

COMMONWEALTH OF DOMINICA

STATUTORY RULES AND ORDERS No. 50 OF 1991.

REGULATIONS

MADE by the Minister under Section 31 (1) (a) of the Customs (Control and Management) Act, 1985 (No. 16 of 1985).

(Gazetted 28th November, 1991.)

1. These Regulations may be cited as the— Short title.
BANANA CARTONS (RESTRICTION OF EXPORT) REGULATIONS, 1991.
2. In these Regulations— Interpretation.
 “banana carton” means any carton used by the Corporation for the export of bananas or bearing the name of the Corporation printed thereon;
 “Corporation” means the Dominica Banana Marketing Corporation established by the Dominica Banana Marketing Corporation Act 1984. No 11 of 1984.
3. Subject to regulation 9 no person shall: Storage of
Banana Cartons.
 (a) store banana cartons for export
 (b) store goods in banana cartons for exports
4. Subject to regulation 9 no person shall load or cause or permit to be loaded on to any vessel or aircraft goods intended for export which are contained in or consist of banana cartons. Loading of
Banana Cartons.
5. Any banana carton and any contents therein found on a vessel or aircraft shall, unless the contrary is proved, be presumed to have been loaded with intent to export the same. Presumption
of Loading.
6. Any banana carton and any contents therein found at a port or wharf shall, unless the contrary, is proved, be presumed to be stored for export. Presumption
of Storage.
7. The Comptroller or any proper officer may detain any vessel or aircraft which he reasonably believes has on board banana cartons in contravention of these regulations and, may for that purpose— Detention of
Vessel.

(a) refuse clearance of any vessel or aircraft;

(b) where clearance has been granted to a vessel or aircraft and that vessel is within the waters of Dominica or the aircraft is at an airport, demand that clearance granted be returned to him.

Penalty.

8.—(1) Any person who contravenes these regulations or any owner or master of a vessel or owner or commander of any aircraft on which banana cartons are found in contravention of these regulations is liable on summary conviction to a fine of three thousand dollars;

(2) Where a person is convicted under subregulation (1) the cartons which formed the subject of the prosecution and the contents thereof shall be forfeited.

Exemption.

9.—(1) These Regulations do not apply to any banana carton:

(a) in the possession of Geest Industries (W.I.) Limited, ABC Containers (Dominica) Limited, WINBAN, and the Corporation.

(b) designated or labelled a used banana carton by the Corporation.

(2) A carton shall be deemed not to be a used carton until the contrary is proven.

These regulations shall come into effect on the 16th day of December, 1991.

Dated this 15th day of October, 1991.

ALLEYNE J. CARBON
*Acting Prime Minister and Minister
for Finance*