

BERMUDA STATUTORY INSTRUMENT

SR&O 11/1968

QUEEN'S WAREHOUSE REGULATIONS 1968

*[made under section 84 of the Revenue Act 1898 [title 14 item 10] and
brought into operation on 16 March 1968]*

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SCHEDULE
Storage charges

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Interpretation

1 In these Regulations, unless the context otherwise requires, "Queen's Warehouse" means any Queen's Warehouse other than the Airport Warehouse as defined in Regulation 2 of the Queen's Warehouse (Bermuda Airport) Regulations 1954 [*title 14 item 10(f)*].

Removal of goods to Queen's Warehouse

2 Goods on which customs duty has not been paid and which have not been removed from the docks or from such other place at which they have been placed on arrival within five days from the date of their arrival, may by or under the direction of a customs officer be removed to and stored in a Queen's Warehouse :

Provided that where any goods are not in the opinion of the Collector of Customs in sufficient quantity to warrant special customs supervision, they may be so removed to and stored in a Queen's Warehouse, notwithstanding that five days have not elapsed since the date of their arrival.

Storage of goods in Queen's Warehouse

3 Goods imported into Bermuda may be stored in a Queen's Warehouse.

Goods imported by air

4 Goods, imported by air may be stored on arrival in a Queen's Warehouse and no storage charges as hereinafter provided shall be payable in relation to such goods stored under this regulation until five days have elapsed commencing with the day following the day on which they were first so stored, but in computing five days for the purposes of this regulation any day which is a Saturday, a Sunday or a public holiday shall not be included.

Certain goods not to stored in Queen's Warehouse

5 No explosive or goods of an inflammable, dangerous, offensive or quickly perishable nature shall be stored in a Queen's Warehouse.

Opening of goods stored in Queen's Warehouse

6 (1) Where goods are stored in a Queen's Warehouse in accordance with regulations 2, 3 or 4 a customs officer may open the wrapping, packages, cases or other containers in which such goods are stored and may examine the contents thereof.

(2) Where a customs officer intends to exercise the powers vested in him by this regulation he may require the importer of such goods, or his duly authorized representative, to attend the opening and examination.

Giving of directions

7 Where goods are to be stored in a Queen's Warehouse the person so storing goods shall be subject to such directions given or supervision exercised by a customs officer in the delivery and storage of such goods as the customs officer may consider necessary.

Restriction of entry to Queen's Warehouse

8 No person other than a customs officer or a person authorized in that behalf by the Collector of Customs or a customs officer shall enter the storage area of a Queen's Warehouse.

Delivery of goods from Queen's Warehouse

9 (1) Goods stored in a Queen's Warehouse shall not be delivered therefrom—

(a) until customs duty (except where the goods are delivered for removal to a bonding warehouse) and any other charges, including storage charges, due in relation to such goods have been paid; and

(b) otherwise than under the authority of the agents of the vessel in which the goods were imported.

(2) The cost of delivery of any goods from a Queen's Warehouse shall be borne by the importer of the goods.

Hours of opening of Queen's Warehouse

10 (1) Every Queen's Warehouse shall be open when required between the hours of 8.30 a.m. and 5.00 p.m. on any day other than a Saturday, a Sunday or a public holiday.

(2) [*repealed*]

(3) Notwithstanding the foregoing provisions of this regulation a Queen's Warehouse may be closed at such time during the day as is reasonable to provide refreshment for the staff of the Warehouse.

Application to open at other times

11 (1) A carrier or importer of goods stored in a Queen's Warehouse may apply to the Collector of Customs on such form as may be prescribed by him for a Queen's Warehouse to be opened for the delivery of those goods to him at times other than those prescribed in regulation 10.

(2) The Collector of Customs may grant or refuse such application and, if he grants such application, may require the person applying to undertake to pay such charges as may be prescribed for the attendance of a customs officer to open the Queen's Warehouse and supervise the delivery of the goods therefrom.

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(3) The charges referred to in paragraph (2) shall be charges relating to the goods to be delivered for the purposes of regulation 9 (1).

Storage charge

12 In relation to any goods stored in a Queen's Warehouse there shall be payable, subject to the provisions of regulation 4, the charges set out in the Schedule.

Recovery of charges

13 Charges failing to be paid under these Regulations may be recovered from the importer of the goods to which they relate by the Collector of Customs in the manner provided by the Magistrates Act 1948 [*title 8 item 15*] for the recovery of a debt or liquidated demand.

Limitation of liability

14 No Department or Branch of the Government, and no person employed in the public service, shall be held responsible for any loss or damage to any goods stored in a Queen's Warehouse, or in connection with the delivery of goods to or from a Queen's Warehouse, unless such damage arises from the wilful act or negligence of a person employed in the public service.

15 [*omitted*]

16 [*omitted*]

SCHEDULE

[Reg. 12]

Charges:

10 cents per cubic foot or part of a cubic foot for any day or part of a day

[*Amended by*

1971 : 83

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