

# STATES OF JERSEY ORDER PAPER

Tuesday 10th October 2006

## SUPPLEMENTARY

### B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Customs and Excise (Import and Export Control) (Jersey) Order 2006. R&O 100/2006.

*Minister for Home Affairs.*

### C. DOCUMENTS PRESENTED OR LAID

Plémont headland, St. Ouen: preservation for public enjoyment (P.112/2006) – comments. P.112/2006.  
Com.

Presented: 9th October 2006.

*Council of Ministers.*

Plémont headland, St. Ouen: preservation for public enjoyment (P.112/2006) – comments. P.112/2006.  
Com.(2)

Presented: 9th October 2006.

*Minister for Planning and Environment.*

Public Sector Manpower Report: June 2006. R.79/2006.

Presented: 10th October 2006.

*Minister for Treasury and Resources.*

Zero/Ten Tax Design Proposals. R.80/2006.

Presented: 10th October 2006.

*Minister for Treasury and Resources.*

2006 Battle of Flowers. R.81/2006.

Presented: 10th October 2006.

*Comptroller and Auditor General.*

Social Affairs Scrutiny Panel Interim Report – Delivery of Income Support: Structure. S.R.5/2006.

Presented: 10th October 2006.

*Social Affairs Scrutiny Panel.*

### D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Bankruptcy (Désastre) (Pensions) (Jersey) Regulations 200-. P.124/2006.

Lodged: 10th October 2006.

*Minister for Economic Development.*

**M.N. DE LA HAYE**  
**Greffier of the States**

9th October 2006

## **Explanatory Note regarding subordinate legislation tabled at this meeting.**

(See Item B)

### **R&O100/2006**

This Order is made under Article 19 of the Customs and Excise (Jersey) Law 1999. The effect of this Order is to regulate the importation of goods into, and the exportation of goods from, Jersey. It also regulates the shipping of goods as ships' stores. This Order replaces the Import and Export (Control) (Jersey) Order 1992. There is a general prohibition against importation and exportation but there are exemptions from this prohibition and the exemptions are specified in Article 3. The Order confers a power on the Minister for Home Affairs to grant a licence to import or export. The Agent of the Impôts has a power to give permission to ship goods as stores.

*Article 1* provides for the interpretation of terms used in the Order.

*Article 2* prohibits goods from being imported into or exported from Jersey unless as permitted by the Order.

*Article 3* provides for the exceptions to the prohibition in Article 2. The exceptions are set out in paragraph (1)(a) to (e) and are:

- (a) goods can be imported or exported under a licence granted by the Minister;
- (b) goods from any other British Island can be imported if they are not specified in Schedule 1 or 2;
- (c) goods can be exported to any of the other British Islands if they are not specified in Schedule 1 or 3;
- (d) electrical energy can be imported or exported via the submarine cable at Archirondel;
- (e) goods exported by being shipped for use as ships' stores in accordance with a permission granted by the Agent of the Impôts.

*Article 3(2)* permits the export or import under a licence, of the goods specified in the Schedules.

*Article 4* provides the Minister with a power to grant a licence to import or export goods. A licence may be granted either in respect of a person and specific goods or in respect of specific goods only. The licence can contain conditions and exceptions, can provide for its expiration and can be modified or revoked. A licence can permit the export or import of goods to which an Act of the UK Parliament (or subordinate legislation made under it), a Community instrument or an international obligation applies.

*Article 5* gives the Agent of the Impôts the power to grant permission to ship goods as stores. The permission can contain conditions and exceptions, can provide for its expiration and can be modified or revoked.

*Article 6* requires that goods are imported or exported at ports or the customs airport that have been designated in accordance with Article 12 of the 1999 Law.

*Article 7* prevents this Order being interpreted in a way that would allow goods to be imported or exported if those goods are prohibited from being imported or exported under another enactment.

*Article 8* is a transitional provision for some types of licences and permissions granted under the Import and Export (Control) (Jersey) Order 1992 that have not expired when this Order comes into force. The Minister may modify or revoke a licence granted under the 1992 Order during the period for which the licence remains in force. The Agent of the Impôts may modify a permission to ship goods as ship's stores.

*Article 9* revokes the 1992 Order and its amendments.

*Article 10* cites the name of the Order and provides that this Order will come into force on the same day as Article 19 of the Customs and Excise (Jersey) Law 1999.

*Schedule 1* lists the goods that require a licence for their importation or exportation.

*Schedule 2* lists the goods for which a licence to import is required.

*Schedule 3* lists the goods for which a licence to export is required.

The Order was made on 9th October 2006 and comes into force on the same day as Article 19 of the Customs and Excise (Jersey) Law 1999.

