



Lance

Legislation and Announcements Newsletter of Customs and Excise
"Getting it Straight - Management by Information"



St. Kitts and Nevis

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April - June, 2013

ASYCUDA World implementation plans on track

A five man delegation returned from an ASYCUDA World exploration mission to St. Lucia ahead of its implementation later this year. The team of Trade and Customs I.T. specialists, led by Senior Assistant Comptroller of Customs, Mr. Kennedy De Silva, met with their St. Lucian counterparts over five days, February 25 to March 1, 2013.

The focus of the mission was to experience, firsthand, the capabilities of the ASYCUDA World System specifically in the areas of declaration entry and workflows, concession management, manifest entry and workflow, warehousing, post clearance audit, valuation, risk management external clients, reporting, application structure, database structure and the hardware and software requirements to adequately run and maintain the system.

Significant information was gleaned that pertain to the delivery of a single window import clearance. When implemented, ASYCUDA World will allow for the seamless issuance of permits by authorizing agencies and the online processing of entries by importers or their agents.

Understanding that ASYCUDA World will form an integral part of the 2013 Customs reform initiative, the team has submitted a comprehensive report highlighting the infrastructural, technical and financial requirements needed to successfully implement the system.

"It was good to see ASYCUDA World in use, to see it in operation," Senior Assistant Comptroller De Silva said. "We cannot thank the St. Lucians enough for opening their operations to us and for assuring us that ASYCUDA World is the way to go."

At present, the team is taking note of its system design concepts ahead of the awarding of contracts to the system developers

When finished, ASYCUDA World will bring about fundamental changes to Customs processes.

Ahead of this, management has mandated the Training Department to work closely with the I.T. experts and system developers to create a module of training for Customs officers, our agency partners and for customs agents and brokers.

Deputy Comptroller of Customs, Mr. Georid Belle says that, with purpose and clear vision there is nothing, to stop the department from implementing ASYCUDA World by the first quarter of 2014.

Belle said, "The budgetary provisions have been made. We now know what deliverables we want from the system and we know that they can be developed. We now need to get the job done."

De Silva believes that the department is on track in the effort to implement ASYCUDA World and encourages officers, agents and traders alike to embrace the finished product.

"When we are finished, it will be our system; designed to achieve our trade facilitation and border security objectives," De Silva said.

Other members of the ASYCUDA World exploration mission were Assistant Comptrollers Tavo Sergeant and Warren Pemberton, Customs Technician, Officer Clyve Caines, and Research Officer in the Ministry of Trade, Miss Nyanya Browne. The mission was sponsored by the International Finance Corporation of the World Bank, through the assistance of the Ministry of Trade of St. Kitts and Nevis.



ASYCUDA world



Pen of the Comptroller



Mr. Rodney Harris
Comptroller of Customs

We have completed quite an active and successful first quarter in which many of the department's key objectives were met and while we can look back with pride, we must reflect with a view of better preparing ourselves to be of service.

In January, the staff participated in a number of activities that led up to International Customs Day. These undertakings were intended augment the theme of the celebration (*Innovation for Customs Progress*) and to interact with the public. Thereby, we highlighted the very important functions of the Customs and Excise Department - facilitation, revenue collection and border security.

Some of the activities included a television panel-discussion, visits to schools, t-shirt day, visits to the elderly and officers exchange between the St. Kitts and Nevis Divisions. The activities commenced with celebratory services at the Co-cathedral of the Immaculate Conception on St. Kitts and at the Charlestown Methodist Church on Nevis.

After this, Customs and Excise continued to pursue its training strategy which is undertaken not just for the sake of being active rather we strive to ensure that we deliver a service that is only of an acceptable standard and which enhances individual competencies, professional standards in revenue collection and border security functions.

Our most important asset continues to be our human resource and as such management will seek to make capacity building of our staff its number one priority. Our management team sees training as an integral aspect for ensuring the execution of a meaningful succession plan and the employment of key tools for the proper ongoing delivery of our mandate.

The 9th CCLEC Junior Officers Basic Course got expeditiously on the way on January 28 in the newly relocated Herbert S. Hanley

Training Room with thirty eight course participants. The course was designed to be intense and I am proud to say that at the end we achieved a one hundred percent success rate.

Apart from our local training, we partnered with regional and international organisations and partook in training opportunities they offer especially where funding is available. We salute the Organisation of American States, SEMCAR, the World Bank affiliate the International Finance Corporation and the Caribbean Regional Drug Law Enforcement Training Centre.

Additionally, preparatory work is being done ahead of the creation of the ASYCUDA World platform that would usher in Customs Reform. We thank Senior Assistant Comptroller Kennedy De Silva and his team that travelled to St. Lucia in February and wish them every success as they deliver a first rate electronic platform that would better facilitate trade.

One key projects for this year is the expansion of our Enforcement Division, which will be headquartered in facilities not far from Customs Command Center in Bird Rock. We have moved closer to making this a reality in the first quarter. We hope to complete it by year's end.

Your Customs. Your training.



Furthering our culture of training and staff development the Training Department is delighted to present a synopsis of the first quarter activities

In January, three officers travelled to REDTRAC, Jamaica, to pursue the Narcotics Investigation Course. Additionally, one officer travelled to Panama to participate in a Financial Crime Prevention Workshop.

In February, two officers travelled to REDTRAC, Jamaica, and successfully completed the Financial Investigators Course.

In that same month, thirty-two officers participated in the "Specialized Workshop on Immigration and Customs Controls" organised by Organisation of American States (OAS) and its subsidiaries the Inter-American Committee Against Terrorism (CICTE) and Inter-American Drug Abuse Control Commission (CICAD). This training exercise was hosted in the relocated H. S. Hanley Training Facility.

Also in February, three officers travelled to St. Lucia on an ASYCUDA World Exploration and Working Visit with the kind assistance of the International Finance Corporation.

And also in February, three officers participated in the Risk Management Workshop in St. Kitts that was put on by SEMCAR.

In March, one officer travelled to St. Lucia to attend Regional Clearance System 2013 and SailClear Workshop. In the second quarter, there will be ongoing training in both systems.

Also in March, two officers travelled to REDTRAC, Jamaica, and successfully completed the Precursor Chemical Course.

Customs Officers are once again invited to identify areas of interest for training that will assist in their delivery of service. Please consider and send your suggestions to training@skncustoms.com.

T&T exporters accused of circumventing rules

Courtesy: Jamaica Gleaner
April 11, 2013

Trinidadian exporters are being accused of circumventing import duties by falsely representing some goods traded in Jamaica as CARICOM products.

All goods which meet the CARICOM rules of origin are traded duty free throughout the region.

To meet the criteria, goods have to be completely produced within CARICOM or must be made in the region from materials

imported from outside the Community.

But opposition spokesman on commerce, Gregory Mair, told Parliament's Standing Finance Committee yesterday that he's heard reports of goods entering Jamaica from Trinidad and Tobago which were merely repackaged in that country.

He said this practice is hurting local manufacturers who cannot compete with these cheap imports which are being brought into the country duty free.

Foreign Trade Minister, Senator AJ Nicholson,

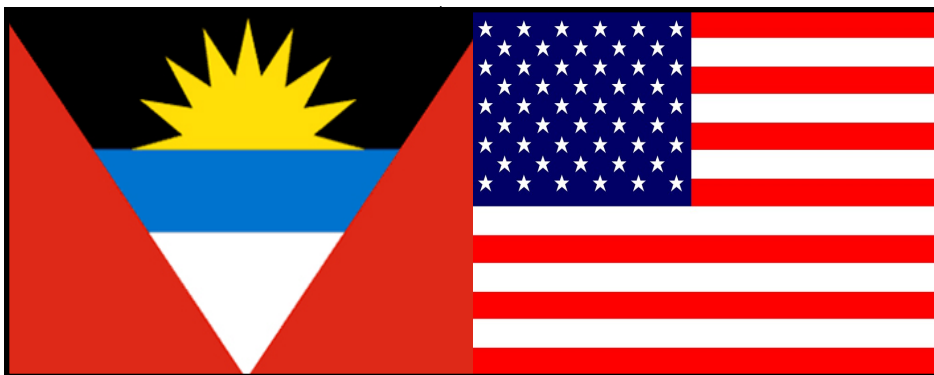
said while he has heard anecdotal reports of the practice, his ministry has received no formal complaint.

He is urging local businesses to report instances in which goods are brought into the country in breach of CARICOM's rules of origin.



Trade dispute resolution remains priority for Antigua-Barbuda

Courtesy: Caribbean News Now
April 4, 2012



ST JOHN'S, Antigua - Representatives of Antigua and Barbuda have sought to keep the trade dispute with the United States on the front burner at World Trade Organization (WTO) meetings even as negotiations continue for an amicable settlement.

"The delegation of Antigua and Barbuda has so far not seen substantial progress on compliance by the United States with the DSB's decision," the country said in a statement this week. "Nor have they seen substantial progress by the United States in achieving a settlement with Antigua and Barbuda."

Noting disappointment with the lack of progress and that the "negative consequences of this protracted impasse are

very real for Antigua and Barbuda," the country called the case a test for member states "seeking to determine whether the (WTO Dispute Settlement Understanding) can deliver practical and timely benefits for small and vulnerable countries."

"The delegation of Antigua and Barbuda also appeals to the DSB to realise that justice delayed is justice denied, and urges closer attention to the systemic issues that surround this case that threaten the health of the system the WTO has for the resolution of trade disputes," the statement read

Ambassador Colin Murdoch said last week that the country is actively pursuing a settlement. He reported that a series of meetings were recently held in Washington,

with trade representatives, senators and intellectual property stakeholders.

Murdoch said, ideally, the country wants access to the US online gambling market, but would be open to discussion about equally beneficial access to other areas.

The WTO ruled in Antigua and Barbuda's favour following a complaint, in 2003, that the US violated the General Agreement in Trade and Services (GATS) by passing laws that made cross-border gambling and betting services illegal.

Antigua and Barbuda requested more than \$3 billion in damages while the US would only concede that its laws had affected the local economy to the tune of \$500,000.

The WTO ruling granted Antigua and Barbuda \$21 million by way of the suspension of the Trade-Related Aspects of Intellectual Property Rights (TRIPS).

After years of fruitless negotiation, in January, the country sought and received authorization from the DSB to apply the sanctions.

The Emotional Intelligence (E.Q.) Difference: Reflection

By: Adele B. Lynn (*The E.Q. Difference, A Powerful Plan for Putting Emotional Intelligence to Work*)

I once heard the statement, “There’s a huge difference between thirty years of experience and one year of experience repeated thirty times.” I love this statement because it captures the true essence of wisdom. Wisdom is not about putting in time in this thing called life. It is about the profound knowledge that comes from life experience.

I can say this because I don’t think wisdom is the outcome of only life experience, for I know some children who are quite wise with little experience and some very old people who are very unwise despite their long years of experience. However I think we can use our life experience to create wisdom if we pay attention.

Reflection is the rain and sunshine and fertilizer that can turn life experience into wisdom. Without reflection our promising seeds of wisdom will die. With reflection they will sprout and bear fruit that can be harvested and enjoyed daily.

I know of no other area in life where this holds truer than in the area of emotional intelligence. Sure, you can become a wiser gardener, a wiser cook, or a wiser mechanic with experience; the years are bound to teach something. But to become a better parent, a better leader, a better person will require thoughtful reflection on these intangible acts that make up our human interactions. The measures are also more obscure in the latter.

As I become more adroit in the kitchen, I know that I can handle a knife better than I did thirty years ago. I can see the result. Yet how do I know that I am a better person?

Life will provide us with ample opportunities to practise becoming better people, but reflection will help us to decide what to do with those opportunities. Just as any sports team watches game highlights to rehash the plays that made them win or

lose, your mind can watch your life highlights. Then, with help of the coach, these sports teams decide what to practise to improve their game.

Although we may not have the luxury of having our game on videotape, we surely can benefit from the practice of review. That’s what reflection is all about.

Reflection is our opportunity to watch the tape of our daily experiences and interactions with others rolling in our minds. This tape contains all the moments of brilliance, as well as our moments of mistakes.

Review and reflection is our mental practice at becoming wiser. It is the opportunity to rewire our brains, to mentally practise different endings and to practise being our most inspired selves. It is the opportunity to work with our self-coach, who can provide the commentary and the direction for redirecting our actions in the next game. It’s all about reflecting on what went well and rehearsing to make the rest of it better.

Reflection is not about regret. Sure, you will experience some regret as you reflect, but regret in and of itself is a useless emotion. You can use regret as a signal to your self-coach that something requires improvement. Beyond that, let it go.

If you use your reflection time solely for regret, and you practise beating yourself up for your errors, you’ll accomplish nothing other than to become better at self-degradation. This will not serve as a means to greater emotional intelligence.

Reflection isn’t about rationalizing or justifying. Emily Schultheiss, business coach and author of *Day By Day, A Journey Towards Thriving*, distinguishes the difference between reflecting to justify versus true reflection. She said that too often we spend our most valuable moments of reflection justifying what we’ve done. Rather she suggests, “What could have been different? When you can get in touch with what’s in the back of your mind, then your reflection can serve a greater purpose.”

In an interview, Tom Kopler, internal organisational development professional, adds the thought that when in reflection, Stephen Covey’s principle, “Seek first to understand rather than to be understood,” holds true.

Reflection isn’t about reflecting solely on your feelings. It is essential that we also reflect on the facts. I’m not talking about the fact that two plus two equals four., but the fact surrounding our interactions with others, not our feelings.

Franky Johnson of Johnson and Lee Consulting put it this way: “When we reflect, we must reflect on how others actually receive the information or interaction, not what we intended for them to receive.” It should take into consideration not only what your intentions were and how you felt about your actions, but more importantly how did others on the receiving end of your intentions view your actions.

I am not suggesting that good intentions are bad. I’m only suggesting that intentions alone are not enough. Intentions executed into actions that others perceive in the manner in which we intend truly align us and the only way to determine this is to reflect on how others receive our behaviour.

You can try these reflection methods:

- Journaling
- Lessons Learned Log
- Mentoring
- Trusted Friends
- Dream Team
- Coaching
- Volunteering
- Hobbies
- Reading
- Yearly Pilgrimage to Favourite Spot

Whatever your method, always note that reflection is a critical component of your display of emotional intelligence.

Trade News

Barbados insists Myrie was an undesirable visitor

Courtesy: Caribbean Media Corporation
January 11, 2013

PORT OF SPAIN, Trinidad – Queen Counsel Roger Forde has defended the Barbados government immigration policy insisting that Caribbean Community (CARICOM) nationals must first pass a test to enter the island in order to be allowed to benefit from the CARICOM free travel initiative.

Forde was making his final arguments Tuesday before the Caribbean Court of Appeal (CCJ) that is hearing the case in which Jamaican Shanique Myrie claimed that she had been discriminated against because of her nationality when she travelled to Barbados on March 14, 2011.

Myrie, 25, alleged that when she travelled to Barbados she was also subjected to a body cavity search, detained overnight in a cell and deported to Jamaica the following day.

Myrie is also alleging that she was subjected to derogatory remarks by a Barbadian immigration officer at the Grantley Adams International Airport and is asking the CCJ to determine the minimum standard of treatment applicable to CARICOM citizens moving around the region.

Her lawyers have asked the CCJ, which has reserved its ruling in the matter, to order Barbados to pay approximately US\$500,000 compensation to their client.

But Forde told the court that Myrie's statement contained several inconsistencies and that there is no evidence to support a claim of discrimination.

He said several parts of the statement she gave could not be verified and on that basis alone, her entire testimony should be dismissed.

The Queen Counsel told the court that people had a right to stay in Barbados for six months under the CARICOM Single Market and Economy (CSME) that allows for the free movement of goods, skills, labour and services within the region, if they were able to first pass the test to enter the country in the first place.

Forde urged the CCJ, which also acts as tribunal interpreting the Revised Treaty of Chaguaramas that governs the 15-member regional grouping, that a regional heads of government conference decision in 2007 which states CARICOM nationals should be allowed into member states for six months is not binding because it was never written into local law.

Forde argued that the conference decision, even if it is determined to be binding by the CCJ, cannot trump the ability of Barbados' border officials to thoroughly determine the desirability of any CARICOM national seeking to enter the island.

He reminded the court that Myrie gave Immigration authorities an address and telephone number of a person whom she claimed she would be staying during her stay in Barbados, but when the host was contacted she indicated that she was allowing Myrie to use her address and phone number, but would not be responsible for her accommodation.

Forde said that instead a man arrived at the airport to pick up Myrie, even as Myrie claimed she did not know him.

He said this situation, coupled with Myrie's personal conduct brought officials to deem her as an undesirable visitor.

But three of the six-panel CCJ judges disagreed that it was a fundamental issue, even as the Barbados lead lawyer maintained that the Jamaican was not telling the truth.

In her submission to the CCJ, attorney Gladys Young, who is representing CARICOM, said that on entry into any CARICOM country, Caribbean citizens would get an automatic six month stay.

However she explained that the member state can refuse entry on the basis of undesirability or in order to prevent the person from becoming a drain on the public purse.



In further explaining the term "undesirable" the attorney said that while there is no parameter in the CARICOM treaty for assessing personal conduct, if it is found that there is a genuine serious and sufficient threat, then the person may be refused entry.

Myrie was initially granted permission to enter Barbados, but that clearance was cancelled less than an hour later after investigations by senior Immigration Officer, Merlo Reid showed she had lied about who her host would be in Barbados.

"Merlo Reid did not reject Shanique Myrie because of the colour of her shoes or the colour of her hair. He did not deny her entry because she was a Jamaican. He denied her because it was discovered she was untruthful," Forde said.

The CCJ, established in 2001 to replace the London-based Privy Council as the region's final court, held sittings in Jamaica and Barbados and Myrie's attorney Michelle Brown Monday urged the judges to completely believe the entire testimony of Myrie because the woman's evidence had remained consistent and accurate throughout the process of the hearing before the CCJ.

She told the CCJ that it was one thing to refuse Myrie entry but it was another thing to detain her.

First Quarter



2013 Activities



Feature Address at the 9th CCLEC Junior Officer Course Closing

Delivered by Dr. Hon Earl Asim Martin
March 25, 2013



Ladies and Gentlemen: Permit me to begin by commending the Customs and Excise Department for its steadfast commitment to ensuring that those who are interested in a career in our Customs Department are properly equipped. And the Department does this by ensuring that at the beginning of each year, the men and women of this country who wish to move forward in this area, receive the type of training that is essential if they are to serve our nation with confidence and professionalism.

Year after year, the Department ensures that Junior Customs Officers are provided with the insights, the skills, and the attitudes that would enable them to represent – and protect – this country to the best of their abilities, and for this, we thank them.

And now to the Junior Customs Officers: Congratulations to you.

For the last two months, you have been working to master the responsibilities that go along with being a Customs Officer, and you have done this because of the importance of the roles that you are about to assume on behalf of our nation.

The motto of the Customs and Excise Department is “To Protect and Collect.” But in those seemingly simple words – “To Protect and Collect” - is a host of complex and

far-reaching responsibilities and requirements, some of which have been imparted to you over the past eight weeks, and many more of which will be imparted in the years ahead.

Ladies and Gentlemen: Being a Customs Officer today is far more complex than being a Customs Officer twenty or forty years ago.

The world is far more complex, the volume of goods and visitors that come to our port is many times greater, and the number of persons trying to circumvent our laws far more skilled than they were in days gone by.

And it is these realities that demonstrate how very important the work is that you are being asked to undertake in order to protect our country’s borders; in order to ensure that our Treasury receives the funds to which it is entitled; and in order to make certain that St. Kitts-Nevis upholds both the rules and regulations that our legislators have put forward here at home, as well as the internationally accepted rules and regulations to which we, as a sovereign nation, also subscribe.

In order for you to be able to uphold both the laws of St. Kitts-Nevis, as well as the international regulations to which we subscribe, you, as Customs Officers, are expected to be individuals of sterling character. It is essential that you be incorruptible.

And it is vital that you not allow anyone - or anything - to cause you to violate the practices, the procedures, and the standards that you, during your just-concluded training, were taught to uphold.

Last year at this time, Commissioner C. G. Walwyn, while addressing the junior officers who had just completed their Caribbean Customs Law Enforcement Council Training, pointed out the fact that as junior officers they were required to, at all times, adopt an attitude of excellence.

Most importantly, he reminded them that excellence is not something that we try today, abandon tomorrow, then pick up again one week later.

“Excellence”, Commissioner Walwyn stressed “must be a habit.” *A habit* – and it is very important for you to remember this.

Indeed, Commissioner Walwyn went beyond this to remind last year’s trainees that they had a duty to both God and country to, at all times, avoid “even a hint of suspicion”.

Even more important words for you to remember. A professional and responsible attitude is not enough, though - even though they are, of course, extremely important.

Of equal importance is your determination to remain well informed, and up-to-date, regarding the current traveler environment.

You must know and understand this. In addition, the vast majority of imports into this country arrive here as cargo or commercial goods. And so, it is essential for you, also, to be well-versed on the policies that your government has put in place regarding the cargo and commercial goods that will come under your scrutiny.

And then, of course, there is the issue of enforcement: Our National Assembly legislature has gone to great lengths, as we know, to pass laws to protect our country’s social and economic interests.

That is the first part of the equation.

The second and equally essential part relates to enforcement. That is where you come in, because it does not matter how many laws are on the books.

It does not matter how clearly our regulations, rates, and charges are specified in our system, because they will not be enforced by magic. They are enforced only as a result of the vigilance and professionalism of the men and women who comprise our Customs and Excise Department. And on these men and women, on you, Ladies and Gentlemen, our country depends.

Valuation, Classification, and Risk Assessment are areas that Customs Officers are expected to master.

Continued on pg. 9

38 successful in CCLEC Junior Officer Basic Training Course



The 9th CCLEC Junior Officer Basic Training Course formally ended on Monday, March 25, 2013 with all 38 participants successfully passing.

The course was designed to widen the knowledge and strengthen the capacity of junior officers in Customs legislation and procedures.

This batch was considered by Assistant Comptroller of Customs with responsibility for Training, Mr. Theodore Brown as the largest and most diverse group in the history of the Junior Officer Basic Training Course.

Course participants hailed from the islands of Anguilla (6), Montserrat (3), Nevis (3) and St. Kitts (26).

Valedictorian of the Class is Officer Nashorn Maynard who amassed an average of 89%. In his address, Maynard highlighted the significance of the course to his personal development and the overall improvement of the service he and his batch-mates can and will offer now that they are all competently trained.

The keynote speaker of the day was Deputy Prime Minister, Hon. Dr. Earl Asim Martin (*See Address pg. 8*) who highlighted the sobriety and importance with which the role of the Customs

Officer is to be taken, through vigilance and professionalism.

In attendance were Sen. Hon. Richard Skerrett, Police Commissioner Calvin G. Walwyn, Assistant Comptroller Ms. Karen Lake and Senior Officer Ms. Jewel Phillip both of Her Majesty's Customs Anguilla and other senior Civil Servants and family and friends of the course participants.

Comptroller of Customs, Rodney Harris admonished the participants to never lose their integrity as their professional development and the image of their respective departments and islands depended on it.

The 9th CCLEC Junior Officer Basic Training Course is expected to be the last of this format as plans are already being formulated to introduce an e-platform to execute the programme.

The Comptroller of Customs and all of the Customs family, wish the course participants every success in their future endeavours.

Best Results - Nashorn Maynard (SKN)
Best in Final Exam - Kadeem Carty (AXA)

Feature address continued.

The mastery of Legislation, our Bureau of Standards, and Customer Service techniques are all key to your individual operations as Customs Officers.

And so, I again commend you for the diligence that you have demonstrated over the past eight, nine weeks. And I stress to you, again, just how very important your work, your efforts, and your contributions, as Customs Officers, are, to the well-being of our nation.

St. Kitts-Nevis exports more manufactured goods than any OECS country – including Barbados.

We have generated a higher rate of increase in tourist arrivals than any other country

in all of Caricom.

And we attract more foreign investment than any country in the entire Caribbean region. All while being the smallest nation in the entire Western Hemisphere.

All of this is the result of years of hard work and planning because despite the global economic crisis, the level of economic activity in our country clearly moving upward.

And this, of course, has direct implications for you as Customs Officers.

Because with more economic activity, come more imports, and more visitors – for both business and pleasure.

The training that you have just completed, therefore, will serve you well.

Prime Minister Douglas, my Cabinet colleagues and I are very pleased that you stepped forward to take advantage of it.

Permit me, therefore, to wish you the very best both now and in the future, as you serve this country, that we all love, in your official roles as properly trained St. Kitts-Nevis Customs Officers.

Congratulations, once again, and thank you..

Offences and penalties under the law (Part II)

In this issue of LANCE, we will conclude our focus on key aspects of Part X of the Customs (Control and Management) Act as we discuss the offences and penalties under this piece of legislation.

The law makes it an offence, under **Section 111**, for anyone to offer smuggled goods on sale whether or not those goods are chargeable with duty. Smuggled goods are liable to forfeiture and the person found offering could be liable to pay five thousand dollars or three times the value of the goods (which ever is greater) or be imprisoned for two years or both.

Section 112 makes it an offence to move, carry, or conceal of goods deemed prohibited or restricted whether they are at the time being imported, exported or carried coastwise.

This section further deems the disguising of an offensive weapon to be Customs offence and any such item found is liable to forfeiture and a person found carrying such a weapon is liable to imprisonment for five years.

Section 113 makes it an offence to deliver to Customs any document, declaration or notice that is untrue. Any such offender is liable to pay ten thousand dollars and have any goods in relation with the declaration, notice or documents forfeited.

This section also makes it an offence to knowingly or recklessly make untrue statements, declarations, notices, certificates and other documents which he or she is required to produce. The offender is liable to a fine of ten thousand dollars or two years in prison or both.

All monies in form of drawbacks, allowances, rebates or unpaid duties shall be payable immediately to the Comptroller of Customs.

The law makes it an offence under **Section 114** to produce counterfeit documents or alter or knowingly receive altered documents. Such a person is liable to a fine of ten thousand dollars or to two years in prison or both.

Section 115 makes it an offence to provide scales of weights, measures and measuring machines and instruments that do not give a true reading. Where wrong readings are found to prevent, hinder or deceive an officer from taking a true account or making a due examination, an offence would have been committed and the offender is liable to pay a fine of five thousand dollars.

Section 116 makes it an offence to knowingly acquire goods that have been unlawfully removed from a warehouse, goods chargeable with duty which has not been paid, or prohibited and restricted goods being imported or exported. The section further identifies the activities of carrying, removing, depositing, landing, harbouring, keeping or concealing or in any manner dealing with such goods

and with fraudulent as an offence that is liable to a fine of ten thousand dollars or three times the value of the goods (which ever is greater), or to imprisonment for five years or both. The goods are liable for forfeiture.

Section 116 further makes it an offence where there is proof of fraudulent evasion or an attempt at evasion with regard to duty payable on any such goods.

Section 117 makes it an offence to unlawfully and prematurely remove or tamper with locks, seals and marks. An offender is liable to a fine of five thousand dollars or three times the value of the goods (which ever is greater). The goods are liable for forfeiture.

Section 118 provides for additional offences being those found in regulations, rules, proclamations, orders, notices or directives published in the *Gazette* and related to Customs.

The violations of any such offences shall cause the offender to a fine of five thousand dollars.

A comprehensive knowledge of the offences as laid out in the Customs Act is the basis for "enforcing Customs laws at our borders" as is put in our Mission Statement.

Knowledge is Power!

Court rules against Delta in fuel seizure; judgement close \$1.5M

**Courtesy: BVI Platinum News
February 14, 2013**

The High Court has ruled in favour of Her Majesty's Customs in relation to last year's seizure of a large quantity of fuel held at Delta's storage facility located at Pockwood Pond.

Following the judgment which was delivered on February 14 in Chambers by Madame Justice Vicki Ann Ellis, Commissioner of Customs Wade Smith in an exclusive interview

with BVI Platinum News, stated that the judgment amounts to a \$1.5M victory for Central Government.

"The judgment basically speaks to the forfeiture of the fuel which is approximately 240,000 gallons of fuel, give or take, and the forfeiture of the container or tank that it is in. When you look at that, the value at the pump of a gallon of fuel is roughly \$5.00 per gallon...so you are looking at 240,000 gallons by \$5; you are looking in the vicinity of \$1.2M and

the tank again can be anywhere between \$200,000 or \$300,000, so it can be a \$1.5 million judgment. So again, I would like to commend the Customs Officers for their vigilance. We are extremely happy at this time; it took a while, but we are here," he explained to BVI Platinum News shortly after the judgement.

Following the seizure in September last year, Delta moved to the High Court to have the fuel released

Laughter - the best medicine

The twins



A lady pregnant with twins was in a car accident and went into a coma. During the coma she gave birth to twins, a boy and a girl.

Some time later when she awoke from the coma, she was told that she had given birth and that her brother Mervyn had been nice enough to

name them. The mother was extremely upset to hear this.

She told the nurse that they never should have let her brother name the children because he was a blithering idiot.

The nurse assured her that he had

done rather well; he named the little girl "Denise".

The mother seemed to be okay with that, so she asked what he had named her son.

The nurse replied, "Denephew".

FIND THE 9th CCLEC Course Participants

Akeem
Amal
Amerelle
Akemael
Calvin
Clyde
Collene
Damien
Daniel
Darren
Ekron
Feleacia
Glenroy
Glenville
Jarid
Javier
Javin
Junel
Kadeem
Kajali
Karim
Kay
Keifer
Keizel
Lansbury
Larry
Longs
Nadia
Nashorn
Osmond
Rezzaro
Sharma
Sheniqua
Sherima
Shiwani
Trevlyn
Viola
Vonrick

H	U	D	G	E	H	X	U	O	G	F	E	L	E	A	C	I	A	C	E	R	F	R	I	L
E	A	N	E	R	E	L	L	K	O	F	S	H	E	Y	S	E	G	J	L	E	O	P	E	R
S	H	I	W	A	N	I	E	P	A	Y	O	N	F	E	H	X	G	T	R	E	V	L	G	R
A	O	E	C	M	C	R	E	D	O	J	I	O	Q	U	A	E	K	R	O	N	D	R	O	Y
O	L	R	Z	A	D	I	M	Z	S	T	A	V	D	U	R	S	O	X	J	A	R	R	E	D
X	H	D	O	L	V	C	I	C	Z	B	K	L	R	H	M	T	I	L	A	G	V	X	E	A
T	E	A	M	P	R	K	O	Z	M	A	L	O	I	V	A	D	Y	O	V	I	B	R	D	N
R	E	Z	Z	A	O	L	R	N	T	C	A	K	E	E	M	E	H	D	I	L	G	M	A	I
E	O	L	N	G	L	E	N	R	O	Y	U	L	G	H	E	K	K	C	E	E	L	Y	K	E
V	O	N	R	E	V	A	U	Q	N	E	H	S	X	V	E	R	E	I	L	A	U	R	Y	L
L	G	P	N	C	N	T	R	E	Z	Z	A	R	O	I	D	I	B	J	O	M	K	E	L	C
Y	S	E	J	A	T	S	D	R	A	D	L	O	F	C	A	H	Y	A	L	E	O	I	V	O
N	R	H	U	R	U	J	M	E	Y	C	M	E	W	Y	K	G	I	R	A	K	V	S	E	L
G	Z	O	E	J	A	V	I	E	R	A	R	K	O	D	J	E	D	R	Z	A	H	B	K	E
B	E	P	W	R	V	S	G	E	L	L	E	R	E	M	A	M	T	K	E	I	Z	E	L	G
R	O	X	I	N	I	E	B	O	G	V	N	E	Y	S	U	R	Z	Z	A	D	O	L	V	N
S	K	D	R	O	Y	M	N	A	D	I	A	X	U	E	Q	K	R	A	J	R	I	A	G	E
T	E	N	V	D	U	I	A	G	L	N	I	V	A	J	I	X	F	E	U	V	E	N	W	P
E	I	O	N	Q	K	S	E	G	O	R	E	O	E	E	N	L	L	O	N	H	C	S	T	O
E	F	M	C	P	A	D	M	I	R	A	K	N	L	F	E	O	C	E	E	F	M	B	A	W
H	L	S	I	Z	Y	E	H	Z	Z	P	A	R	D	E	H	N	L	I	L	G	A	U	Q	Y
L	E	O	U	L	A	N	S	B	R	Y	R	I	J	U	S	G	Q	U	A	R	W	R	E	R
D	O	G	C	M	H	J	C	U	S	G	I	C	P	N	O	S	E	E	L	A	P	Y	A	R
R	J	F	I	N	O	V	F	L	Q	U	B	K	D	F	I	J	D	W	P	E	T	S	P	A
X	J	H	N	E	I	M	A	D	J	U	Y	X	E	L	L	N	A	S	H	O	R	N	S	D

Sports Club Corner - Customs tournament recap

The annual Customs Tournament was held in St. Lucia during the period March 28 to April 2, 2013 under the theme "Water Divides, Tournament Unites".

The tournament was declared officially opened by St. Lucia Prime Minister, the Hon. Dr. Kenny Anthony, at a ceremony held on Thursday March 28.

Various sporting disciplines were played including basketball, football, beach volleyball, dominoes and mixed cricket.

The contingent from St. Kitts and Nevis comprised of twenty-three (23) persons and the team participated in basketball, football and volleyball and placed 2nd runner up in the volleyball.

With the success of the opening ceremony where there was a live band which was followed by a deejay, the social evenings were appreciated by everyone.

The cultural evening saw a variety of performances from various countries including a folk song with complimentary guitar music from Antigua and Barbuda, a rendition of Rihanna's "Diamond" by a 10 year old from Barbados and a cultural dance explosion which showcased "chutney" and "African" and a calypso rendition of Super Blue "Fantastic Friday".

Saturday the contingent participated in guided tours which were organised by the St. Lucia Sports Club to Point Seraphine, the duty free area, in Castries.

Sunday March 31, was spent on the beach with a picnic at Pigeon Point. Volleyball, dominoes and fun sports such as "bun eating" competition are some of the events that took place.

There were lots to eat and drink and we got to sample the local cuisine at every event. The tournament was an enjoyable one and the visit to St. Lucia was splendid.

The next tournament will be held in the British Virgin Islands during the Easter weekend of 2014.



Happy Birthday

April

3 - Dennicia Jeffers
9 - Nigel Claxton
10 - Petrona Thomas
14 - Kellman Matthew
15 - Ernesto Thomas
16 - Mildred Martin
21 - Amal Pemberton
21 - Calvin Pemberton
23 - Nadrine Daniel
24 - Cephus Whittaker
26 - Mervyn Woodley
29 - Calvin Mitchum

May

4 - Natasha Morton
5 - Jennifer Caines
5 - Trishnel Warner
6 - Ivor Wrensford
12 - Donna De Silva
14 - Vonrick Morton

May

17 - Kaymoye David
19 - Owsald Patrick
20 - Ferris Charles
20 - Desroy Daniel
20 - Curtley Mills
22 - Laurecia Williams
23 - Kennedy De Silva
28 - Ozbert France
29 - Tavo Sargeant

June

4 - Clement Duporte
8 - Jo-anne Eddy
12 - Cliburn Jeffers
14 - Fostina Archibald
17 - Nashorn Maynard
24 - Tito Huggins
24 - Glenville Woodley
25 - Kimbel Warner