



THE
CEYLON GOVERNMENT
GAZETTE

EXTRAORDINARY.

No. 8,569 — TUESDAY, JANUARY 16, 1940.

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PART I.—GENERAL.

GOVERNMENT NOTIFICATIONS.

L. D.—CF 13/39

THE EMERGENCY POWERS (DEFENCE) ACT, 1939.

DEFENCE regulation made by the Governor by virtue of the powers vested in him by section 1 of the Emergency Powers (Defence) Act, 1939, of the Imperial Parliament, as adapted, modified and extended to Ceylon by the Emergency Powers (Colonial Defence) Order in Council, 1939.

By His Excellency's command,
E. R. SUDBURY,
Secretary to the Governor.

Nuwara Eliya, January 4, 1940.

REGULATION.

The Defence (Trading with the Enemy) Regulations, 1939, are hereby amended by the omission of regulation 9 and the substitution therefor of the following new regulation :—

9. Upon the importation of any goods consigned to Ceylon from any country which is not enemy territory—
- (a) the Principal Collector of Customs may require the importer to produce a certificate in such form, containing such particulars and signed, and countersigned or attested by such persons as may be specified by the Principal Collector of Customs, to prove that the country of origin of such goods is in fact a country which is not enemy territory and that no person who is an enemy has any interest in the goods ;
 - (b) where such certificate is not produced or the certificate produced is not satisfactory, the Principal Collector of Customs may refuse permission for the removal of the goods from the Customs premises until a satisfactory certificate is produced ; and
 - (c) where the Principal Collector of Customs has reason to suspect, whether from the failure of the importer to produce such certificate or from the unsatisfactory nature of the certificate or for any other reason, that the country of origin of such goods is enemy territory or that a person who is an enemy has an interest in such goods or that such goods have been imported in contravention of these regulations, and the contrary is not proved to his satisfaction, he may make order declaring the goods to be forfeited in like manner and with the like effect as if such goods were goods the importation of which is prohibited by Ordinance, and the provisions of the Customs Ordinance shall apply to such goods accordingly.

For the purposes of this regulation, a country which is enemy territory shall be deemed to be the country of origin of any goods if out of the total cost of growing, producing or manufacturing the goods any proportion exceeding such proportion as may from time to time be determined and notified by the Principal Collector of Customs has been incurred in enemy territory.

NOTIFICATION BY THE ACTING PRINCIPAL COLLECTOR OF CUSTOMS UNDER REGULATIONS FOR DEFENCE (TRADING WITH THE ENEMY) REGULATIONS, 1939, AS AMENDED BY THE DEFENCE REGULATION MADE BY THE GOVERNOR AND DATED NUWARA ELIYA, 4TH JANUARY, 1940, PUBLISHED IN GOVERNMENT GAZETTE No. 8,569 OF JANUARY 16, 1940.

1. It is hereby notified that the Acting Principal Collector of Customs requires with effect from 1st March 1940, all imports into Ceylon consigned from any neutral country in Europe to be accompanied by a certificate of origin and interest in the form given below, to be signed, counter-signed and attested as indicated therein.

2. It is hereby further notified and determined that goods consigned from neutral countries in Europe shall be deemed to be grown, produced or manufactured in enemy territory if more than 25 per cent. of the total cost (including the value of containers and other forms of interior packing ordinarily sold with the article when it is sold retail but excluding the manufacturer's or exporter's profit, the cost of exterior packing, carriage to port and other charges incidental to the export of the goods subsequent to their manufacture) is derived from work done within enemy territory.

Form referred to:—

CERTIFICATE OF ORIGIN AND INTEREST.

I, _____, His Majesty's Consul-General/Consul/Vice-Consul at _____, hereby certify that A (name of applicant) B (occupation of applicant) residing at _____ has declared before me that the merchandise designated below, which is to be shipped from _____ to _____ consigned to C (Name (a) of consignee) D (occupation of consignee) resident at _____ has not been grown, produced or manufactured in enemy territory; that no person who is an enemy, or with whom trading is prohibited under any law or proclamation for the time being in force, relating to trading with the enemy or relating to trading with persons of enemy nationality or associations, has any interest in such merchandise; and that he has produced to my satisfaction invoices or other trustworthy documents in proof thereof.

The present certificate must not be regarded as an absolute guarantee of the origin of the goods, which remain liable to seizure, if they should prove on examination by the competent British authorities to be of enemy origin.

Number and Description of Cases.	Marks and Numbers.	Weight or Quantity.	Total Value (b).	Contents.	Name of Producer. Grower or Manufacturer.

Not more than 25 per cent. of the cost of these goods to the manufacturer (c) is due to material and labour of enemy origin.

The goods covered by this certificate must be shipped within a period of not more than _____ days from the date hereof.

(Signed) _____
(Signature of person declaring.)

(Signed) _____
(Signature of Consular officers.)

Date: _____
(Consular fee stamp duly cancelled.)

This certificate is valid for not more than (one, two, three, &c.) (bales, cases, hogsheads, &c.).

(a) If desired, the words "order" may be inserted here instead.

(b) This column may be left blank if desired.

(c) The cost to the manufacturer includes the value of containers and other forms of interior packing ordinarily sold with the article when it is sold retail, but excludes the manufacturer's or exporter's profit, the cost of exterior packing, carriage to port and other expenses incidental to the export of the goods subsequent to their manufacture.