
STATUTORY INSTRUMENTS

1984 No. 1176

CUSTOMS AND EXCISE

The Control of Movement of Goods Regulations 1984

<i>Made</i>	- - - -	<i>1st August 1984</i>
<i>Laid before Parliament</i>		<i>3rd August 1984</i>
<i>Coming into Operation</i>		<i>6th August 1984</i>

The Commissioners of Customs and Excise, in exercise of the powers conferred upon them by section 31 of the Customs and Excise Management Act 1979⁽¹⁾ and of all other powers enabling them in that behalf, hereby make the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Control of Movement of Goods Regulations 1984 and shall come into operation on 6th August 1984.

Revocation

2. The Control of Movement of Goods Regulations 1981 are hereby revoked.

Interpretation

3. In these Regulations—

“the Act” means the Customs and Excise Management Act 1979;

“approved place” —

- (a) in relation to imported goods means a place approved by the Commissioners under section 20 or 25 of the Act for the clearance out of charge of such goods, and
- (b) in relation to goods intended for export means a place appointed under section 159 of the Act for the examination of goods which is approved by the Commissioners under section 31 of the Act for the examination of such goods before their movement to a place of exportation;

“the loader” shall have the same meaning as in section 57 of the Act; that is to say the owner of the ship or aircraft in which the goods are to be exported or a person appointed by him;

“place of importation” and “place of exportation” shall, where appropriate, include a free zone;

⁽¹⁾ , as amended by the Finance Act 1981 (c. 35), Schedule 7 and the Finance Act 1984 (c. 43), Schedule 4, Part II, paragraph 2.

“removal” means a movement of goods which is authorised under these Regulations and “remove” and “removed” shall be construed accordingly;

“removal document” means a document to be obtained from or approved by the Commissioners made in such form and containing such particulars as the Commissioners may direct under section 31(2A) of the Act and for the purpose of regulation 16 shall include a copy of the application referred to in regulations 5, 6 and 7 stamped by the proper officer.

4.—(1) These Regulations shall not apply where any goods are moved under the internal or external Community transit procedure.

(2) The application of regulations 11 and 13 of these Regulations to goods carried under the provisions of an international convention having effect in the United Kingdom shall be without prejudice to any such provisions.

Restrictions on the movement of goods

5. Subject to regulation 10, no imported goods not yet cleared from customs and excise charge shall be moved between their place of importation and either an approved place or a free zone and, in the case of transit goods, between their place of importation and a place of exportation unless the movement is authorised by the proper officer upon application made to him.

6. Subject to regulation 10, no goods shall be moved between—

- (a) a free zone and a place approved for the clearance out of charge of such goods,
- (b) such a place and a free zone, and
- (c) a free zone and another free zone,

unless the movement is authorised by the proper officer upon application made to him.

7. Subject to regulations 9 and 10, no goods intended for export and made available at an approved place or a place designated by the proper officer under sections 53(4) or 58(3) of the Act for the purposes of examination shall be moved between any such place and a place of exportation unless the movement is authorised by the proper officer upon application made to him.

8. Save as the Commissioners may otherwise allow, the applications referred to in regulations 5, 6 and 7 above shall be made in writing on a document obtained from or approved by the Commissioners for that purpose and shall be made—

- (a) in the case of imported goods, by the importer or the person in charge of the goods,
- (b) in the case of goods intended for export, by the exporter or the person in charge of the goods, and
- (c) in any other case, by the proprietor of the goods or the person in charge of the goods.

Local export control

9.—(1) Where a notice under section 58A(3)(a)(i) of the Act is delivered by the exporter such notice shall replace the application required under regulation 7.

(2) Where the notice is for a single movement of goods, if the authority of the proper officer, required under regulation 7, is neither given nor refused by the date and time for the movement specified in that notice, it shall be deemed to be given on the date and immediately before the time so specified.

(3) Where the notice is for more than one movement of goods, if the authority of the proper officer, required under regulation 7, is neither given nor refused, it shall be deemed to be given immediately before each movement commences.

Standing permission to remove

10. Where the Commissioners so permit, during a period specified by them, goods may be moved as contemplated in regulations 5, 6 and 7 without an application to the proper officer; and, unless the proper officer previously gives or refuses his authority, it shall be deemed to be given immediately before the movement commences.

Requirement for removal document

11. Before any removal commences the person by whom, or on whose behalf, the goods are being moved shall be in possession of a removal document.

Specification of vehicles etc

12.—(1) The Commissioners may, in respect of any class or description of goods, require that vehicles or containers in which goods of a particular class or description are removed shall be of a type specified by them for the removal of such goods.

(2) Save as provided by paragraph (3) below, no person shall remove any goods in respect of which a requirement under paragraph (1) above has been imposed unless the vehicles or container in which they are carried conforms to such requirement.

(3) The proper officer, upon application made to him by the person in charge of goods to be removed, may for the purposes of the removal in question relax any requirement imposed under paragraph (1) above.

Specification of routes

13. Vehicles and containers proceeding under a removal shall be moved by such routes as the Commissioners may specify.

Security of goods, vehicles and containers

14.—(1) Before any goods are removed they or the vehicle or container carrying them shall be secured or identified by any such seals, locks or marks as the Commissioners may specify.

(2) Where in the United Kingdom, seals, locks or marks are affixed for any customs or excise purpose in order to secure or identify the goods to be removed or the vehicles or containers carrying the goods, they shall be so affixed by the proper officer or by such other person as the Commissioners may authorise.

15.—(1) Save in the circumstances hereunder mentioned, no person shall at any time during a removal—

- (a) wilfully break, open or remove any seal, lock or mark affixed for any customs or excise purpose on any goods or to a vehicle or container; or
- (b) load or unload or assist in the loading or unloading of a vehicle or container.

(2) The circumstances referred to in paragraph (1) above are—

- (a) where authorisation has been given by the proper officer; or
- (b) in accordance with any general or special permission given by the Commissioners; or
- (c) in an emergency in order to safeguard the goods or to protect life or property.

Completion of removals, time limits and accidents

16.—(1) Save as the Commissioners otherwise allow, the person in charge of goods proceeding under a removal shall complete the removal by producing the goods, together with the vehicle or container in which they are carried if such vehicle or container has been secured or identified, and delivering a removal document to the proper officer at the approved place or, in the case of goods intended for export, at the place of exportation.

(2) The Commissioners may allow the removal of goods intended for export to be completed by the person in charge of the goods placing them, together with any container in which they are carried if such container has been secured or identified, under the control of the loader and delivering the removal document to him.

17. The person in charge of goods proceeding under a removal shall complete the removal within such period as the Commissioners may specify.

18. Where as a result of an accident or other occurrence arising during a removal a vehicle or container is delayed or diverted from a specified route the person in charge of the goods shall as soon as practicable give sufficient notification of the accident or occurrence as required by the Commissioners to the local office of customs and excise.

King's Beam House, Mark Lane
London, EC3 7HE
1st August 1984

N. Godfrey
Commissioner of Customs and Excise

EXPLANATORY NOTE

These Regulations re-enact, with modifications described below, the Control of Movement of Goods Regulations 1981 and lay down the procedure for the movement within the United Kingdom of—

- (1) imported goods which are to be cleared at an approved place other than at their port of importation or place of landing or be delivered to a free zone;
- (2) goods in transit through the United Kingdom;
- (3) goods for exportation which are made available for customs examination prior to their movement to the port or place of exportation at a place approved for such examination or at a place designated by a customs officer; and
- (4) goods between a free zone and a place approved by the Commissioners for the clearance out of charge of such goods; such a place and a free zone or between one free zone and another.

The modifications:—

- (a) provide for the procedures prescribed by the Control of Movement of Goods Regulations 1981 to be extended to the movement of goods into, from and between free zones;
- (b) provide for the sealing of goods as an alternative to the sealing of the vehicle or container in which they are carried; and
- (c) clarify certain details of procedure.

The Regulations do not affect goods moving to or from bonded warehouses, licensed or registered factories or goods moving under the Community transit procedures.