



TRISTAN DA CUNHA

REVISED EDITION OF THE LAWS, 2017

ENVIRONMENT AND NATURAL RESOURCES

EXPORT OF GOODS (TRISTAN DA CUNHA) ORDINANCE, 1951¹

Ordinance SH10 of 1951

In force 20 July 1951

Amended by Ordinance T1 of 1980

No subsidiary legislation to 1 November 2017

EXPORT OF GOODS (TRISTAN DA CUNHA) ORDINANCE, 1951

ARRANGEMENT OF SECTIONS

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Short title

1. This Ordinance may be cited as the Export of Goods (Tristan da Cunha) Ordinance, 1951.

Interpretation

2. In this Ordinance, unless the context otherwise requires, the following expressions have the meanings respectively assigned to them—
“**Agent**” in relation to the master of a ship includes any person authorised by the master or

¹ Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 1 November 2017.

owner of the ship to act as agent and who, or on whose behalf any person authorised by the master, signs any document permitted by this Ordinance to be signed by an agent:

Provided that the owner of any ship, if resident or represented in Tristan da Cunha, is deemed to be the agent of the master for the purposes of this Ordinance, if no such agent be appointed;

“Controller” means the person duly appointed from time to time to be the Administrator or Acting Administrator of Tristan da Cunha, or the person nominated from time to time by such Administrator or Acting Administrator to be the Controller for the purposes of this Ordinance;

“goods” means all kinds of moveable property;

“master” includes the person for the time being in charge of any ship;

“ship” includes every description of vessel not propelled by oars only.

Powers of the Controller

3. The Controller has power to issue, seal, or execute as an officer of Customs any certificate of clearance or other document in respect of goods exported or to be exported from Tristan da Cunha.

Masters of ships to submit documents

4. (1) The master of every ship bound from Tristan da Cunha must, before any goods are loaded in it, deliver to the Controller, by himself or herself or his or her agent, an entry outwards, under his or her hand, in the form specified in the Schedule to this Ordinance, or to the same effect; and if any goods are loaded on board any ship before such entry is made, the master of the ship commits an offence.

Penalty: A fine of £500.

(2) A ship in which goods for export from Tristan da Cunha have been loaded must not depart from Tristan da Cunha until it has have been cleared outwards, and the Controller must signify the clearance outwards and authority for the departure of such ship by attaching and sealing to the outward manifest or content relating to the ship a clearance label, duly filled up and signed by the Controller, in the form specified in the Schedule to this Ordinance.

(3) Before any ship is cleared outwards the master must deliver to the Controller, by himself herself or his or her agent, an outward manifest or content in writing in duplicate, under his or her hand, in the form specified in the Schedule to this Ordinance, or to the same effect, and must make and subscribe in the presence of the Controller the declaration contained at the foot of such outward manifest or content, and must, by himself or herself or his or her agent provide any further particulars and explanation concerning the ship, the goods and the voyage required by the Controller.

(4) If a ship departs without clearance as required by this section, or if any document delivered is incomplete or incorrect or any particulars or explanations are incorrect or misleading, the master and any agent providing such particulars or explanations each commits an offence.

Penalty: A fine of £500.

Power of the Controller to search

5. (1) The Controller at his or her discretion may go on board any ship in any port or other place in Tristan da Cunha or within the territorial waters of Tristan da Cunha and search the ship and examine all goods on board and all goods being loaded or unloaded and demand all documents which ought to be on board the ship.

(2) A person who, by force or violence, assaults, resists, opposes, molests, hinders or obstructs the Controller in the exercise of any power contained in subsection (1), and any person who acts in aid or assistance of such a person, each commits an offence.

Penalty: A fine of £500 or imprisonment for 2 years, or both.

Power to make regulations

6. The Governor may make regulations for the better carrying out of the provisions of this Ordinance and may in such regulations prescribe fees or charges to be paid in respect of any matter therein referred to: and all such regulations must be published in a manner the Governor thinks fit.

Power of the Controller to waive section 4

7. The Controller may waive any of the requirements of section 4 and may permit the loading and export of goods and the clearance and departure of ships in such form and manner as he or she directs to meet the exigencies of any case to which the provisions of this Ordinance may not be conveniently applicable.

SCHEDULE

(Section 4)

Form No. 1

ENTRY OUTWARDS

EXPORT OF GOODS (TRISTAN DA CUNHA) ORDINANCE, 1951

Name of ship

Description (sailing, steam or motor)

Name and address of the owners	Registered tonnage	Nationality and, if British, Port of Registry	Number of crew		Master's Name and Nationality	Ports for which goods are loaded
			British	Foreign		

Date

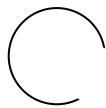
Signature of Master

Form No. 2
CLEARANCE LABEL

EXPORT OF GOODS (TRISTAN DA CUNHA) ORDINANCE, 1951

Ship

Master



Stamp, with Port and date of clearance to overlap the seal.

Controller of Customs,
Tristan da Cunha.

Form No. 3

OUTWARD MANIFEST OR CONTENT

EXPORT OF GOODS (TRISTAN DA CUNHA) ORDINANCE, 1951

Name and description of ship	Tonnage	Nationality and, if British, Port of Registry	Number of crew	Name of Master

Cargo

Name of Shipper and	Marks and Numbers	Quantity and contents of every package on board as far as known to the Master	Port of	Name of

port of loading	of Packages	Number	Description	Discharge	Consignee

I declare that the above is a true account of all the goods loaded on board my ship for the present voyage and correct in all other particulars.

Dated Signature of Master

Declared before me this day of, 20.....

Controller of Customs,

Tristan da Cunha.
