

CAYMAN ISLANDS



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**CUSTOMS LAW**  
**(2017 Revision)**

**CUSTOMS (TEMPORARY PROVISIONS) REGULATIONS**  
**(2017 Revision)**

The Customs (Temporary Provisions) Regulations, 2005 made the 22nd February, 2005 consolidated with the Customs (Temporary Provisions) (Amendment) Regulations, 2016 made the 29th December, 2016.

Revised under the authority of the Law Revision Law (1999 Revision).

Consolidated and revised this 1st day of May, 2017.

**CUSTOMS (TEMPORARY PROVISIONS) REGULATIONS**  
**(2017 Revision)**

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**CUSTOMS (TEMPORARY PROVISIONS) REGULATIONS**  
**(2017 Revision)**

1. These Regulations may be cited as the Customs (Temporary Provisions) Regulations (2017 Revision). Citation

2. (1) In these Regulations - Interpretation

“the Law” means the Customs Law (2017 Revision); and 2017 Revision

“water taxi” means a ship intended to be engaged exclusively in coastal excursions in the course of a business for the carriage of passengers.

(2) For the purpose of the definition of “water taxi” -

- (a) “coastal excursion” means an excursion, including an excursion connected with the provision of watersports, in any waters within the jurisdiction lasting not more than one day which starts and ends in the jurisdiction; and
- (b) in determining whether a ship is intended to be engaged exclusively as mentioned in that definition no account shall be taken of any time during which a ship is to be engaged in any other way, if that time would not amount to a substantial part of the time during which the ship is to be engaged as so mentioned.

Regulation of imports	<p>3. (1) Subject to paragraph (2) a person who imports a water-taxi commits an offence and is liable on summary conviction to a fine of one thousand dollars.</p> <p>(2) Paragraph (1) shall not apply to any person who -</p> <ul style="list-style-type: none"><li>(a) has applied to the Cabinet in accordance with regulation 4; and</li><li>(b) has been granted approval for the import under regulation 5.</li></ul>
Application for permission to import	<p>4. (1) An application to the Cabinet for approval to import a water-taxi shall include -</p> <ul style="list-style-type: none"><li>(a) a statement, in relation to each such application, of the proposed uses to which the goods will be put if imported; and</li><li>(b) a copy of all documents relating to the proposed imports and those proposed uses.</li></ul> <p>(2) An application under paragraph (1) shall be accompanied by a non-refundable administrative fee of fifty dollars.</p>
Approval of imports	<p>5. (1) The Cabinet may approve the import of a water taxi if satisfied, having regard to the statement and documents included in the application and all other circumstances, that the import is one which ought to be approved.</p> <p>(2) An approval granted under paragraph (1) may be granted subject to such conditions, including conditions as to the use of the goods to be imported and the duration of the approval, as the Cabinet may determine.</p>
Information	<p>6. (1) The Cabinet may by notice require any person to supply to it such information as may be specified in the notice, being information the Cabinet considers necessary or desirable for the purpose of enabling him to carry out his functions in relation to the application.</p> <p>(2) A notice under paragraph (1) shall require the information to be supplied within such period as may be specified in the notice, being not less than fourteen days from the date of the notice.</p> <p>(3) Where the Cabinet has received an application under regulation 4 and has given a notice under paragraph (1) to the applicant, the applicant shall be treated as having withdrawn the application unless -</p> <ul style="list-style-type: none"><li>(a) he complies with the notice; or</li></ul>

(b) before the end of the period allowed for compliance, he shows to the satisfaction of the Cabinet that he has reasonable grounds for not complying with it.

(4) If any person other than the applicant fails without reasonable excuse to comply with a notice under paragraph (1), he commits an offence and is liable on summary conviction to a fine of one thousand dollars.

(5) If any person, in purported compliance with a notice under paragraph (1), knowingly or recklessly supplies information which is false or misleading in a material respect, he commits an offence and is liable on summary conviction to a fine of one thousand dollars.

7. (1) The Cabinet may, either generally or as otherwise provided by the instrument of delegation, delegate to any member of the Cabinet any power or duty conferred or imposed on the Cabinet by these Regulations, other than - Delegation of Cabinet's powers

- (a) this power of delegation;
- (b) the power to appoint the date of expiry of these Regulations; and
- (c) the power to continue these Regulations in force beyond the day on which they would otherwise expire.

(2) A delegation may -

- (a) be made subject to such conditions, qualifications and exceptions as are set out in the instrument; and
- (b) be revoked or varied by a subsequent instrument.

(3) The Cabinet may exercise a power or perform a duty although the Cabinet has delegated its exercise or performance.

(4) An act or thing done by a member of the Cabinet under a power or duty delegated under this regulation has the same force and effect as if it had been done by the Cabinet.

8. (1) These Regulations shall continue in force until such date as may be appointed by order of the Cabinet and published in the Gazette; and, subject to the remaining provisions of this regulation, these Regulations shall then expire unless continued in force in accordance with those provisions. Duration of Regulations

(2) The Cabinet may continue these Regulations in force for a period not exceeding twelve months beyond the day on which they would otherwise expire.

- (3) The expiry of these Regulations shall not -
- (a) affect things previously done or omitted to be done;
  - (b) revive anything not in force or existing at the time at which the expiry takes effect;
  - (c) affect the previous operation of these Regulations or anything duly done or suffered under them;
  - (d) affect any right, privilege, obligation or liability acquired, accrued, or incurred under these Regulations;
  - (e) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against these Regulations; or
  - (f) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if these Regulations had not expired.

Publication in consolidated and revised form authorised by the Cabinet this 22nd day of May, 2017.

Clerk of Cabinet



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