NORTHERN IRELAND—SPECIAL PROVISIONS

1953 No. 1532

The Customs (Land Boundary) Regulations, 1953

Made - - - -	21*st October*, 1953
Laid before Parliament	23*rd October*, 1953
Coming into Operation	1*st January*, 1954

The Commissioners of Customs and Excise in pursuance of the powers conferred on them by sections eighteen, twenty-six, thirty-three and fifty-four of the Customs and Excise Act, 1952(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:—

PART I

General

1.—(*a*) Save as is otherwise provided in these Regulations, no person shall import or export goods into or from Northern Ireland by land—

(i) by a route other than one of the routes specified in the first column of Parts I and II of the Schedule to these Regulations and approved for the importation or exportation of goods of that description, or

(ii) on a Sunday or public holiday or at any time except between the hours of 9 a.m. and 5 p.m. on any other day.

(*b*) In these Regulations "goods" means goods of any description and includes vehicles, whether or not in use for the conveyance of goods, and also baggage.

2. No person conveying goods into or out of Northern Ireland by land shall remove or be concerned in removing the goods over any part of an approved route between the boundary and the customs station except during the hours aforesaid.

3. A person conveying goods into Northern Ireland by land—

(*a*) shall forthwith proceed with the goods by the approved route from the boundary to the boundary post upon that route;

(*b*) shall stop at the boundary post upon that route and shall allow the officer at that post to inspect and take an account of the goods; and

(*c*) shall not remove the goods from the boundary post without the authority of the officer at that post.

4. The place for the examination and entry of goods imported into Northern Ireland by land and for payment of any duty chargeable thereon (including the giving of security for payment of any duty and for compliance with any conditions imposed by the Commissioners, and the production of evidence that such security has already been given or that no duty is payable) shall be the customs station upon the approved route by which the goods were imported.

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

5. The place for the examination and entry (including delivery of a specification) of all goods exported from Northern Ireland by land shall be the customs station upon the approved route by which the goods are to be exported.

6. A person conveying goods out of Northern Ireland by land shall on request by an officer at the customs station, Queen's warehouse or boundary post furnish to such officer such information relating to his journey or to any goods conveyed or being conveyed by him out of Northern Ireland as that officer may require.

7. A person conveying goods out of Northern Ireland by land—

(*a*) shall stop at the boundary post upon the approved route and shall allow the officer at that post to inspect and take an account of the goods to be exported;

(*b*) shall not remove the goods from the boundary post without the authority of the officer at that post ; and

(*c*) shall, after the officer at the boundary post has authorised their removal, forthwith proceed with the goods over the boundary by the approved route.

8. A person conveying goods into or out of Northern Ireland by land shall produce to any officer on demand the carrier's report, carrier's manifest, entry, pass or any document which the Commissioners may require him to carry.

PART II

Ordinary Merchandise

9.—(*a*) This Part of these Regulations shall apply to all goods except goods to which the provisions of Part IV or V apply, and except passengers' baggage.

(*b*) The goods to which this Part of these Regulations applies are in this Part of these Regulations referred to as ordinary merchandise.

10. A person conveying ordinary merchandise into Northern Ireland by land—

(*a*) shall carry with him a carrier's report in an approved form in duplicate signed by him and containing such particulars as the Commissioners may direct, and shall produce such report to the officer at the boundary post ;

(*b*) after one copy of the report, duly signed by the officer at the boundary post, has been returned to him, shall forthwith convey the merchandise by the approved route to the customs station upon that route without alteration of such merchandise or of the packages containing the same and, if such merchandise was imported by vehicle, shall so convey the same in the vehicle by which it was imported, and shall carry with him the copy of the report signed by the officer as aforesaid ;

(*c*) shall, during the hours appointed for keeping open the customs station, produce such merchandise for examination by the officer at the customs station upon that route, or, if the officer shall so direct, at the Queen's warehouse upon that route, and deliver the said copy of the report to the officer ;

(*d*) shall not remove such merchandise from the customs station or Queen's warehouse before entry thereof has been made and removal thereof has been authorised by the officer ; and

(*e*) in the case of any such merchandise entered to be warehoused, shall, after its removal has been authorised by the officer, with all reasonable despatch convey the merchandise to the warehouse and deposit it therein.

11. A person conveying ordinary merchandise out of Northern Ireland by land—

(*a*) shall, during the hours appointed for keeping open the customs station, produce such merchandise for examination by the officer at the customs station upon the approved route by which the merchandise is conveyed or, if the officer shall so direct, at the Queen's warehouse upon that route ;

(*b*) shall produce to the officer at the customs station or Queen's warehouse at which such merchandise is produced for examination a carrier's manifest in an approved form in duplicate signed by him and containing such particulars as the Commissioners may direct ;

(*c*) shall not remove such merchandise from the customs station or Queen's warehouse without the authority of the officer at the customs station or Queen's warehouse ;

(*d*) after removal has been authorised by the officer, shall forthwith convey such merchandise from the customs station or Queen's warehouse to the boundary post upon the approved route and shall carry with him one copy of the carrier's manifest signed by the officer at the customs station or Queen's warehouse and also, if the officer so directs, the entry outwards of the merchandise ; and

(*e*) shall produce the merchandise to the officer at the boundary post and shall deliver the copy manifest, and, in the case of goods for which entry is required, the entry, to that officer.

PART III

Special provision as to importation and exportation by rail

12. The proprietors of a railway conveying goods into or out of Northern Ireland by land—

(*a*) shall furnish to the Commissioners tables showing the times of arrival and departure of every regular train at or from any railway station upon such part of their railway as forms part of an approved route, and shall not alter such times, or run any trains not specified in such tables, without having previously given due notice thereof to the Commissioners ; and

(*b*) shall cause each train running over such part of their railway as is an approved route between a customs station and the boundary to stop at such places on that part of their railway as the Commissioners shall direct, and shall not without special permission of the Commissioners permit any such train to stop at any other point on such part of their railway except for unavoidable cause.

13. The provisions of Parts I and II of these Regulations shall apply to importations into or exportations from Northern Ireland by rail, subject to the following modifications :—

(*a*) the guard of a railway train shall be deemed to be the person conveying into or out of Northern Ireland all goods upon that train ;

(*b*) a carrier's report or manifest of goods imported or exported may be signed by any servant of the proprietors of the railway ;

(*c*) the guard of a railway train may, in lieu of producing in duplicate and carrying the carrier's manifest required by Regulation 11, carry a true copy of every railway invoice relating to the goods to be exported on that train;

(*d*) in lieu of the delivering of a copy manifest to the officer at the boundary post by the guard of a railway train, the proprietors of the railway shall, within six days of the departure of the train conveying the goods out of Northern Ireland, deliver a manifest or a true copy of every railway invoice to the officer at the customs station upon the approved route by which the goods were exported.

PART IV

Exempt Farm Produce

14. This Part of these Regulations shall apply only to exempt farm produce.

15. Exempt farm produce may be imported into or exported from Northern Ireland by any route at any time.

16. A person conveying exempt farm produce into Northern Ireland by land shall carry with him a report and entry in the approved form of all such produce imported and shall deliver such report and entry to any officer on demand, or, failing such demand, at a customs station within six days of the importation, either by leaving it there or forwarding it by post.

17. A person conveying exempt farm produce out of Northern Ireland by land shall carry with him a specification in the approved form of all such produce as is to be exported, and shall deliver such specification to any officer on demand, or, failing such demand, shall deliver such specification at a customs station within six days of the exportation, either by leaving it there or forwarding it by post.

PART V

Motor Vehicles

18. This Part of these Regulations shall apply to every motor vehicle entering or leaving Northern Ireland by land on its own wheels.

19. A person conveying a motor vehicle into Northern Ireland by land—

(*a*) shall carry with him and produce to the officer at the boundary post such documents relating to the vehicle as the Commissioners may require;

(*b*) as soon as authority to do so has been given by the officer at the boundary post, shall proceed with the vehicle to the customs station upon the approved route and carry with him such documents as the Commissioners may require;

(*c*) shall, during the hours appointed for keeping open the customs station, produce the vehicle and the documents to the officer at the customs station upon the approved route and shall comply with any instructions given to him by the officer; and

(*d*) shall not remove the vehicle from the customs station before entry thereof has been made, and any duty due thereon has been paid or secured to the satisfaction of the Commissioners and the removal of the vehicle has been authorised by the officer at the customs station.

20. If a person who is conveying into Northern Ireland by land a motor vehicle carries with him a customs pass in an approved form showing either that security for the duty chargeable on the vehicle has been given or that no duty is chargeable thereon, then in respect of the vehicle, but not in respect of any goods carried therein, the provisions of Regulation 1 as to prescribed hours and of Regulations 2, 3 and 19 shall not apply to such person:

Provided that if the vehicle is conveyed into Northern Ireland during the hours appointed for keeping open the boundary post upon the approved route by which the vehicle was imported, the person conveying the vehicle—

(*a*) shall stop at that boundary post;

(*b*) shall produce such pass to the officer at that post;

(*c*) if so required, shall show to the satisfaction of such officer that he is entitled to hold and use that pass; and

(*d*) shall not remove the vehicle from that post before removal thereof has been authorised by such officer.

21. A person conveying a motor vehicle out of Northern Ireland by land—

(*a*) shall, during the hours appointed for keeping open the customs station, produce the vehicle and such documents relating thereto as the Commissioners may require to the officer at the customs station upon the approved route by which the vehicle is to leave Northern Ireland;

(*b*) shall not remove such vehicle from the customs station without the authority of the officer at that station; and

(*c*) after removal has been authorised by the officer, shall forthwith proceed with the vehicle from the customs station to the boundary post upon the approved route and carry with him such documents relating to the vehicle as the Commissioners may require.

22. If a person who is conveying out of Northern Ireland by land a motor vehicle which is being exported only temporarily from the United Kingdom with a view to subsequent re-importation, carries with him a document in an approved form relating to the vehicle for the purpose of its identification on re-importation into the United Kingdom, then in respect of the vehicle, but not in respect of any goods carried therein, the provisions of Regulation 1 as to prescribed hours and of Regulations 2, 7 and 21 shall not apply to such person:

Provided that if the vehicle is conveyed out of Northern Ireland during the hours appointed for keeping open the boundary post upon the approved route by which the vehicle is to be exported, the person conveying the vehicle—

(*a*) shall stop at that boundary post;

(*b*) shall produce such document to the officer at that post;

(*c*) if so required, shall show to the satisfaction of such officer that he is entitled to hold and use that document;

(*d*) shall not remove the vehicle from that post without the approval of such officer; and

(*e*) shall, after such officer has authorised its removal, forthwith proceed with the vehicle over the boundary by the approved route.

PART VI

Application, etc.

23. Notwithstanding anything in these Regulations the Commissioners may permit goods imported into, or exported from, Northern Ireland by land to be entered and examined at the boundary post and in such case these Regulations shall apply as if the boundary post were the customs station.

24. In so far as it may be necessary to meet the circumstances of any particular case or class of cases, the Commissioners may permit goods to be imported or exported by land into or out of Northern Ireland by routes and at times other than those specified in these Regulations and may relax the application of anything in these Regulations, and in any such case all persons conveying goods into or out of Northern Ireland by land shall comply with such conditions as the Commissioners may impose.

25. In these Regulations unless the context otherwise requires—

" appointed ", " approved " and " prescribed " mean appointed, approved and prescribed by the Commissioners ;

" boundary " means the land boundary of Northern Ireland ;

" boundary post " means the place upon an approved route designated in the second column of Part I or Part II of the Schedule to these Regulations as a boundary post ;

" exempt farm produce " means any agricultural, horticultural or dairy produce, peat, turf and any livestock commonly kept on a farm, which is carried (otherwise than in a motor vehicle) or, as the case may be, is driven or led by a farmer or his servant in the course of his business as a farmer, and which is not subject to any duty or prohibition or restriction on importation or exportation ;

" goods " means goods as defined in Regulation 1(*b*) of these Regulations ;

" motor vehicle " means any mechanically propelled vehicle intended or adapted for use on roads and includes a vehicle drawn by a motor vehicle ;

" officer " means officer of Customs and Excise ;

" passengers' baggage " means personal effects owned by and accompanying passengers not being goods imported or exported as merchandise or for sale ;

" warehouse " except in the expression " Queen's warehouse " means a place of security approved under section eighty of the Customs and Excise Act, 1952(**a**), and " warehoused " shall be construed accordingly.

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

27. The Customs (Land Boundary) Regulations, 1923(**c**), the Customs (Land Boundary) Regulations, 1933(**d**), and the Customs (Land Boundary) Regulations, 1938(**e**), are hereby revoked.

(**a**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 44.
(**b**) 52 & 53 Vict. c. 63.
(**c**) S.R. & O. 1923/342; Rev. V, p. 560; 1923, p. 196.
(**d**) S.R. & O. 1933/240; Rev. V, p. 571; 1933, p. 715.
(**e**) S.R. & O. 1938/622; Rev. V, p. 560; 1938 I, p. 1100.

28. These Regulations may be cited as the Customs (Land Boundary) Regulations, 1953, and shall come into operation on the first day of January, 1954.

Dated this 21st day of October, 1953.

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

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

SCHEDULE

PART I

Routes approved for the importation and exportation by land of goods of every description (including vehicles)

Approved Route	Boundary Post	Customs Station
	A.—ROAD ROUTES	
	The customs boundary post on the approved route at:—	The customs station on the approved route at:—
Moville—Muff—Culmore—Pennyburn—Londonderry.	Culmore	Strand Road, Londonderry.
Buncrana—Bridgend—Gallagh Road—Pennyburn—Londonderry.	Gallagh Road ...	Strand Road, Londonderry.
St. Johnston—Carrigans—Mullenan Post—Ballougry School—Foyle Road—Londonderry.	Mullenan	Strand Road, Londonderry.
Lifford—Strabane Bridge—Strabane.	Strabane Bridge ...	Lifford Road, Strabane.
Ballyshannon—Belleek.	Belleek	Belleek.
Manor Hamilton—Belcoo—Enniskillen.	Belcoo...	Custom House, Fairview, Enniskillen.
Swanlinbar—Mullan—Drumcard—Enniskillen.	Mullan	Custom House, Fairview, Enniskillen.
Clones—Clontivrim—Newtown Butler.	Clontivrim	Railway Station, Newtown Butler.
Monaghan—Aughnacloy.	Aughnacloy	Aughnacloy.
Monaghan—Middletown—Armagh.	Middletown	Probate Court, Armagh.
Castleblayney—Carnagh—Keady—Armagh.	Carnagh	Probate Court, Armagh.
Dundalk—Tullydonnell (Gage)—Silverbridge—Newtown Hamilton—Armagh.	Tullydonnell (Gage) ...	Probate Court, Armagh.
Dundalk—Killeen—Newry.	Killeen	Merchant's Quay, Newry.
Greenore—Carlingford—Upper Fathom—Newry.	Upper Fathom ...	Merchant's Quay, Newry.

Approved Route	Boundary Post	Customs Station
	B.—RAILWAY ROUTES	
	The customs boundary post on the approved route at:—	The customs station on the approved route at:—
Great Northern Railway from St. Johnston to Londonderry.	Great Northern Railway Terminus, Londonderry	Great Northern Railway Terminus, Londonderry.
Strabane and Letterkenny Line.	Strabane	Strabane.
Great Northern Railway from St. Johnston to Strabane.	Strabane	Strabane.
Castlefinn and Strabane Line.	Strabane	Strabane.
Great Northern Railway from Pettigo to Kesh.	Kesh	Great Northern Railway Station, Enniskillen.
Great Northern Railway from Ballyshannon to Belleek.	Belleek	Belleek.
Sligo, Leitrim and Northern Counties Railway from Manor Hamilton to Enniskillen.	Belcoo...	Great Northern Railway Station, Enniskillen.
Great Northern Railway from Clones to Newtown Butler.	Newtown Butler ...	Newtown Butler.
Great Northern Railway from Monaghan to Portadown.	Tynan	Portadown.
Great Northern Railway main line from Dundalk to Belfast via Portadown.	Goraghwood	Goraghwood.

PART II

Routes approved only for the importation and exportation of—

(a) goods not liable to any duty and not subject to any prohibition or restriction on importation or exportation,

(b) farm produce liable to duty, when carried or driven by a farmer (or his servant) in the course of his business as a farmer,

(c) vehicles unladen or laden only with goods specified in (a) and (b) above provided that the person in charge of such a vehicle carries with him a customs pass, showing that no duty is payable on such vehicle on entering Northern Ireland.

Approved Route	Boundary Post	Customs Station
	The customs boundary post on the approved route at:—	The customs station on the approved route at:—
Roads:—		
Newtown Cunningham—Killea post—Foyle Road—Londonderry.	Killea	Strand Road, Londonderry.
Pettigo—Tullyhomman—Kesh—Enniskillen.	Tullyhomman ...	Custom House, Fairview, Enniskillen.

EXPLANATORY NOTE

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

These Regulations, made under sections eighteen, twenty-six, thirty-three and fifty-four of the Customs and Excise Act, 1952, lay down the hours and routes and procedure for the importation and exportation of goods and vehicles across the Irish land boundary, and appoint customs stations on those routes for the examination and entry of goods.

They replace the Customs (Land Boundary) Regulations of 1923, 1933 and 1938, which made similar provisions under section four of the Irish Free State (Consequential Provisions) Act, 1922, (repealed by the Customs and Excise Act, 1952).

1953 No. 1531

The Northern Ireland (Prescribed Area) Regulations, 1953

Made - - - -	21*st October*, 1953
Laid before Parliament	23*rd October*, 1953
Coming into Operation	1*st January*, 1954

The Commissioners of Customs and Excise in pursuance of the powers conferred on them by sections forty-six, seventy-five and three hundred and seven of the Customs and Excise Act, 1952(a), and of all other powers enabling them in that behalf, hereby make the following Regulations:—

1. For the purposes of sections forty-six and seventy-five of the Customs and Excise Act, 1952, the prescribed area shall be the area in Northern Ireland adjoining and within forty miles of the land boundary of Northern Ireland.

2. The Customs (Land Boundary) Regulations, 1936(b), are hereby revoked.

3. These Regulations may be cited as the Northern Ireland (Prescribed Area) Regulations, 1953.

4. These Regulations shall come into operation on the first day of January, 1954.

Dated this 21st day of October, 1953.

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 sections forty-six, seventy-five and three hundred and seven of the Customs and Excise Act, 1952, delineate, for anti-smuggling purposes, the area in Northern Ireland adjoining the land boundary referred to in that Act as the " prescribed area ".

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 44.
(b) S.R. & O. 1936/121; Rev. V, p. 574; 1936 I, p. 808.