

EAST AFRICAN PROT
26173

REC'D
12-173
Recd 24 AUG 10

1910

23 Aug

of previous Paper:

23530

Customs Office

to the 1910

submitted above

Write for the reply from the B^d of
Customs

at once.

H. J. R.

24 / 114

See now 70
32240

2483

Oct 31

Copy of 23 Aug 1910
23530

of subsequent Paper:

240
24830

2073

2

REC-10

Any further communication should be addressed to:
THE ASSISTANT SECRETARY
 at the address given opposite.

The following letter and number should be quoted—
C. 5616

Telegraphic Address:
COLASTA, LONDON.

Telephone No.: 1362 Victoria.

BOARD OF TRADE
 (COMMERCIAL DEPARTMENT)
 GWYDYR HOUSE,

WHITEHALL,
 LONDON, S.W.

23rd August, 1910.

Sir,

Handwritten:
 1077

In reply to your letter of the 28th July (No. 21877) enclosing copy of a new Customs Ordinance (No. XIV of 1910) for the British East Africa Protectorate, and inviting observations thereon, I am directed by the Board of Trade to submit, for the consideration of the Earl of Greve, the following observations on certain points covered by the Ordinance in question.

1. It would appear that, in regard to the record of countries from which imports are received in the Protectorate, there is some lack of consistency between the provisions of different sections. Form B (page 43) prescribing the form of Entry of Goods, contains a column headed "Country of Origin". In § 43, which prescribes the use of this form, it is specified that the entries thereon "shall correspond with the particulars of the same goods and packages in the report of the ship, and in any certificate of origin or other document where any such is required, by which the importation or entry of such goods is authorised. . . ." In § 51 however, it is laid down that "No goods shall be deemed to be imported from any particular place unless they be imported direct from such place, etc." Thus, whenever a certificate of origin is required for goods which have been despatched to the British East Africa via some other country, these

The Under Secretary of State,
 Colonial Office.

two

two sections appear to give conflicting instructions as to the entry to be made in Form B.

II. It is suggested that the heading of the column in Form B., and the phrase "place of origin" in § 146, should be more precisely defined, and in such a manner that the same definition may apply throughout the Ordinance. In this connection I am to point out that, in the case of the United Kingdom, goods imported are now recorded as received from the country from which they were last consigned to the United Kingdom, whether shipped directly or via some third country.

III. I am also to point out that § 107 provides no instructions as to what is to be regarded as the "port or place of destination" of exported goods recorded on forms G. and H. (pages 47 and 49). Without definition, it appears probable that the place at which the goods are discharged from the ship conveying them would be recorded, and this is probably not what the Ordinance is intended to prescribe. It is suggested, however, that uniformity of practice cannot be ensured in the absence of instructions on this head. I am to add that the present practice in the United Kingdom is to record exports as sent to the country of their final destination, so far as that can be ascertained, that is, to trace the goods as far towards their ultimate destination as the knowledge of shippers at the time of their despatch permits. In recent communications with various parts of the Empire, the adoption of the basis in use in the United Kingdom, for the purpose of securing uniformity in practice throughout the Empire as far as possible, has been generally approved.

IV. In addition to the preceding observations in regard to the basis of the trade records, I am to state that the Board of Trade regard the provisions of § 161, by which,

at

at the discretion of the Chief of Customs, the details of the business of any trader may be revealed to any person whatsoever, British or Foreign, for a fee of ten rupees, as inexpedient and even dangerous. This discretion is not permitted in this country or in the leading divisions of the British Empire, and would appear capable of serious abuse. The Board would suggest the advisability of deleting this section.

V. The Board note that Form A. (the ship's report inwards) omits the provision for the record of the number of passengers (if any) carried on any ship which is contained in Form I (the ship's report outwards), and in the corresponding Form in the Gold Coast Customs Ordinance of 1876, and that, in view of the duties to be prepared on Postal Parcels are not specifically declared to be export duties levied in the Protectorate, such duties being apparently intended. The Board further note that the Ordinance contains a definition of the term "foreign port", which makes that term include places in the Uganda Protectorate when imports are concerned, but not when exports are in question (see § 3, page 2, 3rd, 5th and 8th paragraphs, and § 25). It is probable that the Ordinance is not intended to modify in any way the established relations between the two Protectorates, but the inclusion of references to one part of those relations would appear to require other references completely defining the presumably reciprocal relations.

I have the honour to be,

Sir,

Your obedient servant,

Geo. J. Stanley