

Secy. C. & E.

No. $\frac{27019}{1911}$.

GENERAL ORDER.

Customs No. $\frac{53}{1911}$.

Custom House, London,
29th November, 1911.

CUSTOMS RELATIONS WITH THE NAVY.

1. The accompanying Memorandum, which has been circulated in the Navy, on the Customs Law and practice governing the importation, landing and shipment of dutiable goods by the Navy is transmitted for the information and guidance of all Officers concerned.

The following supplementary directions are to be observed:—

(Chapter I., sec. ii.)—Right of Search.

2. It is to be noted that whilst the right of search is explicitly reserved, the Board give an undertaking that no Navy man shall be searched in a public street or place. This undertaking must be strictly observed. As a general rule, if a bluejacket has passed the landing place he should not be stopped and interrogated in a public street unless there is a strong suspicion that he has contraband goods in his possession. If it is considered necessary to search the man or any parcels that he may be carrying, the search is to be conducted in the nearest Customs office, Guard room, Police office or other convenient place to which the public have not free access.

3. Officers are reminded that they can only exercise their power to search the *person* if no objection is raised by the individual suspected. If objection is made, the individual must be given the option of going before a Justice or before the Collector or other superior Officer, who will decide whether there ought to be a search or not.

(Chapter I., sec. iii.)—Offences.

4. The attached revised scale of deposits to be taken in lieu of proceedings in cases of smuggling by Navy men is to be brought into operation forthwith. Circular 17684/06 is hereby cancelled.

(Chapter II., sec. i.)—*Arrival from a foreign port.*

5. Officers are to note that men having in their possession on arrival from a foreign port more than 3 lbs. of tobacco or an excessive quantity of other dutiable goods, are to be required either to pay duty on the surplus forthwith or have it removed to the King's Warehouse in the Custom House for security. The goods are only to be delivered from the King's Warehouse on payment of duty. The directions of Importation Code, paragraph 781, are to be followed in these cases.

(Chapter II., sec. ii.)—*Landing of dutiable goods by Naval Officers and men on leave.*

6. It is to be noted that duty-free allowances are granted to both Officers and men, and that the distinctions between service and non-service tobacco have been swept away. The duty-free allowance may consist of tobacco (service or non-service), cigars or cigarettes.

7. Where more than the scale quantity of tobacco is landed, duty is to be charged only on the excess. The allowance is to be made out of the cheapest kind if there are different sorts of tobacco, *e.g.*, a man on 7 nights leave with $\frac{1}{2}$ lb. of perique and $\frac{1}{2}$ lb. of cigars is to be allowed the perique free, and charged duty on the cigars. A half-pint of perfumed spirits may be allowed duty-free on arrival from a foreign port, duty being charged on any excess. There is no duty-free allowance of drinkable spirits or of any other dutiable goods except tobacco and perfumed spirits.

8. Coast-guard, Royal Naval Reserve men, and Royal Naval Volunteers leaving the ship after training, are to be treated as men on leave for 7 nights or more.

(Chapter II., sec. ii., paragraph 1.)—*Customs Landing Pass.*

9. An important modification has been made in the rules governing the landing of excess quantities of tobacco by men on leave contained in Customs Notice 17040/1910. This notice is hereby cancelled and is to be withdrawn forthwith. The alternative condition under which the Revenue was secured by the Commanding Officer arranging with the Customs to land men at a given time and place has been abandoned, and in lieu thereof it has been arranged that any Officer or man who desires to land an excess quantity of tobacco or of perfumed spirits or any quantity of other dutiable goods on which duty

has not been paid on board, shall obtain from the Commanding Officer a landing pass to be produced to the Customs on shore as evidence of *bona fides* and shall pay duty immediately on landing.

10. The Regulations governing the issue of passes and the instructions for the preparation of passes printed in the passbooks and on the passes, are to be carefully noted and observed.

11. Note 3 on the pass refers to cases where men bring ashore goods which are not shown on the pass, or hold back part of the goods from the Customs. It should be borne in mind, however, that the quantity on the pass can only be a rough estimate arrived at on board ship, and men should not be punished if the actual quantity is slightly more or less than that shown. The number of nights leave shown on the pass should be checked by the liberty ticket.

12. On payment of duty a receipt is to be issued and the landing pass retained. The pass is to be annexed to the duplicate received from the Commanding Officer.

13. If a landing pass corresponding with the duplicate is not produced within a reasonable period, it is to be assumed that the person to whom the landing pass was issued has evaded, or has not been able to find, a Customs officer. In such cases the responsibility for collecting the duty devolves, by arrangement with the Admiralty, on the Commanding Officer of the ship, and the Collector should inform him by letter of the amount to be collected.

14. Completed books of passes are to be examined on return to the port of issue, to ensure that all passes have been accounted for. With regard to passes stated on the counterfoils to have been used at ports other than the port at which the book was issued, it is to be ascertained from the Collector concerned that the passes were so used.

15. Books of landing passes are to be issued to Commanding Officers on request. The books will generally be issued at the naval ports, but Collectors at other ports should keep a small supply on hand to meet possible requirements. Supplies of the books (No. 58) each containing 100 passes are to be obtained from Division 5 (Stationery) in the usual manner and accounted for in the same way as receipt books. Care should be taken that the port of issue is inserted on the fly leaf of each book before issue.

(Chapter III.)—*Shipment of Dutiable Stores.*

16. Direction on this subject are contained in General Order (Customs) No. 23/1911.

17. The Board impress upon all officers concerned the necessity of making themselves fully acquainted with the regulations, and of exercising the utmost tact and courtesy in dealing with Naval Officers and men.

18. Officers dealing with Navy men and engaged in the prevention of naval smuggling are invariably to be in uniform.

By Order of the Board,

J. P. BYRNE,
E. C. CUNNINGHAM.

NAVY SEIZURES, DEPOSITS TO BE TAKEN ON.

If the offender is borne on the books of one of H.M. ships the question whether he should be allowed to make a deposit, and if so, of how much, should in ordinary cases be governed by the following schedule. If, however, the principal Customs officer present, or the Superintendent of Metropolitan Police, as the case may be, considers that a heavier penalty is advisable, because the offender either has been previously detected in a similar offence, or resides in Naval Barracks or elsewhere ashore, or is only on short leave and the amount of tobacco in his possession is considerable, or for some other reason, he is given discretion to require a higher deposit not exceeding treble the duty-paid value of the goods seized, but he must give his reasons on the seizure report.

Legal proceedings are not to be instituted against any member of the Royal Navy or Marines unless the Board's sanction has been previously obtained.

Canteen men (civilians) should deposit treble value and duty on medium and large seizures, but the limit for large seizures of tobacco in their case is 4 lbs. Every smuggling case in which a canteen man is concerned is to be reported by the Collector to the Commanding Officer of the ship.

RANK OF OFFENDER.	SMALL.						MEDIUM.						LARGE.			When the total amount of Tobacco of all kinds* exceeds 7 lbs., or when the duty on other articles exceeds 20s., no Deposit is to be taken, but the case is to be reported to the Board for instructions.
	On rummage.			On person, being carried, or in post parcels.			On rummage.			On person, being carried, or in post parcels.			On rummage, on person, being carried, or in post parcels.			
	Cut Navy (Service) Tobacco.	Tobacco of all other* sorts.	All other dutiable articles.	Cut Navy (Service) Tobacco.	Tobacco of all other* sorts.	All other dutiable articles.	Cut Navy (Service) Tobacco.	Tobacco of all other* sorts.	All other dutiable articles.	Cut Navy (Service) Tobacco.	Tobacco of all other* sorts.	All other dutiable articles.	Cut Navy (Service) Tobacco.	Tobacco of all other* sorts.	All other dutiable articles.	
	Up to 14 oz. inclusive.	Duty not exceeding 2s. 6d.	Duty not exceeding 2s. 6d.	Under 8 oz.	Up to 8 oz. inclusive.	Duty not exceeding 2s. 6d.	Above 14 oz., but duty less than 10s.	Duty exceeding 2s. 6d., but less than 10s.	8 oz. or more, but duty less than 10s.	Above 8 oz., but duty less than 10s.	Duty exceeding 2s. 6d., but less than 10s.	Duty, 10s. or more, but total weight not exceeding 7 lbs.	Duty, 10s. or more, but not exceeding 20s.			
Seaman, &c. ...	0	0	0	0	0	0	$\frac{1}{2}$	$\frac{1}{2}$	$\frac{1}{2}$	$\frac{1}{2}$	$\frac{1}{2}$	$\frac{1}{2}$	Whole	Whole	Whole	} The word "whole" signifies treble duty-paid value. The fractions represent the corresponding proportions of the treble duty-paid value.
Petty Officer ...	0	0	0	0	0	0	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	"	"	"	
Warrant Officer...	0	0	0	0	0	0	$\frac{2}{3}$	$\frac{2}{3}$	$\frac{2}{3}$	Whole	$\frac{3}{4}$	$\frac{3}{4}$	"	"	"	
Commissioned Officer or Midshipman, or similar rank.	} No deposit is to be taken. The contraband is to be detained, the offender's name and ship taken, and the case reported to the Board for instructions.															

* Includes Cigars and Cigarettes.