

Supplementary Order Paper

HOUSE OF REPRESENTATIVES

Tuesday, the 8th Day of September 1970

CUSTOMS ACTS AMENDMENT BILL

Proposed Amendment

NOTE: This Supplementary Order Paper is in substitution for Supplementary Order Paper No. 9, which is not intended to be proceeded with.

Hon. Mr ADAMS-SCHNEIDER, in Committee, to move the following amendment:

Clause 10: To omit subsection (3) of the proposed new section 287, and substitute the following subsection:

“(3) On any such application the Governor-General may, on the recommendation of the Minister, and on and subject to such terms and conditions (if any) as he may determine, waive the forfeiture either in whole or in part, and direct the restoration of any goods or property so seized. Without limiting the generality of the foregoing provisions of this subsection, any such waiver may be made subject to the condition that there shall be paid to the Crown in respect of the goods or property a sum equal to the whole or any part of any one or more of the following, namely:

“(a) Any costs or expenses incurred by the Customs:

“(b) Any duty or sales tax not already paid:

“(c) Any duty or sales tax already refunded:

“(d) The value of the goods or property, as determined by the Comptroller.”

EXPLANATORY NOTE

Clause 10 of the Bill rewrites section 287 of the principal Act, which provides for the waiver by the Governor-General of a forfeiture of goods.

The proposed amendment makes it clear that any such waiver may be subject to terms and conditions, including the payment of the whole or any part of any costs or expenses incurred by the Customs, or of any duty or sales tax not already paid or already refunded, or of the value of the goods.
