

No. 1. — 1871.

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Title.

An Ordinance to amend the Customs Ordinance, No. 17 of 1869, and to provide for the issue of Warehouse Warrants.

Preamble.

WHEREAS it is expedient to amend the Ordinance No. 17 of 1869, entitled "*An Ordinance for the general regulation of Customs in the Island of Ceylon*," and to provide for the issue of Warehouse Warrants: **IT IS THEREFORE ENACTED BY THE GOVERNOR OF CEYLON**, with the advice and consent of the Legislative Council thereof, as follows :

Collector may issue Warrants.

1. THE Collector of Customs may, upon an application in writing by the owner, importer or consignee of any goods duly warehoused in any Queen's Warehouse, or other place of deposit provided by Government, issue to such owner, importer or consignee, Warrants under his hand substantially in the form to this Ordinance annexed.

Goods transferable by endorsement and deliverable to the holders of Warrants.

2. SUCH Warrants shall be transferable once or oftener by the endorsement of the owner, importer or consignee of the goods, or of the holders of the said Warrants, and the right and title to the goods enumerated in such Warrants shall vest in the possessors thereof without any endorsement save that of the original grantee. The Collector shall, upon production and surrender of such Warrants, but not otherwise, deliver the goods to the holders of the Warrants on due entry of the goods for home consumption or exportation, and upon payment of all duties and charges due on the said goods.

Warrants by private Warehouse Keepers.

3. IT shall be lawful for the Keeper of any Bonded Warehouse to issue to the owner, importer or consignee of any goods duly warehoused in his Bonded Warehouse, Warrants substantially in the form to this Ordinance annexed. Such Warrants shall be transferable, once or oftener, by the endorsement of the owner, importer or consignee of the goods, or of the holders of the said Warrants ; and the right and title to the goods enumerated in such Warrants shall vest in the possessors thereof without any endorsement save that of the original grantee. The Keeper of such Warehouse shall, upon production and surrender of such Warrants, but not otherwise, deliver the goods to the holders of the Warrants on due entry of the goods for home consumption or exportation, and upon payment of all duties and charges due on the said goods. Provided that it shall not be lawful for the keeper of any bonded Warehouse to issue Warrants for goods in which he has any share or interest as owner, importer or consignee.

Stamp Duty on Warrants.

4. EACH Warrant or duplicate thereof, whether issued by a Collector of Customs or by the Keeper of a Bonded Warehouse, shall bear a Stamp Duty of One shilling, and such duty shall be denoted by adhesive stamps to be provided by the Commissioner of Stamps for that purpose and to be affixed on such Warrants. And such Warrants shall be liable in all matters relating to Stamp Duty to the provisions of the Ordinances relating to Stamp Duties, so far as the same shall be applicable thereto.

Crown, when liable to make compensation for loss in any Queen's Warehouse.

5. PROVIDED that the holder of any Warrant issued by the Collector of Customs shall have no claim on the Crown to compensation for loss of any goods by fire, theft, damage, or other cause, except such loss be caused by the wilful embezzlement, waste, spoil or destruction on the part of any officer of Customs, and such officer shall have been prosecuted to conviction within one year from the date of such wilful embezzlement, waste, spoil or destruction. The holder of a Warrant issued by a Bonded Warehouse Keeper shall have no claim on the Crown to compensation on any ground or pretext whatsoever.

Crown not liable for loss in any Bonded Warehouse.

Goods otherwise liable to Customs' laws and regulations.

6. PROVIDED further that the Collector of Customs shall be in no way answerable for the correctness of the particulars of the contents or value of the goods specified in any Warrant issued as aforesaid, and that the said goods shall be in every respect liable to the provisions of the laws and regulations relating to the Customs in force at the time such goods shall be in deposit at the Queen's Warehouse, or other place of deposit provided by Government.

Penalties.

7. ANY Keeper of a Bonded Warehouse who shall fraudulently issue a Warrant for goods not in his Warehouse, or who shall fraudulently issue two or more Warrants for the same goods, or who shall fraudulently issue Warrants for goods in which he has any share or interest as owner, importer or consignee, or who shall aid and assist any other person to do so, and any Keeper of such Warehouse or other person who shall in any way use any Warrant granted under the provisions of this Ordinance for the purposes of defrauding or injuring any person, company or corporation, shall be guilty of an offence, and be liable to imprisonment with or without hard labour not exceeding Three years, and, in addition thereto at the discretion of the Judge, to a fine not exceeding One Hundred pounds.

8. IT shall be lawful for the Governor, with the advice of the Executive Council, from time to time to make regulations as to him shall appear expedient for any of the following purposes :

- (1.) For preventing accidents by fire, and as to the lighting or using of candles, fires and lamps, and as to the smoking of tobacco or herbs within the Customs' premises ;
- (2.) For governing and regulating porters, coolies, cartmen and others carrying goods or using or driving horses, mules, bullocks, trucks, carts, sledges or other carriages within the Customs' premises ;
- (3.) For preventing damage being done to any goods.

And such regulations shall be published in the *Government Gazette*, and shall have the force of law. Any person who shall disobey the same shall be guilty of an offence and be liable to a fine not exceeding Five pounds.

9. IF the owner, consignee or person having charge of any tar, pitch, spirituous liquor, turpentine, oil, aqua fortis, lucifer matches, or any other article of a combustible or dangerous nature whatsoever, shall suffer the same to remain in the Customs' premises beyond the space of five hours after he shall have been required by any officer of Customs to remove the same therefrom, then, and in every such case every person so offending shall for every such offence, be liable to a fine not exceeding Five pounds, and not less than One pound for every hour that any of the said articles or goods shall be or remain in the place aforesaid after the expiration of the said five hours.

10. THE time given for the institution of proceedings in Court by the 120th section of the said Ordinance No. 17 of 1869, is hereby extended from 15 to 30 days from the date of the notice and security required by the said section.

11. THIS Ordinance and the Ordinance No. 17 of 1869 shall be read and construed as if they formed one Ordinance.

12. THIS Ordinance shall come into operation on such day as shall be appointed by the Governor by Proclamation in the *Government Gazette*.

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Governor to make Regulations for certain purposes.

Goods of dangerous quality.




Time for instituting claims under 120th section of Ordinance 17 of 1869 extended to one month.

No. 17 of 1869 and this Ordinance to be deemed one.

Commencement of Ordinance.

SCHEDULE.

A. WARRANT No.

No. of Warrant No. of Bonded Entry Date Ship Master From Entered By Marks and Nos.		No. of Bonded Entry and date Ledger Fol. WARRANT for imported in the Entered by Deliverable to or to any possessor of this Warrant without any endorsement save that of the said Rent commences	Warehoused at Master from date and all other charges	
Warehoused at Rent begins				Examination

Deliver the within to C. D.

A. B.

C. D.

Passed in Council, the Seventh day of January, One thousand Eight hundred and Seventy-one.

JAMES SWAN,
Clerk to the Council.

Assented to by His Excellency the Governor, the Eleventh day of January, One thousand Eight hundred and Seventy-one, and published by his Order.

HENRY T. IRVING,
Colonial Secretary.