



I assent.

[L.S.]

K. K. T. MARA
President

[19 December 1995]

AN ACT

TO AMEND THE CUSTOMS ACT, 1986

ENACTED by the Parliament of Fiji—

Short title

1. This Act may be cited as the Customs (Amendment) Act, 1995.

Interpretation

2. The Customs Act, 1986, is in this Act referred to as the "Principal Act".

Section "52" amended

3. Section "52" of the "Principal Act" is repealed and substituted with the following—

"Period of warehousing

52. If the owner does not lawfully remove any goods which have been deposited in a bonded warehouse within three years of the date of their deposit in the warehouse, the Comptroller may, after giving one month's notice of his intention, proceed to sell the goods in the prescribed manner or otherwise dispose of the goods, and the proceeds of any sale of such goods shall be dealt with in accordance with the provisions of Section 63.

Provided that the Comptroller may in his discretion allow such goods to be re-warehoused by the owner for a further period not exceeding two years”.

Section "111" amended

4. Section "111" of the "Principal Act" is repealed and substituted with the following—

"Powers of Search

111 (1) Any officer may, where there are reasonable grounds to suspect that any goods liable to forfeiture under the Customs laws are kept in any building or place, enter that building or place at any time and search for, seize, detain or remove any such goods, and may, so far as is reasonably necessary for the purpose of such entry, search, seizure, detention or removal, break open any door, window or container and force and remove any other impediment or obstruction:

Provided that entry shall not be made at night except in the company of a police officer.

(2) Any officer acting under subsection (1) may at any time require assistance from a police officer who shall render assistance accordingly.

(3) Without prejudice to any other power under the Customs laws, where an officer declares on oath before a magistrate that he has reasonable grounds to believe that there are in any premises any uncustomed goods or any books or documents relating to any uncustomed goods, the magistrate may by warrant under his hand authorise the officer to enter upon and search the premises with such force as may be necessary, by day or by night, and to seize and carry away any uncustomed goods, and any books or documents relating thereto that may be found in the premises.

An officer in possession of a search warrant may require a police officer to assist him in the execution of the warrant and the police officer so required shall render assistance accordingly”.

Passed by the House of Representatives this first day of December, in the year of our Lord one thousand, nine hundred and ninety-five.

Passed by the Senate this thirteenth day of December in the year of our Lord one thousand, nine hundred and ninety-five.