph is made after their importation.

**Oils and
Fats.**

168D. No Association rate of duty shall, in any circumstances, be applicable in Guyana to imports mentioned in paragraph (iii) of the said subsection.

Definitions.

168E. In this Part -

“Association Territory” shall have the same meaning as in section 14A;

“Association rate of duty” shall have the meaning assigned thereto by subsection (7) of section 14A.

6. The Principal Regulations are hereby amended —

- (a) by the insertion after Appendix B of the appendices set out in the first schedule hereto;
- (b) the addition to the Index of Forms in Appendix D of the following —
“68 Shipping Bill/Entry for Carifta Goods not liable to Duty ..
31, 109, 113”;
- (c) by the addition to Appendix D of the form set out in the second schedule hereto.

FIRST SCHEDULE

Reg. 6(a)

APPENDIX B1

(Reg. 168A)

CARIBBEAN FREE TRADE ASSOCIATION

INVOICE, CERTIFICATE OF VALUE AND DECLARATION OF ORIGIN

To be used only when the exporter is also the producer of the goods.

Exporters Reference No.....

Place and Date.....19...

INVOICE of.....supplied

by.....of.....

to.....of.....

to me shipped per.....

Order No.....Country from which consigned.....

Origin Criterion	Marks and Numbers of packages	Quantity and description of goods	Selling price to purchaser	
			@	Amount

I, (i).....of (ii).....

of (iii).....supplier and producer of the goods

described in this invoice amounting to.....hereby declare that I (iv) have the authority to make and sign this certificate and declaration on behalf of the said supplier and producer, and that I have the means of knowing and do hereby certify as follows :—

CERTIFICATE OF VALUE

1. That this invoice is in all respects correct and contains a true and full statement of the price actually paid or to be paid for the said goods, and the actual quantity thereof.

2. That no arrangement or understanding affecting the purchase price of the said goods has been or will be made or entered into between the exporter and purchaser, or by anyone on behalf of either of them, either by way of discount, rebate, compensation or in any manner whatever other than as fully shown on this invoice, or as follows
(v).....

DECLARATION OF ORIGIN

1. That statements in this declaration are made in cognizance of the provisions governing the determination of origin set out in Articles 5 and 8 and Annex C of the Caribbean Free Trade Association Agreement.
2. That each article comprised in the said goods has been produced within the Area of the Caribbean Free Trade Association in accordance with the origin criterion specified for that article on this invoice. In the column headed "Origin Criterion" —
 - (a) 'A' means that the article has been wholly produced within that Area;
 - (b) A Standard International Trade Classification heading means that the article has been produced within that Area by a qualifying process specified in the Caribbean Free Trade Association Process Lists for goods falling within that heading;
 - (c) "50%" means that the value of any materials imported from outside that Area or of undetermined origin which have been used at any stage of the production of the article does not exceed 50% of the export price of the article.
3. No drawback, temporary duty free admission or arrangement with equivalent effect (except such as, under the provisions of the Carifta Agreement, do not affect eligibility for Area tariff treatment) has been or will be claimed or made use of in relation to the goods in connection with their exportation from the country of last production.

Signature of authorised person.....

Signature of Witness.....

NOTES:—

- (i) Here insert Manager, Chief Clerk, or as the case may be.
- (ii) Here insert name of firm or company.
- (iii) Here insert name of city or country.
- (iv) These words should be omitted where the supplier and grower himself signs the Certificate.
- (v) Here insert particulars of any special arrangement.

CARIBBEAN FREE TRADE ASSOCIATION**INVOICE AND DECLARATION OF EXPORTER: AND DECLARATION OF PRODUCER.**

To be used when the exporter is not the producer of the goods.

(Parts A and B of this form are to be completed by the exporter of the goods and Part C by the producer of the goods).

Exporter's Reference No.....

Place

Date19....

PART A

INVOICE ofsupplied

byof.....

toof.....

to be shipped per.....

Order No..... Country from which consigned.....

Origin Criterion	Marks and Numbers of packages	Quantity and Description of Goods	Selling price to purchaser	
			●	Amount

PART B**DECLARATION OF EXPORTER**

The undersigned, being the exporter of the goods described in the Invoice at Part A declares that :—

1. The invoice is in all respects correct and contains a true and full statement of the price actually paid or to be paid for the said goods, and the actual quantity thereof.
2. No arrangement or understanding affecting the purchase price of the said goods has been or will be made or entered into between the exporter and purchaser, or by anyone on behalf of either of them, or either by way of discount, rebate, compensation or in any manner whatever other than as fully shown in the invoice or as follows.....
3. The said goods consist exclusively of articles which are the subject of the producer's declaration in Part C.
4. In the case of any article to which Note A (c) is applied in the invoice, the value of the materials referred to does not exceed 50% of the export price of the article.
5. No drawback, temporary duty free admission or arrangement with equivalent effect (except such as, under the provisions of the Carifta Agreement, do not affect eligibility for Area tariff treatment) has been or will be claimed or made use of in relation to the goods in connection with their exportation from the country of last production.

Signature of authorised person

Signature of Witness.....

PART C

DECLARATION OF PRODUCER

The undersigned, being the producer of the goods described in the invoice at Part "A" hereby declares that each article comprised in the said goods has been produced in accordance with the origin criterion stated in the said invoice.

.....

.....

Name and address of the Producer

.....
Signature of authorised signatory

.....
Signature of Witness

.....
Place and date of signature

NOTES FOR THE PREPARATION OF THIS FORM

A. Origin Criterion

The criterion on the basis of which Area origin is claimed must be stated in the column headed "Origin criterion" against each item in the invoice at Part A in the manner indicated below:

If each article comprised in the item has been

- | | |
|--|--|
| <p>(a) wholly produced within the Area of the Caribbean Free Trade Association.</p> | <p>The letter "A" should be inserted.</p> |
| <p>(b) produced within the Area of the Caribbean Free Trade Association by a qualifying process described in the Caribbean Free Trade Association Process List.</p> | <p>The Standard International Trade Classification (original) heading number of the finished product should be inserted.</p> |
| <p>(c) produced within the Area of the Caribbean Free Trade Association and the value of any materials imported from outside the Area or of undetermined origin which have been used at any stage of the production of the article does not exceed 50% of the price paid or payable to the producer;</p> | <p>The figure "50%" should be inserted. N.B. if the value of such materials exceeds 50% of the price paid or payable to the producer, the maximum known percentage should be inserted.</p> |
- B. The completion of this form implies that the producer and the exporter will furnish to the appropriate authorities such information and supporting evidence as they may as necessary require for the purpose of verifying these declarations.**
- C. Persons who furnish or cause to be furnished untrue declarations render themselves liable to penalties.**

CARIBBEAN FREE TRADE ASSOCIATION

INVOICE AND DECLARATION OF EXPORTER: AND CERTIFICATE OF ORIGIN

This form, an alternative to Form No. 1 or Form No. 2, is for use when the Certificate of Origin is given by a governmental authority or authorised body of the exporting Member Territory.

(Parts A and B are to be completed by the exporter of the goods.

Exporter's Reference No.....

Place

Date 19....

PART A

INVOICE of supplied

byof.....

toof.....

to be shipped per.....

Order No..... Country from which consigned.....

Origin Criterion	Marks and Numbers of packages	Quantity and Description of Goods	Selling price to purchaser	
			@	Amount

PART B

DECLARATION OF EXPORTER

The undersigned, being the exporter of the goods described in the Invoice at Part A declares that :—

1. The invoice is in all respects correct and contains a true and full statement of the price actually paid or to be paid for the said goods, and the actual quantity thereof.
2. No arrangement or understanding affecting the purchase price of the said goods has been or will be made or entered into between the exporter and purchaser, or by anyone on behalf of either of them or either by way of discount, rebate, compensation or in any manner whatever other than as fully shown in the invoice or as follows.....
3. The said goods consist exclusively of articles which are the subject of the certificate in Part C.
4. In the case of any article to which Note A (c) is applied in the invoice, the value of the materials referred to does not exceed 50% of the export price of the article.
5. No drawback, temporary duty free admission or arrangement with equivalent effect (except such as, under the provisions of the Carifta Agreement, do not affect eligibility for Area tariff treatment) has been or will be claimed or made use of in relation to the goods in connection with their exportation from the country of last production.

Signature of authorised person.....

Signature of Witness.....

PART C

Reference No.....

CERTIFICATE OF ORIGIN

1. The undersigned certifies that statements in this certificate are made in cognizance of the provisions governing the determination of origin set out in Articles 5 and 8 and Annex C of the Caribbean Free Trade Association Agreement and the Notes below.
2. The undersigned authority or body has obtained a declaration by the last producer of the goods as to the origin of the goods described in the invoice above and has satisfied itself that each article comprised in the said goods has been produced in accordance with the origin criterion stated in the invoice.

3.

.....(any other relevant information).

**Stamp of
authority
or Body.**

.....
Signature of authorised signatory

Date.....

NOTES FOR THE PREPARATION OF THIS FORM

A. Origin Criterion

The criterion on the basis of which Area origin is claimed must be stated in the column headed "Origin criterion" against each item in the invoice at Part A in the manner indicated below:

If each article comprised in the item has been

- | | |
|---|---|
| (a) wholly produced within the Area of the Caribbean Free Trade Association: | The letter "A" should be inserted. |
| (b) produced within the Area of the Caribbean Free Trade Association by a qualifying process described in the Caribbean Free Trade Association Process List. | The Standard International Trade Classification (Original) heading number of the finished product should be inserted. |
| (c) produced within the Area of the Caribbean Free Trade Association and the value of any materials imported from outside the Area or of undetermined origin which have been used at any stage of the production of the article does not exceed 50% of the price paid or payable to the producer: | The figure "50%" should be inserted, N.B. If the value of such materials exceeds 50% of the price paid or payable to the producer, the maximum known percentage should be inserted. |
- B. The completion of this form implies that the producer and the exporter will furnish to the appropriate authorities such information and supporting evidence as they may as necessary require for the purpose of verifying these declarations.
- C. Persons who furnish or cause to be furnished untrue declarations render themselves liable to penalties.

SECOND SCHEDULE

Reg. 6(c)

GUYANA SHIPPING BILL/ENTRY FOR CARIFTA GOODS NOT LIABLE TO DUTY

(FORM C68—CUSTOMS)

PART I
FOR USE IN EXPORTING COUNTRY

PART II
FOR USE IN IMPORTING COUNTRY

BY EXPORTER

BY IMPORTER

Country and Code No.....
Port of.....
Exporter's Name.....
Address.....
Invoice No.....

For official use
No.....

Country.....
Port of.....
Importer's Name.....
Address.....

For official use
No.....

PART III

Name of Aircraft or Ship

Master's Name

Destination of Aircraft or Ship

Description and quantity of the goods in accordance with the Trade Classification List

VALUE

F.O.B.

C.I.F.

Packages

Marks & Nos.

No. and description

Trade List Item No.

Export

Import

Quantity and Description

Unit of Quantity

Unit Code No.

Country of destination of goods

\$

¢

\$

¢

138

Total number of packages in words.....

I/We declare the particulars in Parts I and III to be true

I/We declare the particulars in Parts II and III to be true.

Dated this.....day of.....19..

Dated this.....day of.....19....

Signed.....

Signed.....

Exporter or Agent

Importer of Agent

.....
for Comptroller of Customs and Excise

.....
for Comptroller of Customs and Excise

Made this 29th day April, 1968.

P. A. REID,
Minister of Finance.