

Island of  Guernsey

Ordinance of the States **XXII**

1973

Made 25th April, 1973.
Coming into Operation ... 1st May, 1973.

**The Post Office (Postal Packets)
Ordinance, 1973**

THE STATES, in exercise of the powers conferred upon them by sections twenty-four and sixty-eight of the Post Office (Guernsey) Law, 1969, and of all other powers enabling them in that behalf, hereby order:—

1. Section twenty-four of the Post Office (Guernsey) Law, 1969 (hereinafter referred to as "the Law")^(a), shall apply to all postal packets, other than post cards, which are posted in the Bailiwick for transmission to any place outside it or are brought by post into the Bailiwick. Postal packets to which section twenty-four of the Law applies.
2. The Wharfage (Guernsey) Law, 1970^(b), shall not apply to goods contained in postal packets to which section twenty-four of the Law applies brought into or sent out of the Bailiwick by post from or to any place outside the Bailiwick. Law of 1970 not to apply to postal packets.

(a) Ordres en Conseil Vol. XXII, p. 128.

(b) Ordres en Conseil Vol. XXII, p. 549.

Customs in
relation to
goods in
postal
packets.

3. In their application to goods contained in postal packets to which section twenty-four of the Law applies the following provisions of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972(c), shall be subject to the following modifications and exceptions—

- (a) section fifteen shall apply only in any case, or class of cases, in which the States Board of Administration require an entry to be made in accordance with that section;
- (b) in the application of section twenty, subsection (1) thereof shall not apply;
- (c) in the application of section twenty-two, paragraph (a) thereof shall be omitted;
- (d) section twenty-four shall apply with the modification that for references in that section to “shipped for exportation” and “shipping” there shall be substituted references to “posted (or as the context may require posting) in the Bailiwick for transmission to any place outside it”;
- (e) in the application of section forty-three, the proviso to subsection (2) thereof shall be omitted and subsection (3) thereof shall apply with the modification that the time of exportation of goods shall be the time when they are posted (or re-directed) in the Bailiwick for transmission to a place outside it;
- (f) paragraph 1 of the First Schedule shall, in the case of a thing brought by post into the Bailiwick, apply with the substitution for the words “to any person who to its

knowledge was at the time of the seizure the owner or one of the owners thereof” of the words “to the person to whom the postal packet containing the thing is addressed” and sub-paragraph (1) of paragraph 9 of the said Schedule shall not apply.

4. Dutiable goods shall not be brought by post into the Bailiwick from a place situated outside the Bailiwick for delivery in the Bailiwick, except:— Dutiable goods.

- (a) in a parcel, an insured box, a letter packet or a small packet; or
- (b) in a printed packet, provided that the goods are of such a description as to be transmissible in such a packet under section eighteen of the Post Office (Overseas Letter Post) Order, 1973.

5. (1) This section relates to:—

- (a) parcels brought by post into the Bailiwick;
- (b) insured boxes brought by post into the Bailiwick;
- (c) packets brought by post into the Bailiwick, being printed packets containing or consisting of dutiable goods, small packets or letter packets, where the value of any such packet exceeds forty pounds sterling;
- (d) packets brought by post into the Bailiwick, being printed packets containing or consisting of dutiable goods, small packets or letter packets, where the value of any such packet does not exceed forty pounds sterling.

Customs declaration and green label on parcels, insured boxes and packets brought by post into Bailiwick.

(2) Every parcel referred to in paragraph (a) of subsection (1) of this section shall have affixed to it,

or be accompanied by, a customs declaration fully and correctly stating the nature, quantity and value of the goods which it contains or of which it consists, and such other particulars as the States Board of Administration or the Board may require.

(3) Every insured box referred to in paragraph (b) of subsection (1) of this section shall have attached to, or enclosed in, it a full and correct customs declaration of the kind described in subsection (2) of this section and, in addition, shall bear on the outside the top portion of a green label in the prescribed form.

(4) Every packet referred to in paragraph (c) of subsection (1) of this section shall have attached to it a full and correct customs declaration of the kind described in subsection (2) of this section and, in addition, shall bear on the outside the top portion of a green label in the prescribed form:

Provided that any packet referred to in this subsection, being a registered letter packet containing any article of value, may have the customs declaration referred to in this subsection enclosed in it.

(5) Every packet referred to in paragraph (d) of subsection (1) of this section shall either:—

(a) bear on the outside a green label in the prescribed form, in which the declaration as to the description, net weight and value of the contents shall be fully and correctly completed; or

(b) bear on the outside the top portion of a green label in the prescribed form and, in addition, have attached to it a full and correct customs declaration of the kind described in subsection (2) of this section:

Provided that any packet referred to in this subsection, being a registered letter packet containing any article of value, may have the customs declaration referred to in paragraph (b) of this subsection enclosed in it.

6. (1) This section relates to:—

- (a) parcels posted in the Bailiwick for transmission to any place outside it;
- (b) insured boxes posted in the Bailiwick for transmission to any place outside it;
- (c) packets posted in the Bailiwick for transmission to any place outside it, being printed packets containing or consisting of goods which are dutiable in the country of destination, small packets or letter packets, where the value of any such packet exceeds forty pounds sterling;
- (d) packets posted in the Bailiwick for transmission to any place outside it, being printed packets containing or consisting of goods which are dutiable in the country of destination, small packets or letter packets, where the value of any such packet does not exceed forty pounds sterling.

Customs declaration and green label on parcels, insured boxes and packets posted in the Bailiwick.

(2) Every parcel referred to in paragraph (a) of subsection (1) of this section shall have affixed to it, or be accompanied by, a customs declaration fully and correctly stating the nature, quantity and value of the goods which it contains or of which it consists, and such other particulars as the States Board of Administration or the Board may require.

(3) Every insured box referred to in paragraph (b) of subsection (1) of this section shall bear on the outside the top portion of a green label in the prescribed form and, in addition, shall have attached

to it or, if the postal administration of the country of destination so requires, or the sender so prefers, enclosed in it, a full and correct customs declaration of the kind described in subsection (2) of this section.

(4) Every packet referred to in paragraph (c) of subsection (1) of this section shall bear on the outside the top portion of a green label in the prescribed form and, in addition, shall have attached to it, or, if the postal administration of the country of destination so requires, enclosed in it, a full and correct customs declaration of the kind described in subsection (2) of this section:

Provided that any packet referred to in this subsection, being a registered letter packet containing any article of value, may have the customs declaration referred to in this subsection enclosed in it if the sender so prefers.

(5) Every packet referred to in paragraph (d) of subsection (1) of this section shall either:—

- (a) bear on the outside a green label in the prescribed form, in which the declaration as to the description, net weight and value of the contents shall be fully and correctly completed; or
- (b) if the sender so prefers, bear on the outside the top portion of a green label in the prescribed form and, in addition, have attached to it or, if the postal administration of the country of destination so requires, enclosed in it, a full and correct customs declaration of the kind described in subsection (2) of this section:

Provided that any packet referred to in this subsection, being a registered letter packet containing any article of value, may have the customs declara-

tion referred to in paragraph (b) of this subsection enclosed in it if the sender so prefers.

7. Without prejudice to the application of paragraphs (c) and (d) of subsection (1) and subsections (4) and (5) of section five and paragraphs (c) and (d) of subsection (1) and subsections (4) and (5) of section six of this Ordinance to any printed packet contained in it, every mail bag containing printed packets containing or consisting of goods which are dutiable in the country of destination, brought by post into the Bailiwick or posted in the Bailiwick for transmission to any place outside it under the provisions of section twenty-five of the Post Office (Overseas Letter Post) Order, 1973, shall have affixed to the bag label a green label in the prescribed form.

Application
to mail
bags.

8. Without prejudice to the provisions of sections five, six and seven of this Ordinance, every postal packet containing goods to be exported by post without payment of any tax, duty or impôt to which they are subject, or on drawback or repayment of such tax, duty or impôt shall on its removal to the post office:—

Goods for
export.

- (a) be accompanied by such shipping bill, declaration or other document containing such particulars as the States Board of Administration may require, and
- (b) have affixed to its outer cover in the form and manner so required a label having printed thereon the words "Exported under Revenue control by Post", or be distinguished in such other manner as may be so required.

Duties of
proper
officer of
the States
Post Office.

9. (1) The proper officer of the States Post Office is hereby authorised to perform in relation to any postal packet or the goods which it contains such of the duties required by virtue of any enactments for the time being in force relating to taxes, duties or impôts to be performed by the importer or exporter of goods as the States Board of Administration may require.

(2) In such cases or classes of case as the States Board of Administration may so require, the proper officer of the States Post Office shall produce to the Chief Revenue Officer postal packets arriving in the Bailiwick or about to be despatched from the Bailiwick and, if the Chief Revenue Officer so requires, shall open for customs examination any packet so produced.

(3) The proper officer of the States Post Office accepting any outgoing packet in respect of which the requirements of paragraph (b) of section eight of this Ordinance have been duly complied with shall endorse a certificate of the posting of the packet on the appropriate document and shall give it to the sender.

Notice of
entry.

10. If goods are brought by post into the Bailiwick, and the Chief Revenue Officer sends to the addressee of the packet in which they are contained, or to any other person who is for the time being the importer of the goods, a notice requiring entry to be made of them in such form and manner and containing such particulars as the States Board of Administration may direct to be made of them, but entry is not made within one month of the date of such notice, or within such longer period as the States Board of Administration may allow, then unless the States Board of Administration have required the packet to be delivered to them under

the provisions of section thirteen of this Ordinance the Board shall retain the goods in its custody and shall:—

- (a) return the goods to the sender of the packet in which they were contained or otherwise export them from the Bailiwick in accordance with any request or indication appearing on the packet; or
- (b) deliver the goods to the Chief Revenue Officer; or
- (c) with the permission of the States Board of Administration, and under the supervision of the Chief Revenue Officer, destroy them.

11. (1) On delivering a postal packet the proper officer of the States Post Office may demand payment of any tax, duty or impôt due to the States in respect of it, and any sum so received shall be paid over to the Board and the Board shall pay any such sum to the States Board of Administration for the account of the States.

Payment of tax, duty or impôt on delivery.

(2) If payment is not made of any tax, duty or impôt so demanded, then, subject to subsection (3) of this section, the Board may, with the agreement of the States Board of Administration, dispose of the goods contained in the packet as it sees fit.

(3) If any amount demanded in accordance with subsection (1) of this section, but not paid, is an amount other than a tax, duty or impôt, the Board shall deliver the packet to the Chief Revenue Officer.

12. If dutiable goods are brought by post into the Bailiwick in any postal packet contrary to the provisions of section four of this Ordinance, or if any postal packet or mail bag to which the provisions of sections five, six or seven of this Ordinance apply

Non-compliance with this Ordinance.

does not contain, does not have affixed or attached to it or is not accompanied by the declaration, or does not bear the green label, required by those sections, or if the contents of any postal packet do not agree with the green label or customs declaration affixed or attached to the packet, or by which it is accompanied, or if the other requirements of those sections are not complied with in every material respect, then in every such case the packet or mail bag and all its contents shall be liable to forfeiture.

Forfeiture
of goods.

13. If the States Board of Administration requires any postal packet to be delivered to it on the ground that any goods contained in it are liable to forfeiture under the provisions of any enactments for the time being in force relating to taxes, duties or impôts, then the proper officer of the States Post Office shall deliver the packet to the Chief Revenue Officer.

Saving.

14. Nothing in this Ordinance shall authorise the sending or bringing of any article out of or into the Bailiwick by post contrary to the provisions of the Post Office (Overseas Letter Post) Order, 1973, the Post Office (Overseas Parcel Post) Order, 1973, or the provisions of the Post Office (Inland Post) Order, 1973, which are applicable thereto.

Interpreta-
tion.

15. (1) In this Ordinance, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“the Board” means the States Post Office Board;

“Chief Revenue Officer” includes any States Revenue Officer acting by or under the authority of the Chief Revenue Officer;

“dutiable goods” means goods of a class or description subject to any tax, duty or impôt under the provisions of any enactment for the time being in force relating to taxes, duties or impôts;

“importer” in relation to any goods at any time between their importation and the time when they are delivered out of the charge of the States Board of Administration, includes any owner or other person for the time being possessed of or beneficially interested in the goods;

“inland post” means the post for the transmission of those postal packets to which the provisions of the Post Office (Inland Post) Order, 1973, apply;

“letter packet” means a packet transmitted at the letter rate of postage and containing goods;

“prescribed” means prescribed by the provisions of the Universal Postal Convention and Detailed Regulations made thereunder which are for the time being in force;

“proper” in relation to an officer of the States Post Office means approved or authorised by the Board to perform any duty in relation to a postal packet.

(2) In this Ordinance (except in relation to the inland post) the expression “insured box”, “printed packet” and “small packet” have the same meaning as in the Post Office (Overseas Letter Post) Order, 1973, and the expression “parcel” has the same meaning as in the Post Office (Overseas Parcel Post) Order, 1973.

(3) In this Ordinance, in relation to inland post, the expression “parcel” has the same meaning as

in the Post Office (Inland Post) Order, 1973, and references to insured boxes, printed packets and small packets shall, in relation to the inland post, be deemed to be omitted.

Citation and
Commence-
ment.

16. (1) This Ordinance may be cited as the Post Office (Postal Packets) Ordinance, 1973.

(2) This Ordinance shall come into force on the first day of May, nineteen hundred and seventy-three.

R. H. VIDELO,

Her Majesty's Greffier.

Copies may be purchased from
Her Majesty's Greffier, Royal Court House, Guernsey.

PRICE 8p