



MONTSERRAT

**CHAPTER 17.23**  
**CUSTOMS (AFTER HOURS WORK) ACT**  
and Subsidiary Legislation

**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—

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**CHAPTER 17.23**

**CUSTOMS (AFTER HOURS WORK) ACT**

*(Acts 18 of 1975 and 9 of 2011)*

AN ACT TO REPEAL AND REPLACE THE TREASURY REGULATIONS (AFTER HOURS WORK) ACT.

**Commencement**

*[5 August 1975]*

**Short title**

1. This Act may be cited as the Customs (After Hours Work) Act.

**Governor acting on the advice of Cabinet may make Regulations**

2. (1) It shall be lawful for the Governor acting on the advice of Cabinet to make, and when made, vary or revoke regulations for the entering and clearing of any vessel, and the landing and shipment of passengers and cargo, before or after the usual office hours, including the payment of fees and charges in connection therewith.

(2) Regulations so made shall be laid before the Legislative Assembly as soon as convenient after being made, and shall be published in the *Gazette*:

Provided that, until such regulations shall be made, the regulations contained in the Schedule to this Act shall be in force.

*(Amended by Act 9 of 2011)*

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## CUSTOMS (AFTER HOURS WORK) (FEES) REGULATIONS

### ARRANGEMENT OF REGULATIONS

#### REGULATION

1. Short title
2. Interpretation
3. Comptroller may grant permission to enter or clear vessels
4. Permission for passengers or cargo to be landed or cargo shipped
5. Fees
6. Landing goods elsewhere than at Port Little Bay
7. Validation

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### CUSTOMS (AFTER HOURS WORK) (FEES) REGULATIONS – SECTION 2

(S.R.O. 46/2007)

#### **Commencement**

[7 August 2007]

#### **Short title**

1. These Regulations may be cited as the Customs (After Hours Work) (Fees) Regulations.

#### **Interpretation**

2. In these Regulations—

“usual office hours” means from 8 a.m to 12 noon and 1 p.m to 4 p.m on weekdays.

#### **Comptroller may grant permission to enter or clear vessels**

3. The Comptroller of Customs and Excise may, upon application, grant permission to enter or clear any vessel before or after the usual office hours, upon being satisfied that all dues and other charges have been paid.

#### **Permission for passengers or cargo to be landed or cargo shipped**

4. The Comptroller of Customs and Excise may, upon application allow—

(a) passengers or cargo to be landed or shipped; or

(b) cargo to be examined at the port or any other place,

before or after the usual office hours, upon all fees being paid or upon payment thereof being guaranteed by the agent or master of the vessel.

**Fees**

5. There shall be charged an hourly rate of \$40 on weekdays, and \$55 on Saturdays, Sundays and Public Holidays in respect of each officer employed before or after the usual office hours for the purposes of providing the following services under regulation 2 or 3—

- (a) attending on vessels;
- (b) receiving cargo, passengers and baggages;
- (c) receiving and shipping passengers or cargo;
- (d) examining cargo at the port or any other place:

Provided that, for any services rendered under this regulation, there shall be a minimum charge for two hours in respect of each officer so employed.

**Landing goods elsewhere than at Port Little Bay**

6. On an application to land goods elsewhere than at Port Little Bay, the Comptroller of Customs and Excise may require a deposit to be made of such a sum as will cover the charges for the services and expenses of the officers in attendance.

**Validation**

7. Any fees paid or the payment thereof guaranteed on any deposit received at the rate set out in Regulation 4, immediately before the commencement of these Regulations shall be deemed to have been paid or guaranteed or received under these Regulations as if these Regulations was in force at the time of such payment or at the time such guarantee was given.

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