



MONTSERRAT

## CHAPTER 14.04

# PROHIBITION OF IMPORTS (INFECTED PLACES) ACT

### Revised Edition

showing the law as at 1 January 2013

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

### PROHIBITION OF IMPORTS (INFECTED PLACES) ACT

Act 3 of 1888 .. in force 9 March 1888

Amended by Act 7 of 1966 .. in force 13 August 1966

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## CHAPTER 14.04

### PROHIBITION OF IMPORTS (INFECTED PLACES) ACT

#### ARRANGEMENT OF SECTIONS

##### SECTION

1. Short title
2. Administrator may issue proclamation prohibiting importation of merchandize, &c., from any place where infectious disease prevails
3. Persons acting in contravention of the terms of the proclamation liable to a penalty
4. Things brought from any prohibited place may be seized by Customs Officers
5. Articles forfeited may be destroyed or otherwise dealt with
6. Magistrate to have jurisdiction

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## CHAPTER 14.04

### PROHIBITION OF IMPORTS (INFECTED PLACES) ACT

*(Acts 3 of 1888 and 7 of 1966)*

#### **Commencement**

*[9 March 1888]*

#### **Short title**

1. This Act may be cited as the Prohibition of Imports (Infected Places) Act.

#### **Administrator may issue proclamation prohibiting importation of merchandize, &c., from any place where infectious disease prevails**

2. The Governor may by proclamation prohibit, during any period to be therein stated, the importation into Montserrat of all such articles, animals or things as he shall think fit from any place where epidemic disease of a contagious or infectious character prevails. The place named in any such proclamation as a place from which the importation of any such articles, animals or things is prohibited is hereinafter in this Act referred to as a prohibited place.

### **Persons acting in contravention of the terms of the proclamation liable to a penalty**

3. Every person who after any such proclamation has been published and during the time stated therein—

- (a) imports into Montserrat, or
- (b) is concerned in importing into Montserrat during the time mentioned in such proclamation,

any such article, animal or thing brought from any prohibited place and any person who receives any such article, animal or thing which is brought to Montserrat from any prohibited place during the time mentioned in such proclamation, shall be guilty of an offence and shall be liable on conviction before a Magistrate to a penalty of \$240 or to imprisonment of three months:

Provided that, if any person charged with receiving any such article, animal or thing shall prove to the satisfaction of the Magistrate that he did not know at the time when he so received the same that the same had been brought to Montserrat from such prohibited place during such time as aforesaid, and that when the facts were first brought to his knowledge he forthwith gave information to the police, he shall not be convicted for receiving, the same under this section.

### **Things brought from any prohibited place may be seized by Customs Officers**

4. Every article, animal or thing brought to Montserrat or territorial waters thereof after the publication of any proclamation issued under the provisions of this Act and during the time therein stated from any prohibited place may be seized by any officer of the Customs and Excise Department, or any officer of police or a police constable or rural constable and shall be forfeited to Her Majesty:

Provided that, this section shall not apply to any article, animal or thing found in the territorial waters of Montserrat which may be proved by the person in possession thereof or who may claim the same to be intended to be conveyed elsewhere and not landed in Montserrat.

*(Amended by Act 7 of 1966)*

### **Articles forfeited may be destroyed or otherwise dealt with**

5. Any article, animal or thing forfeited under the provisions of this Act may be destroyed or otherwise dealt with as the Governor may by order direct.

### **Magistrate to have jurisdiction**

6. Every Magistrate shall have jurisdiction to hear and determine every complaint and information for offences against this Act and the procedure for the conviction and punishment of any offender and for the recovery of any penalty shall be in accordance with the provisions of the Magistrate's Court Act.

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