PART II

United Kingdom.
Canada.
Australia.
New Zealand.
The Union of South Africa.
India.
Pakistan.
Ceylon.
Southern Rhodesia.
Any colony being part of Her Majesty's dominions.
Any British protectorate or British protected state.
Any territory for the time being administered by the Government of any part of Her Majesty's dominions under the trusteeship system of the United Nations.
South-West Africa.
Republic of Ireland.

EXPLANATORY NOTE

(This Note is not part of the Order, put is intended to indicate its general purport.)

This Order amends the Import of Goods (Control) Order, 1940.

Articles, suitable for use in connection with the Coronation and described in the Schedule, originating in or consigned from any country other than one specified in the Schedule, may not be imported under any licence granted before 27th June, 1952, unless they have already been dispatched and are imported before 25th July, 1952, nor may such articles be imported under a future licence unless that licence expressly authorises their importation.

1952 No. 2222

The Commercial Vehicles (Temporary Importation) Regulations, 1952

Made - - - -	*22nd December*, 1952
Laid before Parliament	*23rd December*, 1952
Coming into Operation	*1st January*, 1953

The Commissioners of Customs and Excise in pursuance of the powers conferred on them by section forty of the Customs and Excise Act, 1952(a), and of all other powers enabling them in that behalf, hereby made the following Regulations:—

PART I

1. If any vehicle, being a road vehicle or aircraft of a kind specified in Regulation 10 of these Regulations, is imported into any part of the United Kingdom other than the Isle of Man and the importer satisfies the Commissioners that—

(*a*) his principal place of business is outside the United Kingdom,

(*b*) the vehicle is registered outside the United Kingdom,

(*c*) the vehicle is owned and operated by a person whose principal place of business is outside the United Kingdom,

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 44.

(*d*) the importation is taking place in the course of a journey which has begun and will end outside the United Kingdom,

(*e*) the purpose of the journey is to use the vehicle for—

(i) the transport of passengers for remuneration, or

(ii) the industrial or commercial transport of goods,

from or to a place outside the United Kingdom, and

(*f*) the following provisions of this Part of these Regulations, and such other conditions as may be imposed by the Commissioners, are and will be complied with,

such vehicle may be delivered without payment of duty, and duty shall not be payable so long as the Commissioners continue to be so satisfied:

Provided that no vehicle may be so delivered without payment of duty if the vehicle is principally kept in the United Kingdom or if the importer principally keeps in the United Kingdom any vehicle so delivered.

2. The importer shall at the time of importation—

(*a*) produce the vehicle to the officer for examination,

(*b*) either—

(i) satisfy the officer that security for payment of the duty and for compliance with these Regulations has been given, by producing a carnet for the vehicle issued either to the importer by name or to another person whose principal place of business is outside the United Kingdom, or

(ii) deposit in accordance with the officer's directions such sum of money or such other security as the officer may require to secure the duty and compliance with these Regulations, and

(*c*) give such additional information relating to the vehicle, the circumstances of its importation and the intended use as the officer may require:

Provided that if the carnet is not issued to the importer by name, the importer shall produce a written authority from the person to whom the carnet was issued authorising the importer to use the carnet and the vehicle.

3. While in the United Kingdom the vehicle—

(*a*) shall not be (or be offered to be) lent, sold, pledged, hired, given away, exchanged or otherwise disposed of, and shall not be used for the purpose of picking up passengers or goods at any place within the United Kingdom for conveyance to another place within the United Kingdom, and

(*b*) save as the Commissioners may allow—

(i) shall be operated and used only by or on behalf of the owner or operator of the vehicle or other person in charge thereof at the time of its importation or by other persons whose principal place of business is outside the United Kingdom who are expressly authorised in writing by the owner or operator of the vehicle to operate and use the vehicle, and

(ii) shall not be operated or used by, or in the service of, any other person and in particular any person whose principal place of business is in the United Kingdom.

4. The vehicle shall be re-exported from the United Kingdom—

(*a*) in the case of a vehicle delivered on importation on production of a carnet, before the expiration of the period of validity of the carnet, or

(*b*) in any case, before the expiration of three months from the date of importation, or

(*c*) in any case, as soon as the purpose referred to in paragraph (*e*) of Regulation 1 of these Regulations has been served,

whichever is the earliest date, or within such further period as the Commissioners may in special circumstances allow.

5. The importer shall at the time of re-exportation—

(*a*) produce the vehicle and the relevant import documents to the officer for examination, and

(*b*) give such additional information and make such declaration relating to the vehicle and the circumstances of its use in the United Kingdom as the officer may require.

PART II

6. If any spare parts or accessories of a vehicle are imported into any part of the United Kingdom other than the Isle of Man by or on behalf of a person whose principal place of business is outside the United Kingdom, and the importer satisfies the Commissioners that—

(*a*) the spare parts or accessories—

(i) are imported solely for the purpose of repairing a vehicle which has been delivered without payment of duty under the provisions of Part I of these Regulations, and

(ii) will be re-exported in or with the vehicle before the expiration of the period specified in Regulation 4 of these Regulations, and

(*b*) the following provisions of this Part of these Regulations, and such other conditions as may be imposed by the Commissioners, are and will be complied with,

such spare parts or accessories may be delivered without payment of duty, and duty shall not be payable so long as the Commissioners continue to be so satisfied.

7. The importer shall—

(*a*) at the time of importation of such parts or accessories, deposit in accordance with the officer's directions such sum of money for securing the duty and compliance with these Regulations, and produce such documents and give such information, as the officer may require,

(*b*) use the spare parts or accessories solely for the repair of the vehicle,

(*c*) re-export the spare parts or accessories in or with the vehicle before the expiration of the period specified in Regulation 4 of these Regulations, and

(*d*) at the time of re-exportation, unless the Commissioners otherwise permit, produce to the officer all such used or defective parts or accessories as have been displaced during the repair of the vehicle by the imported spare parts or accessories, and—

(i) re-export such displaced parts or accessories, or

(ii) destroy them under such conditions as the Commissioners may specify, or

(iii) if the Commissioners so permit, abandon them to the Crown.

PART III

8. If any goods of the following descriptions are imported into any part of the United Kingdom other than the Isle of Man for the purposes hereinafter mentioned—

(*a*) spare parts or equipment imported solely for the purpose of being incorporated in or used in any aircraft which is—

(i) registered outside the United Kingdom,

(ii) owned and operated by a person whose principal place of business is outside the United Kingdom, and

(iii) used in international air transport services and in compliance with the provisions of Regulation 3 of these Regulations ;

(*b*) aircraft, special tools, spare parts and equipment imported solely for the purpose of being used in the search for or in the rescue, examination, repair or salvage of an aircraft which is of the kind referred to in paragraph (*a*) of this Regulation and which has been accidentally lost or damaged ;

and if the importer satisfies the Commissioners that the goods will be re-exported as soon as the purpose for which they were imported has been served, or before the expiration of such period as may be allowed by the Commissioners, whichever is the earlier, and that the provisions of this Part of these Regulations, and such other conditions as may be imposed by the Commissioners, are and will be complied with, the goods may be delivered without payment of duty and duty shall not be payable so long as the Commissioners continue to be so satisfied.

PART IV

9. For the purposes of these Regulations—

(*a*) the principal place of business of a person shall be deemed to be the place from which in the opinion of the Commissioners the control of the business is exercised.

(*b*) a vehicle shall be deemed to be principally kept in the United Kingdom if it is kept in the United Kingdom for six months or more in a year on an average.

(*c*) an importer shall be deemed to keep a vehicle principally in the United Kingdom if he keeps in the United Kingdom any vehicle or vehicles which has or have been delivered without payment of duty under these Regulations or under the Commercial Road Vehicles (Temporary Importation) Regulations, 1949(**a**), or under the Aircraft (Temporary Importation) Regulations, 1949(**b**), for an aggregate period of six months or more in a year on an average.

(*d*) the years to be considered in calculating the averages mentioned in paragraphs (*b*) and (*c*) of this Regulation shall be the two years preceding the date of importation, or such other period as the Commissioners may in special circumstances allow.

10. In these Regulations unless the context otherwise requires—

(*a*) " aircraft " means any aeroplane, airship, balloon, flying machine or glider ;

(*b*) " carnet " means a carnet de passages en douane or a triptyque which is issued by an association belonging to the Federation Internationale de

(a) S.I. 1949/2430; 1949 I, p. 1400. (b) S.I. 1949/2429; 1949 I, p. 1397.

l'Automobile, the Alliance Internationale de Tourisme or the Federation Aeronautique Internationale, and which is covered by a guarantee given to the Commissioners by an approved association established in the United Kingdom ;

(*c*) " officer " means the proper officer of Customs and Excise ;

(*d*) " United Kingdom " means the United Kingdom including the Isle of Man ;

(*e*) " vehicle " means any motor road vehicle (including a trailer) which is designed for the transport of persons for remuneration or the industrial or commercial transport of goods or any aircraft which is so used, and also includes any accessories or component parts of such vehicle required for, and imported in or forming part of, such vehicle, but does not include any accessories or component parts imported separately.

11. The Interpretation Act, 1889(**a**), shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

12. The Commercial Road Vehicles (Temporary Importation) Regulations, 1949, are hereby revoked.

13. These Regulations may be cited as the Commercial Vehicles (Temporary Importation) Regulations, 1952, and shall come into operation on the first day of January, 1953.

Dated this 22nd day of December, 1952.

C. W. Hardisty,
Commissioner of Customs and Excise.

King's Beam House,
London, E.C.3.

EXPLANATORY NOTE

(*This Note does not form part of the Regulations, but is intended to indicate their general purport.*)

These Regulations, made under section forty of the Customs and Excise Act, 1952, provide for the temporary importation of commercial road vehicles and commercial aircraft (and certain spare parts and equipment) without payment of customs duty and purchase tax, in accordance with the International Customs Convention on Commercial Road Vehicles and the Agreement relating thereto, signed in Geneva on the 16th June, 1949, and the International Civil Aviation Convention, signed at Chicago on the 7th December, 1944.

The Regulations consolidate and replace similar provisions contained in—

(i) the Commercial Road Vehicles (Temporary Importation) Regulations, 1949, and the Aircraft (Temporary Importation) Regulations, 1949, both made under the Finance Act, 1938, section ten (repealed by the Customs and Excise Act, 1952), and

(ii) the Air Navigation Order, 1949, article fifty-six (revoked by the Customs and Excise Act, 1952).

(**a**) 52 & 53 Vict. c. 63.