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27 May 2015

**CUSTOMS MANAGEMENT (AMENDMENT) BILL,
2015**

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CUSTOMS MANAGEMENT (AMENDMENT) BILL, 2015

A BILL FOR AN ACT TO AMEND THE CUSTOMS MANAGEMENT ACT

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act which amends the Customs Management Act, may be cited as the Customs Management (Amendment) Act, 2015.
- (2) Save for section 5, this Act shall come into operation on the 1st day of July, 2015.
- (3) Section 5 of this Act shall come into operation on the 1st day of September, 2015.

2. Amendment of section 7 of the principal Act.

Section 7 of the principal Act is amended—

- (a) by renumbering subsection (2) as subsection (3); and
- (b) by inserting immediately after subsection (1) the following—
“(2) The Comptroller shall report to the Financial Secretary.”.

3. Amendment of section 95 of the principal Act.

Section 95 of the principal Act is amended by inserting immediately after subsection (6) the following—

- “(7) Where the Comptroller reasonably believes that any person is importing goods for a commercial purpose, the Comptroller may require that person to produce a tax identification number issued under the Value Added Tax Act, 2014 (*Act No. 32 of 2014*).”.

4. Insertion of new section 233A into the principal Act.

The principal Act is amended by inserting immediately after section 233 the following new section—

“233A. Fee for late payment.

If any sum of money due and payable under this Act is not paid for thirty days or more, there shall be added thereto, from the day on which the sum of money became due and payable until the day on which payment is made, as a surcharge a sum equal to ten per centum per annum of the annual sum due.”.

5. Amendment of First Schedule to the principal Act.

The First Schedule to the principal Act is amended—

- (a) in the subheading "A - Prohibited Goods", by inserting immediately after item 13 the following new item—

“14. Motor cars and other motor vehicles with a non-rebuildable title, principally designed for the transport of goods and people.”; and

- (b) in the subheading “B - Restricted Goods”, by inserting immediately after item 12 the following new items—

“13. Any motor vehicle or motor cycle that is ten years old or older, unless authorised by the Minister.

14. Drones;”.

OBJECTS AND REASONS

Clause 1 of the Bill sets out the short title and commencement.

Clause 2 seeks to amend section 7 of the Act to make clear that the Comptroller a senior revenue officer reports to the Financial Secretary.

Clause 3 of this Bill seeks to require commercial importers to submit a tax identification number on the submission of entries.

Clause 4 of the Bill seeks to provide for a late fee of ten per cent per annum on outstanding amounts due and payable over thirty days.

Clause 5 of the Bill seeks to amend the Act so that vehicles with non-rebuildable titles are prohibited along with drones. It also seeks to prohibit any motor vehicle or motorcycle from being imported that is ten years or older unless authorised by the Minister.