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CUSTOMS MANAGEMENT (AMENDMENT) ACT, 2019

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No. 13 of 2019

CUSTOMS MANAGEMENT (AMENDMENT) ACT, 2019

**AN ACT TO AMEND THE CUSTOMS MANAGEMENT ACT, 2011 TO
PROVIDE FOR THE MANDATORY REGISTRATION OF THE
OWNERS OF GOODS IMPORTED OR EXPORTED FROM THE
BAHAMAS**

[Date of Assent - 28th June, 2019]

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act may be cited as the Customs Management (Amendment) Act, 2019.
- (2) This Act shall come into force on the 1st day of July, 2019.

2. Insertion of new section 98A into the principal Act.

The principal Act is amended by the insertion immediately after section 98 of the following new section 98A—

“98A.Registration of owner of goods.

- (1) A person who intends to import into the Customs territory or export goods from within the Customs territory must register with the Customs authority and shall provide the Customs authority —
 - (a) if an individual that is not a business, that individual's —
 - (i) full name and address;
 - (ii) telephone and email contact information;
 - (iii) resident status; and
 - (A) if a resident, a copy of that individual's national insurance identification card issued under the National Insurance Act (*Ch. 350*);

- (B) if not a resident, that individual's passport or driver's licence issued by the individual's country of residence;
 - (b) if an individual that is trading as a business —
 - (i) the name and address of the business;
 - (ii) the name and contact information of an individual designated to have direct communication with the Customs authority;
 - (iii) a copy of a business licence issued under the Business Licence Act (*No. 25 of 2010*);
 - (iv) a tax identification number issued under the Value Added Tax Act (*No. 32 of 2014*);
 - (c) if a company —
 - (i) the name, registration number and address of the company;
 - (ii) a telephone number and email address;
 - (iii) if a licensee under the Business Licence Act (*No. 25 of 2010*), a copy of the business licence;
 - (iv) the tax identification number issued under the Value Added Tax Act (*No. 32 of 2014*) to that company; and
 - (v) the name and contact information of the company officer designated to have direct communication with the Customs authority.
- (2) The Customs authority may require registration under this section to be made electronically.”.

3. Insertion of new section 99A into the principal Act.

The principal Act is amended by the insertion immediately after section 99 of the following new section 99A —

“99A.Registration of broker and courier.

- (1) Every —
 - (a) broker who intends to make entries on behalf of the owner of goods; or
 - (b) authorised courier who intends to import into the Customs territory or export goods from within the Customs territory on behalf of another,must register with the Customs authority.
- (2) A broker or authorised courier registering under subsection (1) shall provide the Customs authority —

- (a) if an individual that is trading as a business —
 - (i) the name and address of the business;
 - (ii) the name and contact information of an individual designated to have direct communication with the Customs authority;
 - (iii) a copy of the business licence issued under the Business Licence Act (*No. 25 of 2010*);
 - (iv) the tax identification number issued under the Value Added Tax Act (*No. 32 of 2014*);
 - (v) if a broker, a copy of a valid customs broker's licence; and
 - (vi) if an authorised courier, a copy of a valid authorised courier licence;
- (b) if a company —
 - (i) the company name, registration number and address;
 - (ii) the telephone number and email address;
 - (iii) if a licensee under the Business Licence Act (*No. 25 of 2010*), a copy of the business licence;
 - (iv) the tax identification number issued under Value Added Tax Act (*No. 32 of 2014*) to that company;
 - (v) the name and contact information of the company officer designated to have direct communication with the Customs authority;
 - (vi) if a broker, a copy of a valid customs broker licence; and
 - (vii) if an authorised courier, a copy of a valid authorised courier licence.
- (3) The Customs authority may require registration under this section to be made electronically.”.