

S.I. 2009 No. 127

Customs Act
Cap. 66

**CUSTOMS (LIST OF PROHIBITED AND RESTRICTED
IMPORTS AND EXPORTS) ORDER, 2009**

The Minister in exercise of the powers conferred on him by section 90 of the *Customs Act*, makes the following Order:

1. This Order may be cited as the *Customs (List of Prohibited and Restricted Imports and Exports) Order, 2009*.

2. (1) The goods set out in Part I of the *First Schedule* are prohibited imports within the meaning of section 89(1) of the *Customs Act*, and shall not be imported into Barbados. First
Schedule.
Cap. 66.

(2) The goods set out in Part II of the *First Schedule* are restricted imports within the meaning of section 89(1) of the *Customs Act*, and may, subject to the conditions stipulated with respect to such goods, be imported. Cap. 66.

3. (1) The goods set out in Part I of the *Second Schedule* are prohibited exports within the meaning of section 89(2) of the *Customs Act*, and shall not be exported from Barbados. Second
Schedule.
Cap. 66.

(2) The goods set out in Part II of the *Second Schedule* are restricted exports within the meaning of section 89(2) of the *Customs Act*, and may, subject to the conditions stipulated with respect to the exportation of such goods, be exported. Cap. 66.

4. The prohibitions and restrictions on the goods set out in the *First* and *Second Schedules* that are imposed pursuant to section 89 of the *Customs Act*, shall apply to the goods concerned, irrespective of Cap. 66.

(a) how the goods are packaged; or

(b) whether the goods are combined with other goods which are neither prohibited nor restricted.

First
Schedule.
Cap. 329.

5. (1) No person shall import any of the goods set out in the *First Schedule* to this Order except that person is authorised to do so by a licence issued, in respect of the goods, by the Minister under the *Miscellaneous Controls Act*.

Second
Schedule.
Cap. 329.

(2) No person shall export any of the goods set out in the *Second Schedule* to this Order except that person is authorised to do so by a licence issued, in respect of the goods, by the Minister under the *Miscellaneous Controls Act*.

L.N. 115/
1963.

6. A licence that was issued in respect of any of the goods under the *Customs (List of Prohibited and Restricted Imports and Exports) Order, 1962*, prior to the commencement of this Order shall continue to be in effect for a period of 6 months from the date of the commencement of this Order.

L.N. 115/
1963.

7. The *Customs (List of Prohibited and Restricted Imports and Exports) Order, 1962* is hereby revoked.

FIRST SCHEDULE

(Paragraphs 2(1) and 5(1))

PART I

PROHIBITED IMPORTS

(Section 89(1))

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| 1. | Base or counterfeit coin of any Country. | Coin
counterfeit. |
| 2. | Coin legally current in Barbados or any money purporting to be legally current, not being of the established standard in weight and fineness. | Coin
substandard. |
| 3. | Articles of food intended for human consumption declared by the competent public health authority to be unfit for that purpose. | Food, unfit
for con-
sumption. |
| 4. | Indecent or obscene prints, paintings, photographs, books, cards, lithographic or other engravings or any other indecent or obscene articles. | Indecent
articles. |
| 5. | Infected cattle, sheep or other animals or carcasses thereof, and hides, skins, horns, hoofs or any other part of cattle or other animals which may be prohibited in order to prevent the introduction or spread of any communicable disease. | Infected
cattle. |
| 6. | Prepared opium and pipes or other utensils for use in connection with the smoking of opium or the preparation of opium for smoking. | Opium
prepared. |
| 7. | Fictitious stamps and any die, plate, instrument or materials capable of making any such stamps. | Stamps. |
| 8. | Toy guns that are capable of discharging any matter whatsoever accompanied by an explosion or a gun like sound. | Toy guns. |
| 9. | (1) Fruit or vegetables, other than dried or canned, that have been grown in or conveyed through the state of Florida in the United States of America, save and except those fruit or vegetables as are accompanied by a Phytosanitary Certificate stating that the fruit or vegetables have been fumigated by a competent entomological officer and are free from the Mediterrean Fly. | Fresh
fruit and
vegetables. |

(2) Any fruit or vegetables that are brought to Barbados by any vessel or aircraft which has cleared from any port or airport in Florida with the fruit or vegetables on board shall be deemed to have been grown in or conveyed through Florida unless proof to the contrary be given to the satisfaction of the Comptroller of Customs.

- Ozone depleting substances or chemicals. 10. Substances or chemicals within tariff heading number Ex 29.03 namely halons, carbontetrachloride, methyl chloroform, hydrobromofluorcarbons, and bromochloromethane, including any derivative or mixture thereof, which is capable of depleting the ozone layer.
- Generals. 11. Goods the importation of which is prohibited by any other law of Barbados.

PART II

(Paragraph 2(2))

RESTRICTED IMPORTS

(Section 89(1))

- Arms etc. Cap. 179. 1. Arms and ammunition, except under licence issued by the Minister under the *Firearms Act*.
- Cannabis sativa, etc. 2. *Cannabis sativa* (known as Indian hemp or bhang), cannabis indica, choras, or any preparation or mixture thereof, except under a licence issued by the Chief Medical Officer.
- Imitation notes, etc. 3. Goods which bear a design in imitation of any currency or bank notes or coin in common use in Barbados or elsewhere unless with the approval of the Comptroller.
- Spirits, etc. 4. Spirits (not being liqueurs, cordials, perfumed spirits or medicinal spirits) and wine, unless specifically reported as such, and unless in aircraft, or in ships of 20 tons burden at least, and in casks and other vessels capable of containing liquids, each of such casks or other vessels being the size or content of 9 gallons at the least or unless in glass or stone bottles properly packed in cases, or in demijohns, each case or demijohn containing not less than one gallon.

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| <p>5. Tobacco, cigars, cigarillos or cigarettes, unless specifically reported as such and unless in aircraft, or in ships of 20 tons burden at least, and unless in whole and complete packages each containing not less than 20 pounds net weight of tobacco, cigars, cigarillos or cigarettes, except that less than 20 pounds may be imported by Parcel Post.</p> | <p>Tobacco, cigars, etc.</p> |
| <p>6. Tobacco extracts, essences or other concentrations of tobacco, or any admixture thereof, tobacco stalks and tobacco stalk flour except under such condition as the Comptroller, with the approval of the Minister, acting in his discretion may either generally or in any particular case allow.</p> | <p>Tobacco extracts, etc.</p> |
| <p>7. All goods which if sold would be liable to forfeiture under the <i>Trade Marks Act</i>, and also all goods of foreign manufacture bearing any name or trade mark or purporting to be the name or trade mark of any manufacturer, dealer, or trader in Barbados or the United Kingdom or any British possession, unless the trade name or trade mark is accompanied by a definite indication of the country in which the goods were made or produced.</p> | <p>Goods liable to forfeiture under <i>Trade Mark Act</i>.
Cap. 319.</p> |
| <p>8. Goods bearing the Royal Arms of Great Britain or arms so closely resembling the same as to be calculated to deceive unless the manufacturer of those goods holds Her Majesty's authority to use them in connection with his trade, business, calling or profession.</p> | <p>Royal Arms.</p> |
| <p>9. Goods imported as ship's or aircraft's stores except such as are required for consumption or use by or for the ship or aircraft, its officers, crew and passengers.</p> | <p>Ships or aircraft stores.</p> |
| <p>10. Substances or chemicals within tariff heading number Ex 29.03 namely halons, carbontetrachloride, methyl chloroform, hydrobromofluorocarbons and bromochloromethane, including any derivative or mixture thereof, that is capable of depleting the ozone layer.</p> | <p>Ozone depleting substances or chemicals.</p> |
| <p>11. Substances of chemicals within tariff heading number Ex 38.24 constituting refrigerant blends that are capable of depleting the ozone layer.</p> | <p>Refrigerant blends.</p> |
| <p>12. Goods the importation of which is restricted by any other law of Barbados, in accordance with that law.</p> | <p>General.</p> |

SECOND SCHEDULE

(Paragraphs 3(1) and 5(2))

PART I

PROHIBITED EXPORTS

(Section 89(2))

Ozone
depleting
substances
or chemi-
cals.

1. Substances or chemicals within tariff heading number Ex 29.03 namely halons, carbontetrachloride, methyl chloroform, hydrobromofluorocarbons and bromochloromethane, including any derivative or mixture thereof, which is capable of depleting the ozone layer.

General.

2. Goods the exportation of which is prohibited by any other law of Barbados.

PART II

(Paragraph 3(2))

RESTRICTED EXPORTS

(Section 89(2))

Ozone
depleting
substances
or chemi-
cals.

1. Substances or chemicals within tariff heading number Ex 29.03 namely chlorofluorocarbons, hydrochlorofluorocarbons and methyl bromide, including any derivative or mixture thereof, which is capable of depleting the ozone layer.

Refrigerant
blends.

2. Substances or chemicals within tariff heading number Ex 38.24 constituting refrigerant blends which are capable of depleting the ozone layer.

General.

3. Goods the exportation of which is restricted by any other law of Barbados, except in accordance with that law.

Made by the Minister this 29th day of October, 2009.

DAVID J. H. THOMPSON
Minister responsible for Finance.