

1891.

VICTORIA.

CUSTOMS ACT 1890.

DRAWBACK REGULATIONS AMENDED.

PRESENTED TO BOTH HOUSES OF PARLIAMENT PURSUANT TO LAW.

At the Executive Council Chamber, Melbourne, the twenty-third day of November, 1891.

PRESENT:

His Excellency the Governor.

Mr. Munro | Mr. Davies
Mr. Shiels | Mr. Graham
Sir F. T. Sargood | Mr. Fraser
Mr. Wheeler | Mr. Peacock.

WHEREAS by section 150 of the Customs Act 1890 it is provided that the Governor in Council may by any Order from time to time specify the articles on which a drawback of duty paid on importation into Victoria may be allowed on exportation therefrom, and the amount of drawback to be so allowed; and may alter or cancel any such Order; and may approve of regulations and conditions for the repacking of dutiable goods, whether such goods be in bond or be entitled to drawback; and for the due protection of the revenue under which or upon which drawbacks may be allowed: Now therefore His Excellency the Governor, with the advice of the Executive Council, doth hereby make the following additions to and alterations in the Regulations relating to Drawbacks made on the twenty-ninth day of September, 1890, and doth order that such additions and alterations shall come into force and take effect from the 1st December, 1891, that is to say:—

The following are additional Regulations:—

No. 15. Exporters of earthenware and glassware must cause the goods upon which they intend to claim drawback to be stacked for measurement in the smallest possible compass consistent with safety, and as may be directed by the officer or officers superintending the operation, and the said goods shall be placed in the packages in which it is intended to export the same in the presence of such officer or officers.

No. 16. Exporters of earthenware and glassware under drawback shall, on rendering their debentures, produce to the proper officer, prior to the passing of the claims, properly certified documents showing the freight measurements of the packages included in the entries.

No. 17. The officer or officers superintending the packing of earthenware and glassware for drawback, in addition to the actual net measurement of the goods, shall also take the outside measurement of the package or packages into which the goods shall be placed, and record both measurements on the back of the entries. They shall also take an account of any other goods contained in such package or packages.

No. 18. When the packing of any goods entered for drawback has been completed the packages containing the same shall be sealed by the officer or officers superintending the operation before leaving the warehouse or place where the goods shall have been packed, and a distinctive mark or label shall be placed by them upon each package, by which it may be identified when received for shipment.

No. 19. Wherever in the Drawback Regulations dated the 29th September, 1890, the words "export value" occur, the said words shall be deleted, and the words "value for home use" substituted therefor.

Form E, appended to the aforesaid Regulations made on the 29th day of September, 1890, is repealed, and the following Form E is substituted therefor:—

FORM E.

DRAWBACK REGULATIONS.

Declaration on Export Entry.

I do hereby declare that I am [the exporter or the exporters] [I am the duly authorized representative of] [the exporter or the exporters] [I am a member of the firm] [the exporter or the exporters] of the goods mentioned in this entry, that the particulars therein contained are true and correct, that the goods are to be exported for use and consumption outside the colony of Victoria, and that draw-

back on same is claimed on the quantities, values, and rates as specified in said entry. That the goods are not entered at a higher value for drawback than the fair market value of such goods in Melbourne, and are not of less value for home use than the amount of drawback claimed.

(2) [I further declare that the invoice, dated and signed by represents the actual price paid, or to be paid, to the exporter [or exporters] for the same, subject to the following terms, viz.: and without any other discount, rebate, or other allowance by the purchaser thereof, trading, residing, or about to reside at in the colony of and that the goods mentioned in the said invoice have been actually and bona fide sold to the said purchaser by the exporter [or exporters] at the prices mentioned in such invoice.]

(3) [I further declare that the said goods are unsaleable in Victoria at a fair price, and are shipped as returned goods, and that the values shown in the invoice, dated and signed by are the true values of same.]

(4) [I further declare that the said goods are shipped for the supply of branch house or agent at in the colony of and that the values shown in the invoice, dated and signed by are the true values of same.]

(5) [I further declare that the statement dated and signed by is a true extract from, or copy of, the original invoices now produced (or to be produced to the proper officer), and upon which the duty was paid.]

(6) [I further declare that said goods are shipped as travellers' samples, to be accounted for at the rates, quantities, values, and general description, as specified in the invoice, dated and signed by the exporter's traveller.]

And I further declare that the said goods were properly cleared at the Customs, and duty paid thereon at the rates specified in this entry, and that none of the said goods were the produce of, or manufactured in, Victoria, except such as are so specified, and that no drawback or rebate on account of damage has been claimed or paid on the said goods, and that the amount of drawback claimed does not exceed the amount of duty paid.

Declared before me at this day of 189

Officer of Customs.

Declaration to be made by exporters of goods, being in other than original packages, on which drawback is allowed by measurement.

I hereby declare that the goods specified in this entry have been stacked for drawback measurement in the smallest possible compass consistent with safety and as directed by the officer [or officers] superintending the operation, that the contents and measurements herein set out are correct in every particular, that the documents hereunto annexed are a true copy of the invoice relating to the sale of such goods, that no other goods except [here state description of other goods (if any) packed in the same case] are contained in the said packages, that the said packages contain the whole of the goods so stacked, and that the goods mentioned in such invoice have been actually and bona fide sold by the exporter [or exporters] to of in the colony of at the prices mentioned in such invoice.

Declared before me at this day of 189

Officer of Customs.

NOTE.—The first and last clauses are to be used in each and every case, and are the only portions of the declaration that are required for goods on which duty on "Fixed rates" is paid.

One of the clauses numbered 2, 3, or 4 (in addition to the first and last) is required when ad valorem goods are exported and drawback claimed at schedule rates, as under.*

The fifth clause (in addition to the others to be used which are appropriate to the particular circumstances of the case) is required when the full duty paid is claimed as drawback.

[Approximate Cost of Paper.—Preparation, not given; Printing (760 copies), £2 0s. 0d.]

The sixth clause (in addition to the first and last) is required for travellers' samples.

* No. 2. When the goods have been sold. No. 3. When the goods are returned unsaleable. No. 4. When the goods are transferred to a branch house.

The declaration is to be printed with a margin of not less than 3 inches on the left-hand side.

The declaration as to measurement goods is required to be made before the Drawback officer by the exporter after the goods have been packed and before being shipped.

The words in Schedule No. 2 to the aforesaid Regulations, made on the 29th day of September, 1890, as follow, are repealed, viz.:-

Articles.	Import Rate.	Drawback Rate.
Earthenware (<i>except</i> photographic, scientific, and telegraphic materials), when repacked	...	2s. per cubic foot
Glassware, repacked (<i>except</i> locket, brooch, watch glasses, and optical, surgical, scientific instruments, and photographic materials, and syphon bottles for aerated waters), viz.:-		
Cut, engraved, etched, frosted, ground, sand-blast	...	4s. per cubic foot
Other	...	1s. 6d. per cubic foot

and the following are substituted therefor:—

Articles.	Import Rate.	Drawback Rate.
Earthenware (<i>except</i> photographic, scientific, and telegraphic materials), <i>except</i> in original packages as imported	...	1s. 4d. per cubic foot
Glassware (<i>except</i> locket, brooch, watch glasses, and optical, surgical, scientific instruments, and photographic materials, and syphon bottles for aerated waters), viz.:-		
Cut, engraved, etched, frosted, ground, sand-blast (<i>except</i> in original packages as imported)	...	3s. per cubic foot
Glassware, other (<i>except</i> in original packages as imported)	...	1s. per cubic foot

These rates to be paid on the actual measurement, ascertained by the proper officers prior to the goods being packed for export, and subject to the regulations made in that behalf.

And the Honorable George Turner, Her Majesty's Commissioner of Trade and Customs for Victoria, shall give the necessary directions herein accordingly.

G. WILSON BROWN,
Clerk of the Executive Council.