



Customs and Excise Management Act 1979

1979 CHAPTER 2

PART VI

CONTROL OF COASTWISE TRAFFIC

69 Coasting trade.

- (1) Subject to section 70 below, any ship for the time being engaged in the trade of carrying goods coastwise between places in the United Kingdom [^{F1}or between a place in the United Kingdom and a place in the Isle of Man] shall for the purposes of the Customs and Excise Acts 1979 be a coasting ship.
- (2) Subject to that section, no goods not yet entered on importation and no goods for exportation shall be carried in a ship engaged in the trade of carrying goods coastwise.
- (3) The Commissioners may from time to time give directions as to what trade by water between places in the United Kingdom [^{F1}or between a place in the United Kingdom and a place in the Isle of Man] is or is not to be deemed to be carrying goods coastwise.

Textual Amendments

- F1** Words inserted by [Isle of Man Act 1979 \(c. 58\), Sch. 1 para. 15](#)

70 Coasting trade—exceptional provisions.

- (1) The Commissioners may, subject to such conditions and restrictions as they see fit to impose, permit a ship to carry goods coastwise notwithstanding that the ship is carrying goods brought therein from some place outside the United Kingdom and not yet entered on importation; but a ship so permitted to carry goods coastwise shall not for the purposes of the Customs and Excise Acts 1979 be a coasting ship.

Status: Point in time view as at 27/06/2005.

Changes to legislation: Customs and Excise Management Act 1979, Part VI is up to date with all changes known to be in force on or before 23 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (2) The Commissioners may, subject to such conditions and restrictions as they see fit to impose, permit goods brought by an importing ship to some place in the United Kingdom but consigned to and intended to be delivered at some other such place to be transhipped before due entry of the goods has been made to another ship for carriage coastwise to that other place.
- (3) Where any ship has begun to load goods at any place in the United Kingdom for exportation or as stores for use on a voyage to an eventual destination outside the United Kingdom and is to go to any other such place to complete loading, the Commissioners may, subject to such conditions as they see fit to impose, permit that ship to carry other goods coastwise until she has completed her loading.
- (4) If, where any goods are permitted to be carried coastwise in any ship under this section, the goods are loaded, unloaded, carried or otherwise dealt with contrary to any condition or restriction imposed by the Commissioners, the goods shall be liable to forfeiture and the master of the ship shall be liable on summary conviction to a penalty of [^{F2}level 2 on the standard scale].
- [^{F3}(5) References in this section to a place or destination outside the United Kingdom do not include references to a place or destination in the Isle of Man and in subsection (2) above the reference to some other place in the United Kingdom includes a reference to a place in the Isle of Man.]

Textual Amendments

- F2** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), s. 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), s. 289G](#) and (N.I.) by [S.I. 1984/703, \(N.I. 3\) art. 5](#)
- F3** [S. 70\(5\)](#) inserted by [Isle of Man Act 1979 \(c. 58\), Sch. 1 para. 16](#)

71 Clearance of coasting ship and transire.

- (1) Subject to the provisions of this section and save as permitted by the Commissioners, before any coasting ship departs from any port the master thereof shall deliver to the proper officer an account in such form and manner and containing such particulars as the Commissioners may direct; and that account when signed by the proper officer shall be the transire, that is to say, the clearance of the ship from that port and the pass for any goods to which the account relates.
- (2) The Commissioners may, subject to such conditions as they see fit to impose, grant a general transire in respect of any coasting ship and any goods carried therein.
- (3) Any such general transire may be revoked by the proper officer by notice in writing delivered to the master or the owner of the ship or to any member of the crew on board the ship.
- (4) If a coasting ship departs from any port without a correct account having been delivered, except as permitted by the Commissioners or under and in compliance with any conditions imposed on the grant of a general transire, the master shall be liable on summary conviction to a penalty of [^{F4}level 2 on the standard scale].

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Textual Amendments

- F4** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), s. 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), s. 289G](#) and (N.I.) by [S.I. 1984/703, \(N.I. 3\)](#) art. 5

72 Additional powers of officers in relation to coasting ships.

- (1) The proper officer may examine any goods carried or to be carried in a coasting ship—
- (a) at any time while they are on board the ship; or
 - (b) at any place in the United Kingdom to which the goods have been brought for shipment in, or at which they have been unloaded from, the ship.
- (2) For the purpose of examining any goods in pursuance of subsection (1) above, the proper officer may require any container to be opened or unpacked; and any such opening or unpacking and any repacking shall be done by or at the expense of the proprietor of the goods.
- (3) The proper officer—
- (a) may board and search a coasting ship at any time during its voyage;
 - (b) may at any time require any document which should properly be on board a coasting ship to be produced or brought to him for examination;
- and if the master of the ship fails to produce or bring any such document to the proper officer when required, he shall be liable on summary conviction to a penalty of [^{F5}level 2 on the standard scale].

Textual Amendments

- F5** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), s. 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), s. 289G](#) and (N.I.) by [S.I. 1984/703, \(N.I. 3\)](#) art. 5

73 Power to make regulations as to carriage of goods coastwise, etc.

- (1) The Commissioners may make regulations as to the carriage of goods coastwise—
- (a) regulating the loading and unloading and the making waterborne for loading of the goods;
 - (b) requiring the keeping and production by the master of a coasting ship of such record of the cargo carried in that ship as may be prescribed by the regulations.
- (2) If any person contravenes or fails to comply with any regulation made under this section, he shall be liable on summary conviction to a penalty of [^{F6}level 3 on the standard scale] and any goods in respect of which the offence was committed shall be liable to forfeiture.

Status: Point in time view as at 27/06/2005.

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Textual Amendments

- F6** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G** and (N.I.) by [S.I. 1984/703](#), (N.I. 3) arts. 5, 6

74 Offences in connection with carriage of goods coastwise.

- (1) If in the case of any coasting ship—
- (a) any goods are taken on board or removed therefrom at sea or at any place outside the United Kingdom; or
 - (b) except for some unavoidable cause, the ship touches at any place outside the United Kingdom or deviates from her voyage; or
 - (c) the ship touches at any place outside the United Kingdom and the master does not report that fact in writing to the proper officer at the first port at which the ship arrives thereafter,

the master of the ship shall be liable on summary conviction to a penalty of [^{F7}level 3 on the standard scale].

- (2) Any goods which are shipped and carried coastwise, or which, having been carried coastwise, are unloaded in any place in the United Kingdom, otherwise than in accordance with the provisions of sections 69 to 71 above or of any regulations made under section 73 above, or which are brought to any place for the purpose of being so shipped and carried coastwise, shall be liable to forfeiture.

- (3) If any goods—
- (a) are carried coastwise or shipped as stores in a coasting ship contrary to any prohibition or restriction for the time being in force with respect thereto under or by virtue of any enactment; or
 - (b) are brought to any place in the United Kingdom for the purpose of being so carried or shipped,

then those goods shall be liable to forfeiture and the shipper or intending shipper of the goods shall be liable on summary conviction to a penalty of [^{F7}level 3 on the standard scale].

- (4) In any case where a person would, apart from this subsection, be guilty of—
- (a) an offence under subsection (3) above; and
 - (b) a corresponding offence under the enactment or other instrument imposing the prohibition or restriction in question, being an offence for which a fine or other penalty is expressly provided by that enactment or other instrument,
- he shall not be guilty of the offence mentioned in paragraph (a) of this subsection.

[^{F8}(5) References in this section to a place outside the United Kingdom do not include references to a place in the Isle of Man.]

Textual Amendments

- F7** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G** and (N.I.) by [S.I. 1984/703](#), (N.I. 3) arts. 5, 6

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F8 S. 74(5) inserted by Isle of Man Act 1979 (c. 58), **Sch. 1 para. 17**

Status:

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