

**CHAPTER 211**

## THE IMPORTATION PROTECTION ACT

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## IMPORTATION PROTECTION

*(1st December, 1916.)*3/1916.  
18/1989.

**1.** This Act may be cited as the Importation Protec- **Short title.**  
tion Act.

**2.** In this Act—

**Interpretation.**

"importer" includes consignee;

"secondhand" includes worn, used or cast off;

"wearing apparel" includes all garments and clothing of every kind whatsoever, household linen and rags of all descriptions.

Power to make regulations generally.

**3.** (1) The Cabinet shall have power to make regulations under this Act for the prevention of danger arising to public health from the importation, preparation, storage and distribution of all articles imported into Antigua and Barbuda intended for sale for human consumption or use, and, without prejudice to the generality of the powers so conferred, the regulations may—

(a) provide for the examination and taking of samples of any such articles;

(b) provide for the recovery of any charges authorized to be made by the regulations for any services performed thereunder.

(2) For the purposes of regulations made under this Act articles commonly used for the food or use of man shall be deemed to be intended for sale for human consumption or use unless the contrary is proved.

No importation of secondhand wearing apparel without certificate.

**4.** It shall not be lawful to import into Antigua and Barbuda any secondhand wearing apparel unless the importer produces to the Comptroller of Customs a certificate from the Health Officer of the port or town of export as to the innocuous nature of the articles imported.

Powers of Comptroller of Customs to deal with secondhand wearing apparel.

**5.** If any secondhand wearing apparel is imported and the importer is unable to produce a certificate as required by the preceding section, the Comptroller of Customs may, in his discretion, have the same fumigated or disinfected to his satisfaction and hand the same over to the importer:

Provided that the importer first reimburses the Comptroller of Customs for all the costs incurred in the process of fumigation or disinfection.

Personal effects.

**6.** Nothing in this Act shall apply to the wearing apparel if imported for his personal use, contained in the effects of a *bonâ fide* traveller.

Offences and penalties.

**7.** If any person wilfully neglects or refuses to obey or carry out, or obstructs the execution of any provision of this Act or of any regulation made under section 3, he shall be liable on summary conviction to a penalty not exceeding fifteen hundred dollars and in the case of a continuing offence

to a further penalty not exceeding five hundred dollars for every day during which the offence continues with or without imprisonment for a period not exceeding six months for the former offence and a period of three months for the continuing offence.

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