

C.S.

TREASURY &amp; CUSTOMS.

(Import Duty).

1940

No.

67/40.

Collector of Customs.

SUBJECT.

19<sub>40</sub>

13th April.

NAVAL STORES DISCHARGED AT STANLEY LIABLE  
TO IMPORT DUTY.

Previous Paper.

## MINUTES.

1-7. Minute from Collector of Customs, 13/4/40.

F.S.

I discussed this with Customs Officer in your absence.

In my opinion there seems to have been the following irregularities:

- (a) Olyallus discharging into F.I.C. Lighter
- (b) Lighter accepting
- (c) " failing to notify Customs O. of landing
- (d) F.I.C. receiving goods
- (e) Baltavia refusing re-delivery.

Thus one could not take action against the one without the other.

In any case the articles still are in ownership of the Admiralty. They must accept them or themselves discharge them in their customary manner + then the matter will end without invoking the heavy machinery of Council.

Subsequent Paper.

*[Signature]* 18/4/40

Hares

The C.O has been instructed accordingly & arrangements made to give effect thereto.

~~Reddy~~  
10/28  
2/5/40

RA  
3/5/40

No. {  
(It is requested that, in any reference to this minute, the above Number and the date may be quoted).

MINUTE.

13th. April, 1940.

To *The Honourable*  
*The* Colonial Secretary.

From Financial Secretary &  
Collector of Customs.

Stanley, Falkland Islands.



Submitted herewith is a report furnished by the Customs Officer, with regard to certain naval stores discharged from the R.F.A. "Olynthus" into an iron lighter belonging to the Falkland Islands Co., for transfer to H.M.S. "Baltavia."

2. The stores were allowed to remain in the lighter for about two weeks, secured by the F. I. Company's lock only, and without the knowledge of either the Customs Officer or myself.
3. It was eventually discovered that the lighter was leaking, and that the stores were partly damaged; with the result that H.M.S. "Baltavia" refused to accept the stores in question.
4. Among the items of stores there was a considerable quantity of tobacco, cigarettes and matches - being dutiable goods.
5. When it was discovered that the Falkland Islands Co. was arranging to dispose of the stores by auction sale, I ordered the Customs Officer to take possession of the dutiable goods and have them placed in the Bonded Warehouse pending further instructions, and this has been done.
6. In view of the fact that the matches have been damaged and are of no use, and that the tobacco and cigarettes are marked "For use of H.M. ships only," I recommend that all the dutiable stores be definitely seized and destroyed by dumping them into the sea in the outer harbour, if necessary weighting them down to avoid recovery. The Falkland Islands Company should be held responsible for any expenditure incurred in connection therewith. Provision is made under Section 63 of Customs Ordinance No. 6. of 1903, giving the Governor in Council power to make rules for regulating the mode of proceedings in all cases of seizure, and generally for carrying out the provisions of the Customs Ordinance in all matters not otherwise specially provided for.
7. I propose to warn the Falkland Islands Company, that if any such

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MINUTE.

*From*

*To*

19

Stanley, Falkland Islands.

disregard of the Customs Laws is again discovered, a serious view will be taken of the matter.

*A. Smith.*

Collector of Customs.

No.

(It is requested that, in any reference to this minute, the above Number and the date may be quoted).

MINUTE.

4th. April, 1940.

From Customs Officer.

To The Hon. Financial Secretary,

Port Stanley.

Stanley, Falkland Islands.

Sir,

On the 8th. March last, a quantity of naval and N.A.A.F.I. stores was discharged from the R.F.A. "Olynthus" into an iron lighter belonging to the Falkland Islands Company. No application was made either by the naval authorities or by the Company for permission to transfer stores, nor was the Department notified that any part of the same stores was liable to import duty. It being inconvenient for H.M.S. "Baltavia" to receive these stores at once, they were left in the lighter anchored in the harbour - being secured by Company's lock only.

On the 20th. March it was observed that the lighter was leaking, and it was beached opposite the Company's offices, the stores being landed on the 21st. and placed in the Company's hulk for examination. Up to this time, and for several days afterwards I was unaware that any stores had been left in a lighter, let alone landed, my first intimation coming from a casual remark that I heard passed in the town on, I think, the 30th. March.

On learning that these stores had been put ashore, I immediately approached the Company for further information, and was told by Mr. Creamer that they had merely hired their lighter to the naval authorities, and that they were completely in the dark concerning the nature of the goods stored in it until they were actually landed. I pointed out that these goods should have been secured under Customs lock, and I informed him that the Department took a serious view of such irresponsible action. I then approached Mr. Elliott, the N.A.A.F.I. manager attached to H.M.S. "Baltavia" and told him that I had no objection to his removing the stores to either the Admiralty Store or the ship itself, provided they were taken from the Company's premises at the earliest possible minute. This Mr. Elliott agreed to do.

The "Lafonia" arrived on the 31st., and I was too busy to attend farther

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MINUTE.

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*From* .....

*To* .....

Stanley, Falkland Islands.

(Continued.)

to the business until April 2nd., on which day I was informed by Mr. Creamer that Mr. Elliott wished to auction all the goods landed from the lighter. I immediately hurried to the Admiralty Store where I found Mr. Elliott discussing the matter with Mr. V. A. H. Biggs, who had been retained to auction the goods, the sale having been fixed for Saturday next, April 6th. I informed Mr. Elliott that the dutiable portion of the goods could only be surrendered to the Department for auction, and that any sum realised above the duty would be returned to him. I also informed him that as he was refusing to accept the goods as naval stores, they came ~~immediately~~ under the immediate control of the Department, as ordinary imports, and that as they were liable to duty, they would have to be conveyed to the Customs Store immediately.

The transfer was carried out yesterday afternoon, the cigarettes and tobacco as per the attached lists now awaiting your further instructions.

Further to the question of an auction of the above-mentioned stores, I beg to put forward the following observations:-

1. The cigarettes are all marked "For use on H.M. Ships only." A large number of cigarettes of this nature distributed at random about the town would make the detection of offences against the smuggling laws practically impossible. As things are, the finding of navy cigarettes in the possession of a civilian is sufficient evidence on which to institute an enquiry. If these navy cigarettes were to be auctioned, anyone found with a quantity in his possession would only have to claim that they were bought at the Customs auction to render any action against him impracticable.

One case of "Bondman" tobacco, containing 20-lb. in 2-oz. tins, might possibly be auctioned without danger to the revenue. Each tin is marked "For H.M. Ships only" by means of a small paper slip which, in the present

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\_\_\_\_\_ 19

*From* \_\_\_\_\_

*To* \_\_\_\_\_

Stanley, Falkland Islands.

damp condition of the labels, could easily be removed. The tobacco, being in airtight tins, is in excellent condition and would sell easily, bringing in £5 in duty.

I would respectfully suggest, therefore, that it be ordered that the cigarettes and matches be all destroyed under Customs supervision, and that the tobacco be auctioned for duty in the usual way.

2. With regard to the free goods landed from the lighter, I see no objection to their being auctioned by Mr. Biggs on Saturday, as arranged by Mr. Elliott, provided that a full list of such stores is delivered to this Department, and proper forms of Entry Free are passed in respect of all goods sold. The goods will, of course, be examined by me prior to their being released from Customs control for auction.

3. Is warehouse rental to be charged on the dutiable goods in the warehouse on the scale laid down, please? As the Company will probably have to pay all charges involved in dealing with the goods, the neglect being apparently theirs, I see no reason why the department should not claim the same fees as would be due were the goods the property of a private importer.

I am,

Sir,

Your obedient Servant,



Customs Officer.

Summary of Invoices and Goods Received by..... Naval Depot

LOCAL PURCHASES.

NAME OF MERCHANT.	Date of Invoice.	Folio of Form 391 G.R. Book.	Total of Invoice (Selling)	Containers (Selling).	Containers (Cost).	Total of Invoice (Cost).	REMARKS.
Woodbine Cigs 20 <sup>s</sup>		Case No 22778/B.1		5,000	✓		
-do-		21844/B1.		5,000	✓		
-do- 10 <sup>s</sup>		16484/B4.		10,000	✓		
-do-		16484/B2.		10,000	✓		
-do-		16484/B1.		10,000	✓		
-do-		16484/B5.		10,000	✓		
Rayns Cigs 20		3948 22358/A		5,000	✓		<del>16484/B1</del>
-do-		21844/A3.		5,000	✓		Empty.
-do-		16483/A1.		10,000	✓		
-do-		16483/A2.		10,000	✓		
-do-		16483/A5		10,000	✓		
-do- 10 <sup>s</sup>		16483/B5.		10,000	✓		
-do-		22358/B.		5,000	✓		
-do-		16483/B1.		10,000	✓		
-do-		16483/B2.		10,000	✓		
-do-		16483/B3.		10,000	✓		
Ardat's Cigs 20 <sup>s</sup>		16487/11.		10,000	✓		
-do-		21847/4		5,000	✓		
-do-		16487/12		10,000	✓		
-do-		16487/4.		10,000	✓		
-do-		16487/5.		10,000	✓		16487/5
-do-		16487/5.		10,000	✓		
-do-		16487/10.		10,000	✓		
-do-		22350/4		5,000	✓		
-do-		22758/2.		5,000	✓		
-do-		16487/3.		10,000	✓		
-do-		16807/12		10,000	✓		
-do- 10 <sup>s</sup>		16487/6		10,000	✓		
-do-		16487/8		10,000	✓?		
-do- 20 <sup>s</sup>		16487/9		10,000	✓		
Churchman Cigs 20 <sup>s</sup>		16484/A5.		10,000	✓		
-do-		16484/7		10,000	✓		
-do-		16484/A6		10,000	✓		
Waverley Cigs 20 <sup>s</sup>		21867/1.		5,000	✓		
-do-		22351/A		5,000	✓		



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NAME OF MERCHANT.	Date of Invoice.	Folio of Form 391 G.R. Book.	Total of Invoice (Selling)	Containers (Selling)	Containers (Cost)	Total of Invoice (Cost)	REMARKS.
Caven Cip 20 <sup>s</sup>	Case N <sup>o</sup>	16486/4.		10,000	✓		
-do-	"	16486/5		10,000	✓		
-do-	"	16486/2.		10,000	✓		
-do- 10 <sup>s</sup>	"	16486/13.		10,000	✓		
-do-	"	16486/11		10,000	✓		
-do-	"	16486/16.		10,000	✓		
-do-	"	16486/3.		10,000	✓		
Gold Flake 10 <sup>s</sup>	"	16483/52		10,000	✓		
Kensitas K 4 <sup>s</sup>	"	22357.		250	✓		
-do-	"	16488		500	✓		
-do-	"	16488		500	✓		
-do-	"	16488		500	✓		
-do-	"	16488		500	✓		
-do-	"	16488		500	✓		
Bondman Tob. 20g Tin	"	16489		20	✓		not marked "1st things only." 22.
Searchlight Matches	"	16495		15 boxes	✓		22779.
-do-	"	21864		15 "	✓		
-do-	22779	22779		15 "	✓		
-do-	"	22362		15 "	✓		
<p>Discharged from P. J. A. Clymther into F. I. Co. lighter                  On the 8<sup>th</sup> / 11<sup>th</sup> March 40                  Landed from lighter on the 21<sup>st</sup> March 40.</p>							
<p>W. Baltara                  Manager</p>							