
Nru. 52

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MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Ligi mressaq mill-Onorevoli John Dalli, M.P., Ministru tal-Finanzi, u moqri għall-Ewwel darba fis-Seduta tat-18 ta' Jannar, 1993.

ATT biex jemenda l-Ordinanza tad-Dwana, Kap. 37.

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable John Dalli, M.P., Minister of Finance, and read the First time at the Sitting of the 18th January, 1993.

AN ACT to amend the Customs Ordinance, Cap. 37.

RICHARD J. CAUCHI
Clerk to the House of Representatives

ABBOZZ TA' LIĠI msejjaħ

ATT biex jemenda l-Ordinanza tad-Dwana, Kap. 37

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità ta' l-istess, hareġ b'liġi dan li ġej:—

1. (1) Dan l-Att jista' jissejjaħ l-Att ta' l-1993 li jemenda l-Ordinanza tad-Dwana, u għandu jinqara u jftiehem haġa waħda ma' l-Ordinanza tad-Dwana, hawnhekk iżjed 'il quddiem imsejjaħ "il-liġi prinċipali".

Titolu fil-qosor u
bidu fis-seħħ.
Kap. 37

(2) Dan l-Att għandu jidhol fis-seħħ f'dik id-data li l-Ministru responsabbli għall-finanzi jista' b'ordni jstabbilixxi.

2. Fl-artikolu 12 tal-liġi prinċipali, minflok il-kliem li jibda "u l-polza tad-dikjarazzjoni" sa l-aħħar ta' l-artikolu, għandu jidhol dan li ġej:

Emenda ta'
l-artikolu 12
tal-liġi prinċipali.

"u għal dik il-polza tad-dikjarazzjoni l-Kontrollur għandu joħroġ dokument ta' rilaxx li jkun magħmul f'dik il-forma u b'dak il-mod kif jiġi b'regolamenti ordnat mill-Ministru responsabbli għad-dwana, li, meta jiġi ffirmit jew xort'ohra ċertifikat kif imiss mill-Kontrollur, għandu jingħata lill-uffiċjal inkarigat u bih dan ikun awtorizzat li jeżamina u wara jikkunsinna, jew, skond il-każ, iquieghed fid-depożt dawk l-oġġetti."

3. Minflok is-subartikolu (2) ta' l-artikolu 16 tal-liġi prinċipali għandu jidhol dan li ġej:

Emenda ta'
l-artikolu 16
tal-liġi prinċipali.

"(2) L-importatur jew min jidher għalih għandu jippreżenta lill-Kontrollur, jekk ikun mitlub minnu, il-fatturi originali, poloz ta' kargu u kull dokument ieħor dwar l-oġġetti li jkunu jitqiesu biż-żejjed jew meħtieġa biex tiġi verifikata xi dikjarazzjoni jew

informazzjoni li tkun tidher fuq il-polza ta' dikjarazzjoni dwar dawk l-oġġetti.”.

Żieda ta' artikolu 61A ġdid mal-liġi prinċipali.

4. Minnufih wara l-artikolu 61 tal-liġi prinċipali għandu jidhol dan l-artikolu ġdid li ġej:

“Korrezzjonijiet mhux permessi.

61A. Għall-fini ta' xi reat taht din l-Ordinanza, il-Qorti ma għandhiex tiegħu konsiderazzjoni ta' xi dikjarazzjoni bil-fomm jew bil-miktub maħsuba biex tikkoreġi f'xi dettal partikulari dikjarazzjoni li tkun saret qabel lid-Dwana u li ssir meta jkun wasal biex jinkixef ir-reat.”.

Għanijiet u Ragunijiet

L-Għan ta' dan l-Abbozz huwa sabiex jibdel il-ħtiġiet ta' l-Ordinanza tad-Dwana dwar poloz ta' dikjarazzjoni ta' oġġetti importati u dokumenti ta' rilaxx dwar dawk l-oġġetti.

A BILL
entitled

An ACT to amend the Customs Ordinance, Cap. 37

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the Customs Ordinance (Amendment) Act, 1993, and shall be read and construed as one with the Customs Ordinance, hereinafter referred to as “the principal law”.

Short title and commencement.

Cap. 37

(2) This Act shall come into force on such date as the Minister responsible for finance may by order establish.

2. In section 12 of the principal law, for the words “and such bill of entry” up to the end of the section, there shall be substituted the following words:

Amendment of section 12 of the principal law.

“and for such bill of entry the Comptroller shall issue a release document made in such form and manner as the Minister responsible for customs may by regulations prescribe, which, when signed or otherwise duly certified by the Comptroller, shall be transmitted to the proper officer and be his warrant for the examination and subsequent delivery, or, as the case may be, the due warehousing of such goods.”

3. For subsection (2) of section 16 of the principal law there shall be substituted the following:

Amendment of section 16 of the principal law.

“(2) The importer or his agent shall produce to the Comptroller, if required by him, the original invoices, bills of lading and such other documents relating to the goods as may be deemed

sufficient or necessary for verifying any statement or information appearing on the bill of entry relating to such goods.”.

Addition of new section 61A to the principal law.

4. Immediately after section 61 of the principal law, there shall be added the following new section:

“Corrections not allowed.

61A. For the purpose of an offence under this Ordinance, the Court shall not take into consideration any verbal or written declaration which purports to correct in a material particular a previous declaration to Customs and which is made when discovery of the offence is imminent.”.

Objects and Reasons

The Object of this Bill is mainly to change the requirements of the Customs Ordinance relative to bills of entry of imported goods and release documents in respect of such goods.

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Amendment of section 12 of the principal law

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Amendment of section 16 of the principal law

3. For subsection (2) of section 16 of the principal law there shall be substituted the following:

(2) “The importer or his agent shall produce to the Comptroller, if required by him, the original invoice, bills of lading and such other documents relating to the goods as may be deemed