

**STATES OF ALDERNEY**



**ALDERNEY STATUTORY INSTRUMENT  
No. 4 of 1997**

**IMPORT LICENCE**

**OPEN GENERAL IMPORT  
LICENCE**

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OPEN GENERAL IMPORT LICENCE

The Policy & Finance Committee in exercise of its powers under Sections 2 and 3 of the Import and Export of Goods (Control) (Alderney) Order 1995 hereby :-

- (a) revokes the Open General Import Licence, dated 11th June 1996, and
- (b) grants the following Open General Import Licence :-

Interpretation

1. (a) For the purposes of this Licence:

Areas

"ACP Area" means Angola, Antigua and Barbuda, Bahamas, Barbados, Belize, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Djibouti, Dominica, the Dominican Republic, Equatorial Guinea, Ethiopia, Fiji, Gabon, the Gambia, Ghana, Grenada, Guinea, Guinea Bissau, Guyana, Haiti, Ivory Coast, Jamaica, Kenya, Kiribati, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Papua New Guinea, Rwanda, St. Christopher and Nevis, St. Lucia, St. Vincent, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Solomon Islands, Somalia, Sudan, Surinam, Swaziland, Tanzania, Togo, Tonga, Trinidad and Tobago, Tuvalu, Uganda, Vanuatu, Western Samoa, Zaire, Zambia and Zimbabwe;

"CEFTA Area" means Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Irish Republic, Italy, Liechtenstein, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the United Kingdom;

"Community Area" means Austria, Belgium, Denmark, Finland, France, Germany, Greece, Irish Republic, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, and the United Kingdom;

"Dollar Area" means Bolivia, Canada, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Liberia, Mexico, Nicaragua, Panama, Philippines, United States of America and Venezuela;

"Far Eastern and Western Area" means Australia, Canada, Japan, New Zealand and United States of America;

"Mediterranean Area" means Bosnia-Herzegovina, Croatia, Cyprus, Egypt, Israel, Lebanon, Malta, the former Yugoslav Republic of Macedonia, Montenegro, Morocco, Serbia, Slovenia, Tunisia and Turkey;

"OCT Area" means Anguilla, Aruba, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands, French Polynesia, French Southern and Antarctic Territories, Greenland, Mayotte, Montserrat, Netherlands Antilles (Bonaire, Curacao, Saba, St. Eustatius, St. Maarten (South)), New Caledonia and Dependencies, Pitcairn, St. Helena and Dependencies, St. Pierre and Miquelon, South Georgia and South Sandwich Islands, Turks and Caicos Islands and Wallis and Futuna Islands;

"Residual Textile Area" means all countries and territories other than Algeria, Argentina, Bangladesh, Bolivia, Brazil, Brunei Darussaleem, Bulgaria, Colombia, Costa Rica, the Czech Republic and the Slovak Republic, El Salvador, Eritrea, Guatemala, Hong Kong, Hungary, India, Indonesia, Iran, Jordan, the Republic of Korea, Macao, Malaysia, Maldives, Mexico, Nicaragua, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Singapore, Sri Lanka, Syria, Taiwan, Thailand, Uruguay and those comprising the ACP Area, the CEFTA Area, the Far Eastern and Western Area, the Mediterranean Area, the OCT Area and the State Trading Area;

"State Trading Area" means Albania, Armenia, Azerbaijan, Belarus, China, Estonia, Georgia, Kazakhstan, Kirgizstan, Korea (North), Latvia, Lithuania, Moldova, Mongolia, Russian Federation, Tajikistan, Turkmenistan, Ukraine, Uzbekistan and Vietnam;

"World Area" means all countries and territories, including the United Kingdom.

(b) In Schedule 1 to this Licence the letters "ACP", "CEFTA", "C", "D", "FEW", "M", "OCT", "RT", "ST" and "W" indicate respectively the ACP Area, the CEFTA Area, the Community Area, the Dollar Area, the Far Eastern and Western Area, the Mediterranean Area, the OCT Area, the Residual Textile Area, the State Trading Area and the World Area.

(c) References in this Licence to headings are references to headings in the Combined Nomenclature of the European Community and, accordingly:

- (i) where any such reference is preceded by the word "ex", the relevant entry comprises only the goods classified under that heading which are of the description given in column 2 of Schedule 1; and
- (ii) where any such reference is not preceded by the word "ex", the relevant entry comprises all goods classified under the heading.

(d) Reference in this Licence to goods in free circulation in the European Community are references to goods which, prior to their importation into Alderney have satisfied the conditions in Article 10(1) of the Treaty establishing the European Economic Community, signed at Rome on the 25th March 1957, or come under the Treaty establishing the European Coal and Steel Community, signed at Paris on the 18th April 1951 and which under the terms of that Treaty are in free circulation within that Community.

(e) In Schedule 1 to this Licence "MFA Category" means a category in the categorisation of textile products of the European Community in Annex I to Council Regulation (EEC) 3030/93, and, accordingly:

- (i) where a reference to such a category is preceded by the word "ex" the relevant entry comprises only the goods classified within that category which are of the description given in column 2 of Schedule 1; and
- (ii) where a reference to such a category is not preceded by the word "ex" the relevant entry comprises all goods classified within that category.

(f) In Schedule 1 to this Licence the symbol "\*" indicates that goods in free circulation in the European Community may not be imported into Alderney under the authority of this licence; the symbol "(S)" indicates that goods originating in third countries but not in free circulation in the European Community are subject to surveillance and the symbol "\$" indicates that goods may be imported under the authority of this Licence in accordance with European Community outward processing trade (OPT) arrangements.

(g) In Schedule 1 to this Licence 'Czechoslovakia' and in column 4 of Entry Nos. 33, 36, 43, 77, 89, 95, 97, 210A, 210B, 236, 237 and 239, 'the Czech and Slovak Federal Republic' means 'the Czech Republic and the Slovak Republic'.

### Permitted Imports

2. Except as provided in Articles 3, 4, 5, 6, 7, 8 and 9 below, all goods may be imported into Alderney under the authority of this Licence.
3. Goods comprised in any entry in column 2 of Schedule 1 hereto which originate in a country, territory or area which appears in column 4 of Schedule 1 in relation to that entry may not be imported into Alderney under the authority of this Licence.
4. Goods to which Article 3 above applies may nevertheless be imported into Alderney under the authority of this Licence if they are either:
  - (i) goods originating in a country, territory or area mentioned in column 5 of Schedule 1 in relation to that entry; or
  - (ii) goods in free circulation in the European Community originating in a country, territory or area mentioned in column 4 of Schedule 1 in relation to that entry which is not marked by an asterisk(\*); or
  - (iii) goods the entry relating to which in column 4 of Schedule 1 is marked "S" and which are covered by a prior authorisation issued pursuant to Council Regulation (EEC) No. 636/82 or Council Regulation (EC) No. 3036/94 and Commission Regulation No. 1828/83; or
  - (iv) goods which are intended to be re-exported outside the European Community and are subject to Inward Processing Relief (suspension of duty) arrangements pursuant to Council Regulation (EEC) No. 2913/92 and Commission Regulation (EEC) No. 2454/93; or
  - (v) iron and steel products listed in entries 288 - 351 inclusive which are subject to surveillance and which are covered by a Surveillance Document issued by a Member State of the European Communities pursuant to Commission Regulation (EC) No. 2914/95.
  - (vi) goods listed in Entry Nos. 1, 2, 12A, 12B, 12C, 12D, 12E, 12F, 12H, 13, 13A, 270, 272, 275, 277, 278, 285, 286, 287, 353, 354, 367, 368 and 369 which are subject to surveillance and in Entry Nos. 14, 269, 271, 273, 274, 276, 282, 287A, 357 and 366 which are subject to quantitative limits, and which are covered by an Import Document issued by a Member State of the European Community pursuant to Council Regulation (EC) No. 519/94 in the case of goods subject to surveillance or Commission Regulation 738/94 in the case of goods subject to quantitative limit.
  - (vii) goods which are imported under a valid Import Document issued by a Member State of the European Community pursuant to Council Regulation (EC) No. 517/94.
  - (viii) Textile products which are imported under a valid Import Authorisation issued by a Member State of the European Community pursuant to Council Regulation (EEC) No. 3030/93.
  - (ix) Goods which are subject to prior Community surveillance and imported under a valid Import Document issued by a Member State of the European Community pursuant to Council Regulation (EC) No. 3285/94.
  - (x) Textile goods, of Chapters 50 to 63 and Tariff Heading 30 05 of "HM Customs and Excise Integrated Tariff of the United Kingdom", not originating in Turkey but cleared into free circulation in Turkey.

Exceptions

5. (a) Goods comprised in any entry in Schedule 2 may not be imported into Alderney under the authority of this Licence.
- (b) Goods comprised in any entry in Schedule 3 may not be imported into Alderney under the authority of this Licence unless they are in free circulation within the Customs territory of the European Community:
6. Nothing in this Licence shall authorise the importation of any goods which originate in Iraq:
7. Nothing in this Licence shall authorise the importation of any goods originating in Kuwait which were exported from Kuwait during the period 6th August 1990 to 2nd March 1991, both dates inclusive:
8. Fruit and vegetables may be imported into Alderney provided that :-
- (a) except in the case of importations from France of Asparagus, Aubergines, Beans (other than in pod), Capsicums (all types), Globe Artichokes, Mushrooms, and Peas (other than in pod), each consignment must be accompanied by a satisfactorily completed Phytosanitary Certificate, and
- (b) the consignment and Phytosanitary Certificate are made available for inspection by a person nominated for that purpose by the States of Alderney Policy & Finance Committee:
9. Any meat or meat product may be imported into Alderney from France provided that (a) it is boneless and (b) it has been cooked throughout its whole substance so as to render it unnecessary for it to be further cooked before being used for human consumption:
10. Nothing in this Licence shall authorise the importation of any toxic chemical or precursor listed in Schedule 1 to the annex on chemicals to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, signed in Paris on 13th January 1993:
11. Nothing in this Licence shall authorise the doing of any act prohibited by any Law, Ordinance, regulation or Order (other than Orders made under the Import and Export (Control) (Alderney) Law 1946).

This Licence shall come into force on the 12<sup>th</sup> day of May 1997:

DATED this 12<sup>th</sup> day of May 1997:

J A Buggy  
Chairman, Alderney Policy & Finance Committee  
for and on behalf of the Committee

## Schedule 1

The Schedule to the United Kingdom Open General Import Licence dated 4th December 1987, which came into force on 1st January 1988, as amended from time to time, shall have effect as Schedule 1 to this Open General Import Licence, but with the exception of Entry No. 365 which is replaced by the following Entry No. 365.

Entry No.	Tariff heading and description of goods	MFA Category (where applicable)	Geographical coverage of restriction	
			(4)	Other than (5)
(1)	(2)	(3)	(4)	(5)
365	<p>ex Chapter 93</p> <p>Firearms and ammunition, the following</p> <p>(i) firearms, lethal, including any lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged and other weapons of whatever description designed or adapted for the discharge of any noxious liquid, gas or other thing;</p> <p>(ii) component parts falling under Chapter 93 (<i>other than wooden gun stocks</i>) of any such firearms or other weapon as aforesaid and any accessory to any such firearm or other weapon designed or adapted to diminish the noise or flash caused by firing the weapon;</p> <p>(iii) ammunition, including grenades, bombs, and other like missiles, and any ammunition containing or designed or adapted to contain any noxious liquid, gas or other thing;</p> <p><i>other than the following</i></p> <p>(a) <i>blank cartridges not exceeding 1 in (25mm) in diameter for use in smooth-bore weapons;</i></p> <p>(b) <i>articles more than one hundred years old;</i></p> <p>(c) <i>air weapons (that is to say, air guns, air rifles or air pistols), but excluding any air weapon which is disguised as another object, incapable of discharging a missile so that the missile has, on being discharged from the muzzle of the weapon, kinetic energy in excess, in the case of an air pistol, of 6ft lb (8.14 joules) or, in the case of an air weapon other than an air pistol, of 12 ft lb (16.27 joules), and air weapons designed for use only when submerged in water;</i></p> <p>(d) <i>ammunition for air guns, air rifles or air pistols;</i></p> <p>(e) <i>firearms and ammunition specified in sub-paragraphs (i), (ii) and (iii) above when imported by a person who is resident in Guernsey who has a firearm or shot gun certificate issued by the appropriate Guernsey authority in respect of the firearms or ammunition being imported and the firearm or ammunition is not being imported into Guernsey for the first time.</i></p>		W*	

Schedule 2

Entry No (1)	Tariff Heading (2)	Description of Goods (3)
2001	Chapter 01	Animals and other mammals
2002	ex 03.06	Lobsters, live, of the species <i>Homarus americanus</i>
2003	ex 05.11	Animal and poultry excrement
2004	ex 29.37	Bovine somatotrophin (BST)
2005	ex 32.08	Marine anti-fouling paint
2006	ex 95.08	Animals and other mammals
2007	Various	Indecent or obscene prints, paintings, photographs, books, cards, lithographic or other engravings, or any other indecent or obscene articles
2008	Various	Offensive Weapons, the following  (a) a knuckleduster, that is, a band of metal or other hard material worn on one or more fingers, and designed to cause injury, and any weapon incorporating a knuckleduster;  (b) a swordstick, that is, a hollow walking-stick or cane containing a blade which may be used as a sword;  (c) the weapon sometimes known as a "handclaw", being a band of metal or other hard material from which a number of sharp spikes protrude, and worn around the hand;  (d) the weapon sometimes known as a "belt buckle knife", being a buckle which incorporates or conceals a knife;

Entry No (1)	Tariff Heading (2)	Description of Goods (3)
2008 (cont'd)		<p>(e) the weapon sometimes known as a "push dagger", being a knife the handle of which fits within a clenched fish and the blade of which protrudes from between two fingers;</p> <p>(f) the weapon sometimes known as a "hollow kubotan", being a cylindrical container containing a number of sharp spikes;</p> <p>(g) the weapon sometimes known as a "footclaw", being a bar of metal or other hard material from which a number of sharp spikes protrude, and worn strapped to the foot;</p> <p>(h) the weapon sometimes known as a "shuriken", "shaken" or "death star", being a hard non-flexible plate having three or more sharp radiating points and designed to be thrown;</p> <p>(i) the weapon sometimes known as a "balisong" or "butterfly knife", being a blade enclosed by its handle, which is designed to split down the middle, without the operation of a spring or other mechanical means, to reveal the blade;</p> <p>(j) the weapon sometimes known as a "telescopic truncheon" being a truncheon which extends automatically by hand pressure applied to a button, spring or other device in or attached to its handle;</p> <p>(k) the weapon sometimes known as a "blowpipe" or "blow gun", being a hollow tube out of which hard pellets or darts are shot by the use of breath;</p> <p>(l) the weapon sometimes known as a "kusari gama", being a length of rope, cord, wire or chain fastened at one end to a sickle;</p> <p>(m) the weapon sometimes known as a "kyoketsu shoge", being a length of rope, cord, wire or chain fastened at one end to a hooked knife;</p> <p>(n) the weapon sometimes known as a "manrikigusari" or "kusari", being a length of rope, cord, wire or chain fastened at each end to a hard weight or hand grip;</p>

Entry No (1)	Tariff Heading (2)	Description of Goods (3)
2008 (cont'd)		<p>(o) the weapon sometimes known as a "flick knife" or "flick gun" being any knife which has a blade which opens automatically by hand pressure applied to a button, spring or other device in or attached to the handle of the knife, or any knife which has a blade which is released from the handle or a sheath thereof by the force of gravity or the application of centrifugal force and which, when released, is locked in place by means of a button, spring, lever or other device, sometimes known as a "gravity knife".</p> <p>Other than articles more than one hundred years old.</p>
2009	Various	Any cosmetic product containing a substance set out in Schedule 1 to the Cosmetic Products (Safety) Regulations, 1989 (U.K. S.I. 1989/2233) as amended from time to time or in any re-enactment thereof
2010	Various	Any decoding equipment which is designed or adapted to be used primarily for the purpose of enabling the reception of programmes transmitted in the provision of a proscribed service within the meaning of Section 178 of the Broadcasting Act 1990.
2011	Various	Feedstuffs intended to be fed to ruminants and which contain protein material (except milk, milk products and d-calcium bone phosphate) derived from ruminants.
2012	03.06	The tail of any lobster or the claw of any lobster, edible crab or spinous spider crab, the tail or claw of which, as the case may be, is separated from such lobster, edible crab or spinous spider crab.
2013		<p>A fishing parlour pot, being a parlour pot within the meaning set down in the States of Alderney Fishing (Parlour Pots) Ordinance 1992*</p> <p>*No IV of 1992</p>

### Schedule 3

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Entry No.	Description of Goods
3001	Any Endangered Species the introduction into the Community of specimens controlled by Council Regulation (EC) 3626/82 as amended from time to time, or in any re-enactment thereof.
3002	Any Counterfeit Goods and any Pirated Goods controlled by Council Regulation (EC) 3295/94 as amended from time to time, or in any re-enactment thereof.
3003	Any controlled substance that depletes the Ozone Layer within the meaning of Article 2 of Council Regulation (EC) 3093/94, as amended from time to time, or in any re-enactment thereof, the release into free circulation in the Community of which is controlled by that Regulation and in respect of which a Commission Import Licence has not been issued.

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EXPLANATORY NOTE

(This note does not form part of this Licence)

This Licence which revokes the Open General Import Licence dated 11th June 1996 has effect from 12<sup>th</sup> day of May 1997.

Local controls are updated by this Licence in line with United Kingdom and European Community policy.

Import controls on goods arriving from Bosnia-Herzegovina and Croatia have been removed. A prohibition is introduced on the importation of any toxic chemical or precursor listed in Schedule I to the annex on chemicals to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and their Destruction, signed at Paris on 13th January 1993.

Wireless Telegraphy apparatus has been removed from these controls as they are now controlled by other legislation.