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CUSTOMS MANAGEMENT (AMENDMENT) REGULATIONS, 2019

Arrangement of Regulations

Regulation

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**CUSTOMS MANAGEMENT ACT
(NO. 30 OF 2011)
CUSTOMS MANAGEMENT (AMENDMENT)
REGULATIONS, 2019**

The Minister, in exercise of the powers conferred by section 354 of the Customs Management Act (No. 30 of 2011), makes the following Regulations —

1. Citation and commencement.

- (1) These Regulations may be cited as the Customs Management (Amendment) Regulations, 2019.
- (2) Regulations 2, 3, 4 and 5 shall come into operation on the 1st day of January, 2020.
- (3) Regulation 6 shall come into operation on the 1st day of July, 2019.

2. Amendment to regulation 91 of the principal Regulations.

The principal Regulations are amended by the deletion and substitution of regulation 91 as follows —

“91. Fees for pleasure vessel.

- (1) A temporary cruising permit shall, on approval of the inward report by the Customs authority, be issued on Form No. C39 upon payment of the fee specified in paragraph (2).
- (2) The fee for a temporary cruising permit shall be in respect of a vessel —
 - (a) not exceeding thirty-four feet in length —
 - (i) one hundred and fifty dollars (\$150.00) for three months; or
 - (ii) three hundred dollars (\$300.00) for twelve months;
 - (b) in excess of thirty-four feet in length but not exceeding one hundred feet in length —
 - (i) three hundred dollars (\$300.00) for a period of three months;
 - (ii) six hundred dollars (\$600.00) for twelve months;

- (c) in excess of one hundred feet in length but not exceeding one hundred and fifty feet in length —
 - (i) five hundred dollars (\$500.00) for three months; or
 - (ii) one thousand dollars (\$1,000.00) for twelve months;
- (d) in excess of one hundred and fifty feet in length but not exceeding two hundred feet in length —
 - (i) eight hundred dollars (\$800.00) for three months; or
 - (ii) one thousand six hundred dollars (\$1,600.00) for twelve months;
- (e) in excess of two hundred feet in length —
 - (i) one thousand dollars (\$1,000.00) for three months; or
 - (ii) two thousand dollars (\$2,000.00) for twelve months.
- (3) The fees referred to in paragraph (2) shall cover the costs of —
 - (a) a fishing permit under the Fisheries Resources (Jurisdiction and Conservation) Act;
 - (b) a cruising permit under regulation 90(a);
 - (c) attendance fees payable in respect of attendance by a Customs officer pursuant to regulation 7; and
 - (d) overtime and travel expenses in respect of the attendance of an Immigration officer.
- (4) Subparagraphs (a) to (e) of paragraph (2) shall not apply for tender vessels and ancillary equipment being towed or on board a pleasure vessel.
- (5) Where a pleasure vessel carries more than three passengers, every additional passenger of or above the age of six years who is not a resident passenger shall be subject to a tax of twenty (\$20.00) dollars as specified under the Passenger Tax Act.
- (6) The fee paid in respect of a pleasure vessel shall permit such vessel to enter The Bahamas twice within a ninety day period.”.

3. Insertion of new regulation 91A into the principal Regulations.

The principal Regulations are amended by the insertion immediately after regulation 91 of the following new regulation 91A —

“91A. Failure to obtain temporary cruising permit.

Where a pleasure vessel is found to be cruising within The Bahamas without a temporary cruising permit in accordance with regulations 90 and 91, and not navigating toward the nearest port of entry, the master in command of that pleasure vessel shall be barred from acting as the master of any vessel within Bahamian waters for a period of one year.”.

4. Amendment of regulation 93 of the principal Regulations.


Regulation 93 is amended in paragraph (1) by the deletion and substitution of subparagraph (a) as follows —

“(a) at the expiry of the time specified in the temporary cruising permit;”.

5. Amendment to the First Schedule to the principal Regulations.

The First Schedule of the principal Regulations is amended by the deletion and substitution of Form No. C39 as follows —

“

		BAHAMAS CUSTOMS DEPARTMENT FORM NO. C39 TEMPORARY CRUISING PERMIT	
Entry 1:		Port of	
Entry 2:		Serial No.	
Vessel Name		Document or Reg. No.	
Tons		Port of Registry	
Value of Vessel		Port and Date of Departure	
Crew		Master's Name	
Vessel Length		Temporary Cruising Permit Valid For	
		Date of Expiry of Temporary Cruising Permit	
REPORT OF EQUIPMENT AND STORES			
DUTY PAID AND FREE		DUTY NOT PAID	
I, _____ of _____			
in the city of _____		hereby declare that I have imported the motor/sail	
boat described above for temporary use and that it is my intention to take it out of The Bahamas by or before the expiry date of this permit in accordance with the provisions of the Customs Management Act and Regulations.			

I agree to the value of		\$	in respect of the above vessel and its equipment.	
Date		Signature (<i>Master or Owner</i>)		
Issued this	day of	20		
Proper Officer		Comptroller of Customs		
N.B. In order to fulfil his obligations, the Master is required to return his copy of this form to the Customs Officer at the port of departure from The Bahamas or to the Comptroller of Customs, P.O. Box 155, Nassau, N.P., The Bahamas.				

6. Amendment to the Second Schedule to the principal Regulations.

The Second Schedule to the principal Regulations is amended —

- (a) in Tariff Heading “8703.2310” by the deletion of the figures “8703.2310” and the substitution of the figures “8703.231”;
- (b) by the insertion, immediately after Tariff Heading “8703.231” of the following new Tariff Headings —

“	TARIFF HEADING	DESCRIPTION	LEVY RATE \$	Unit of Classification
	8703.2311	New motor vehicles of a cylinder capacity exceeding 1,500 cc but not exceeding 2,000 cc	\$250.00	No.
	8703.2319	Other	\$250.00	No. ”;

- (c) in Tariff Heading “8703.4030”, by the deletion of the words and figures “Used hybrid motor vehicles, with both spark-ignition internal combustion reciprocating piston engine and electric motor of value exceeding \$50,000” in the “DESCRIPTION” column and the substitution of the words and figures “--- Used hybrid motor vehicles, with both spark-ignition internal combustion reciprocating piston engine and electric motor of a value exceeding \$50,000 not exceeding 10 years”;
- (d) in Tariff Heading “8703.4040” —
 - (i) by the deletion of the words and figures “Used hybrid motor vehicles with both spark-ignition internal combustion reciprocating piston engine and electric motor of value not exceeding \$50,000” in the “DESCRIPTION” column and the substitution of the words and figures “--- Used hybrid motor vehicles, with both spark-ignition internal combustion reciprocating piston engine and electric motor of a value exceeding \$50,000 exceeding 10 years”; and

(ii) by the deletion of the figures “\$250.00” in the “LEVY RATE \$” column and the substitution of the words and figures “20% of the Landed Cost”;

(e) by the insertion, immediately after Tariff Heading “8703.4040” of the following new Tariff Headings —

TARIFF HEADING	DESCRIPTION	LEVY RATE \$	Unit of Classification
8703.4050	Used hybrid motor vehicles, with both spark-ignition internal combustion reciprocating piston engine and electric motor of a value not exceeding \$50,000 not exceeding 10 years	\$250.00	No.
8703.4060	Used hybrid motor vehicles, with both spark-ignition internal combustion reciprocating piston engine and electric motor of a value not exceeding \$50,000 exceeding 10 years	20% of the Landed Cost	No.

(f) in Tariff Heading “8703.5030”, by the deletion of the words and figures “Used hybrid motor vehicles, with both compression-ignition internal combustion piston engine (diesel or semi-diesel) and electric motor value exceeding \$50,000” in the “DESCRIPTION” column and the substitution of the words and figures “--- Used hybrid motor vehicles, with both compression-ignition internal combustion piston engine (diesel or semi-diesel) and electric motor of a value exceeding \$50,000 not exceeding 10 years”;

(g) in Tariff Heading “8703.5040” —

(i) by the deletion of the words and figures “Used hybrid motor vehicles, with both compression-ignition internal combustion piston engine (diesel or semi-diesel) and electric motor value not exceeding \$50,000” in the “DESCRIPTION” column and the substitution of the words and figures, “Used hybrid motor vehicles, with both compression-ignition internal combustion piston engine (diesel or semi-diesel) and electric motor of a value exceeding \$50,000 exceeding 10 years”; and

(ii) by the deletion of the figures “\$250.00” in the “LEVY RATE \$” column and the substitution of the words and figures “20% of the Landed Cost”;

(h) by the insertion, immediately after Tariff Heading “8703.5040” of the following new Tariff Headings —

TARIFF HEADING	DESCRIPTION	LEVY RATE \$	Unit of Classification
8703.5050	Used hybrid motor vehicles, with both compression-ignition internal	\$250.00	No.

		combustion piston engine (diesel or semi-diesel) and electric motor of a value not exceeding \$50,000 not exceeding 10 years		
	8703.5060	Used hybrid motor vehicles, with both compression-ignition internal combustion piston engine (diesel or semi-diesel) and electric motor of a value not exceeding \$50,000 exceeding 10 years	20% of the Landed Cost	No. ";

- (i) in Tariff Heading "8703.6030", by the deletion of the words and figures "Used hybrid motor vehicles, with both spark-ignition internal combustion reciprocating piston engine and electric motor of value exceeding \$50,000" in the "DESCRIPTION" column and the substitution of the words and figures "Used hybrid motor vehicles, with both spark-ignition internal combustion reciprocating piston engine and electric motor of a value exceeding \$50,000 not exceeding 10 years";
- (j) in Tariff Heading "8703.6040" —
- (i) by the deletion of the words and figures "Used hybrid motor vehicles, with both spark-ignition internal combustion reciprocating piston engine and electric motor of value not exceeding \$50,000" in the "DESCRIPTION" column and the substitution of the words and figures, "Used hybrid motor vehicles, with both spark-ignition internal combustion reciprocating piston engine and electric motor of a value exceeding \$50,000 exceeding 10 years"; and
- (ii) by the deletion of the figures "\$250.00" in the "LEVY RATE \$" column and the substitution of the words and figures "20% of the Landed Cost";
- (k) by the insertion, immediately after Tariff Heading "8703.6040" of the following new Tariff Headings —

TARIFF HEADING	DESCRIPTION	LEVY RATE \$	Unit of Classification
8703.6050	Used hybrid motor vehicles, with both spark-ignition internal combustion reciprocating piston engine and electric motor of a value not exceeding \$50,000 not exceeding 10 years	\$250.00	No.
8703.6060	Used hybrid motor vehicles, with both spark-ignition internal combustion reciprocating piston engine and electric motor of a value not exceeding \$50,000 exceeding 10 years	20% of the Landed Cost	No. ";

- (l) in Tariff Heading "8703.7030" by the deletion of the words and figures "Used hybrid motor vehicles, with both compression-ignition internal combustion piston engine (diesel or semi-diesel)

and electric motor of value exceeding \$50,000” in the “DESCRIPTION” column and the substitution of the words and figures, “Used hybrid motor vehicles, with both compression-ignition internal combustion piston engine (diesel or semi-diesel) and electric motor of a value exceeding \$50,000 not exceeding 10 years”;

- (m) in Tariff Heading “8703.7040” —
 - (i) by the deletion of the words and figures “Used hybrid motor vehicles, with both compression-ignition internal combustion piston engine (diesel or semi-diesel) and electric motor of value not exceeding \$50,000” in the “DESCRIPTION” column and the substitution of the words and figures “Used hybrid motor vehicles, with both compression-ignition internal combustion piston engine (diesel or semi-diesel) and electric motor of a value exceeding \$50,000 exceeding 10 years”;
 - (ii) by the deletion of the figures “\$250.00” in the “LEVY RATE \$” column and the substitution of the words and figures “20% of the Landed Cost”;
- (n) by the insertion, immediately after Tariff Heading “8703.7040” of the following new Tariff Headings —

TARIFF HEADING	DESCRIPTION	LEVY RATE \$	Unit of Classification
8703.7050	Used hybrid motor vehicles, with both compression-ignition internal combustion piston engine (diesel or semi-diesel) and electric motor of a value not exceeding \$50,000 not exceeding 10 years	\$250.00	No.
8703.7060	Used hybrid motor vehicles, with both compression-ignition internal combustion piston engine (diesel or semi-diesel) and electric motor of a value not exceeding \$50,000 exceeding 10 years	20% of the Landed Cost	No.

- (o) in Tariff Heading “8703.8030”, by the deletion of the words and figures “Used electric motor vehicles of value exceeding \$50,000” in the “DESCRIPTION” column and the substitution of the words and figures “Used electric motor vehicles of a value exceeding \$50,000 not exceeding 10 years”;
- (p) in Tariff Heading “8703.8040” —
 - (i) by the deletion of the words and figures “Used electric motor vehicles of value not exceeding \$50,000” in the “DESCRIPTION” column and the substitution of the words

and figures “Used electric motor vehicles of a value exceeding \$50,000 exceeding 10 years”;

(ii) by the deletion of the figures “\$250.00” in the “LEVY RATE \$” column and the substitution of the words and figures “20% of the Landed Cost”;

(q) by the insertion, immediately after Tariff Heading “8703.8040” of the following new Tariff Headings —

TARIFF HEADING	DESCRIPTION	LEVY RATE \$	Unit of Classification
8703.8050	Used electric motor vehicles of a value not exceeding \$50,000 not exceeding 10 years	\$250.00	No.
8703.8060	Used electric motor vehicles of a value not exceeding \$50,000 exceeding 10 years	20% of the Landed Cost	No.

(r) in Tariff Heading “8704.9020”, by the deletion of the words and figures “New hybrid and electric vehicles of a value not exceeding \$50,000” in the “DESCRIPTION” column and the substitution of the words and figures “Used hybrid and electric vehicles of a value not exceeding \$50,000 not exceeding 10 years” ;

(s) in Tariff Heading “8704.9030” —

(i) by the deletion of the words and figures “New hybrid and electric vehicles of a value exceeding \$50,000” in the “DESCRIPTION” column and the substitution of the words and figures “Used hybrid and electric vehicles of a value exceeding \$50,000 exceeding 10 years”;

(ii) by the deletion of the figures “\$250.00” in the “LEVY RATE \$” column and the substitution of the words and figures “20% of the Landed Cost”;

(t) in Tariff Heading “8703.9040”, by the deletion of the words and figures “Used hybrid and electric vehicles of value exceeding \$50,000” in the “DESCRIPTION” column and the substitution of the words and figures, “New hybrid and electric vehicles of value not exceeding \$50,000”;

(u) by the insertion, immediately after Tariff Heading “8703.9040” of the following new Tariff Headings —

TARIFF HEADING	DESCRIPTION	LEVY RATE \$	Unit of Classification
8704.9050	Used hybrid and electric vehicles of a value not exceeding \$50,000 not exceeding 10 years	\$250.00	No.

	8704.9060	Used hybrid and electric vehicles of a value not exceeding \$50,000 exceeding 10 years	20% of the Landed Cost	No.
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Made this 29th day of May, 2019.

Signed
KEVIN PETER TURNQUEST
Minister Responsible for Finance