

**ANTIGUA AND BARBUDA**



**THE CUSTOMS (ADVANCE PASSENGER AND CARGO INFORMATION)  
REGULATIONS, 2007**

**STATUTORY INSTRUMENT**

**2007, No. 5**

*Published in the Official Gazette Vol. XXVII No. 7 dated 31st January, 2007.*

Printed at the Government Printing Office, Antigua and Barbuda,  
by Eric T. Bennett, Government Printer  
— By Authority, 2007.

800 -2.07

*[Price \$5. 75]*



**THE CUSTOMS (ADVANCE PASSENGER AND CARGO INFORMATION)  
REGULATIONS, 2007**

**ARRANGEMENT**

**Regulations**

1. Short title.
2. Interpretation.
3. Application of regulations.
4. Advice of arrival.
5. Waiver.
6. Penalty.
7. Seizure and detention.
8. Release of bond.
9. Denial of clearance.

**Schedules**

- SCHEDULE 1 – Advance Passenger And Cargo Information  
SCHEDULE 2 - Domestic Space Countries



**ANTIGUA AND BARBUDA**

**THE CUSTOMS (ADVANCE PASSENGER AND CARGO INFORMATION)  
REGULATIONS, 2007**

**2007, No. 5**

**THE CUSTOMS (ADVANCE PASSENGER AND CARGO INFORMATION)  
REGULATIONS, 2007** made in exercise of the powers contained in the Customs (Control and Management) Act, 1993.

**1. Short title**

These regulations may be cited as the Customs (Advance Passenger and Cargo Information) Regulations, 2007.

**2. Interpretation**

In these Regulations—

“advance passenger information” means the information in respect of a passenger, crew member or other occupant transported in the vessel;

“competent authority” means such person or entity as the Minister may by Order prescribe;

“domestic space” means the countries listed in Schedule II; and

“passenger” means any person not being a bona fide member of the crew, travelling or seeking to travel on a vessel.”

**3. Application of regulations**

These regulations apply to a vessel which—

- (a) is expected to arrive in Antigua and Barbuda; or
- (b) has left or is expected to leave Antigua and Barbuda

**4. Advice of arrival**

(1) The master or commander shall, at such time as provided in sub-regulation (2), provide to the competent authority in such form and manner as may be approved in writing by the Comptroller (either generally or for a particular case or class of cases):

- (a) data in respect of the vessel or aircraft and each person on board in accordance with Part 1 of Schedule I; and

(b) data in respect of the cargo on board in accordance with Part 2 of Schedule 1.

(2) Where--

- (a) regulation 3(a) applies, the data referred to in sub-regulation (1) shall be provided --
  - (i) in the case of a commercial aircraft, no later than 15 minutes after departure from the last port of call;
  - (ii) in the case of a private aircraft, no later than 30 minutes prior to the departure from the last port of call;
  - (iii) in the case of a ship arriving from outside the domestic space, no later than 24 hours prior to arrival; and
  - (iv) in the case of a ship arriving from a destination within the domestic space, no later than 1 hour prior to arrival of the vessel from the last port of call; or
- (b) regulation 3(b) applies, then, subject to sub-regulation (3) the data referred to in sub-regulation (1) shall be provided no later than 15 minutes after departure from Antigua and Barbuda.

(3) Sub-regulation (2)(b) does not apply to the departure of a vessel or aircraft from Antigua and Barbuda to a destination within the domestic space.

#### **5. Waiver**

The Minister may, either generally or for a particular case or class of cases, by Order waive the provisions of regulation 4.

#### **6. Penalty**

Where a master or commander intentionally or recklessly--

- (a) fails to transmit the data in accordance with regulation 4; or
- (b) transmits incomplete or false data.

the master or commander is liable to a penalty of \$5,000.

#### **7. Seizure and detention**

(1) Where a master or commander fails to comply with regulation 4, the Comptroller may seize and detain the vessel or aircraft to which the non-compliance relates.

(2) Notwithstanding subregulation (1), in the case of a commercial vessel or aircraft, the vessel or aircraft shall be released on the lodgement of a bond not exceeding \$1,350,000.

#### **8. Release of bond**

The Comptroller shall release the bond lodged under regulation 7--

- (a) upon --

- (i) receipt of the data referred to in regulation 4; and
- (ii) payment of the penalty imposed under regulation 6; or
- (b) in accordance with an order of a court of competent jurisdiction.

**9. Denial of clearance**

Where the vessel or aircraft is a non-commercial vessel or aircraft, the proper officer may refuse to grant clearance to the vessel or aircraft until—

- (a) the penalty imposed under regulation 6 has been paid; and
- (b) the data referred to in regulation 4 has been received.

**SCHEDULE 1**

**ADVANCE PASSENGER AND CARGO INFORMATION**

**Part 1**

**ADVANCE PASSENGER INFORMATION**

*(a) Data relating to the flight or voyage*

**Flight Identification (if applicable)**

(IATA Airline code and flight number)

**Vessel identification (if applicable)**

(vessel name and voyage number)

**Vessel Registration**

Vessel Registration Number

**Country of Registration**

(Country where vessel registered)

**Agent or Owner (where applicable)**

(Name of Agent for the vessel or where no Agent, name of Owner)

**Scheduled Departure Date**

(Date of scheduled departure of vessel or aircraft (based on local time of departure location))

**Scheduled Departure Time**

(Time of scheduled departure of vessel or aircraft (based on local time of departure location))

**Scheduled Arrival Date**

(Date of scheduled arrival of vessel or aircraft (based on local time of arrival location))

**Scheduled Arrival Time**

(Time of scheduled arrival of vessel or aircraft (based on local time of arrival location))



**Last Place/Port of Call of Vessel or Aircraft**

(Vessel or Aircraft departed from this last foreign place/port of call to go to “place/port of vessel or aircraft initial arrival”)

**Place/Port of Vessel or Aircraft Initial Arrival**

(Place/port in the country of destination where the vessel or aircraft arrives from the “last place/port of call of vessel or aircraft”)

**Subsequent Place/Port of Call within the country/domestic space**

(Subsequent place/port of call within the country)

**Number of Persons on board**

(Total number of passengers, crew on board)

**Place/Port of Onward Foreign Destination**

(For departure from Antigua and Barbuda)

**(b) Data relating to each individual on board**

*Core Data Elements of the Official Travel Document*

**Official Travel Document Number**

(Passport or other official travel document number)

**Issuing State or Organisation of the Official Travel Document**

(Name of the State or Organisation responsible for the issuance of the official travel document)

**Official Travel Document Type**

(Indicator to identify type of official travel document)

**Expiration Date of Official Travel document**

(Expiration date of the official travel document)

**Surname/Given Name(s)**

(Family name and given name(s) of the holder as it appears on the official travel document.)

**Nationality**

(Nationality of the holder)

**Date of Birth**

(Date of birth of the holder)

**Gender**

(Gender of the holder)

**Part 2**

**ADVANCE CARGO INFORMATION**

*(a) Data relating to the Manifest:*

**Voyage number**

(A number assigned by local Shipping Agent for vessels or the scheduled flight number for aircrafts)

**Date and Time of Submission**

**Scheduled Departure Date**

(Date of departure of vessel or aircraft)

**Scheduled Arrival Date**

(Date of arrival of vessel or aircraft)

**Scheduled Arrival Time**

(Time of arrival of vessel or aircraft)

**Place of Departure**

(The last foreign port or place of call for vessel or aircraft)

**Destination**

(Port or place in the country of destination where the vessel or aircraft first reports)

**Subsequent Place/Port of call within the country [(Optional)]**

**Agent: Name**

(authorised representative of the vessel or aircraft, where available)

**Owner**

(Name of owner of vessel or aircraft)

**Transport: Mode**

(The manner in which the goods are imported or exported)

**Transport: Name**

(Name of the importing or exporting vessel or aircraft)

**Transport: Nationality**

(Nationality of vessel or aircraft as determined by its port of registry)

**Transport: Place (Optional)**

(Port of Registry)

**Registration (Optional)**

(international registration number including in respect of vessels, the International Maritime Organisation registration number or Lloyd's registration number, or in respect of aircraft the International Air Transport Authority registration number )

**Master**

(Name of ship's captain)

**Total: Bills**

**Total: Packages**

**Total: Containers**

**Total: Gross mass**

**Tonnage: Gross (Optional)**

**Tonnage: Net (Optional)**

(Ship's registered tonnage)

**Date of last discharge (Optional)**

(Date ship last discharged cargo at any port)

**(b) *Data relating to individual bills of lading/Airway Bill***

**Manifest Line Number**

(Number indicating the order of bills of lading on a manifest)

**Transport Document Type**

(type of document issued by vessel or aircraft including bills of airway bill, bill of lading or waybill)

**Transport Document Reference Number**

**Purpose of Shipment**

(Whether for import, export, in-transit or transshipment)

**Unique Consignment Reference (Optional)**

**Place of Loading**

**Place of Discharge**

**Exporter**

**Exporter Address**

**Consignee**

**Notify**

(Either the consignee or the name and phone number of the representative)

**Total Containers**

(Total number of containers for each transport document)

**Packages: Kind**

**Packages: Marks and Numbers**

**Quantity: Package**

**Quantity: Gross Mass**

**Volume: Cubic Measurement (cbm)**

**Description of Goods**

(pursuant to applicable law)

**Freight Indicator**

(Payment status whether prepaid or payment on collection)

**Amount and Currency**

**Values:**

Value of Goods Freight on Board [(Optional)]

Insurance [(Optional)]

Freight [(Optional)]

**Additional Seals**

**Additional Information**

*(c) Data relating to Container Management*

**Container: Number**

(The Bureau International of Containers - BIC identification number of containers)

**Container: Type**

(Type of container, e.g. 20 feet, refrigerated)

**Empty/Full Indicator**

(whether Full Container Load or Less than Container Load)

**Seals**

(The number of the security seal(s) affixed to the container door)

**Marks**

(Marks or numbers of the seal(s) affixed to the container door)

**Sealing Party**

(The authority that affixed the seal(s) to the containers)

**Total Containers**

**Transport Document Reference Number**

**SCHEDULE 2**

**Domestic Space Countries**

Antigua and Barbuda

Barbados

Dominica

Grenada

Guyana

Jamaica

St. Kitts and Nevis

Saint Lucia

St. Vincent and the Grenadines

Trinidad and Tobago

Made this 30<sup>th</sup> day of January, 2007.

**Hon. Dr. L. Errol Cort,**  
*Minister responsible for Customs.*

