

C.S.

TREASURY & CUSTOMS.

(Misc.)

193 8.

No. 14/38.

SHI/CUS/1#13

Estate L. Williams.

SUBJECT.

193 8.

22nd January.

Complaint regarding Custom House supervision of importations at Stanley.

Previous Paper.

770/23.

MINUTES.

(1-2.)

Letter from Manager, Estate L. Williams of 22/1/38.

Hon. Collector.

In favour of consideration and upon please.

met
C.S.
25.1.38

Hon. C.S.

3-4

My report is at red ④ & comments made to customs office at red ③

J.W. O'G.
28/1/38

5.

Letter to Manager, Estate L. Williams, 29/1/38.

Subsequent Paper.

Hon. Collector.

Perhaps you would like to see the attached file regarding the discharge of cargo at the Hs. Co's E. jetty.

M.H.
Ct.
2.2.58

Hon. Ct.

Dear thank you.

Yr. Of.
31/3/58

Complaint by Estan L. Williams submitted. The arrangement for landing cargo at the Hs. Co's E. jetty was made in 1923 (vol 5) in 770/23. Under the Customs Ord: Cargo may be required to be landed at the Public Pier but there are ^{no} sheds or other landing conveniences.

2. Since it has been shown that majority of the cargo landed belongs to the Hs. Co. or their clients it seems doubtful whether the expenditure by Govt. of a large sum would be justified. It might however facilitate matters if when cargo is landed one of the Piers could assist the C.O. to avoid delay in passing cargo.

3. The present system is probably not too satisfactory but should be capable of improvement. Perhaps the Collector could take up the matter of share with the Hs. Co. in order that Importers may get their

Cargo without undue delay. Unless the Importers possess his entries promptly he must expect delay. I know from previous experience that ^{delay} ~~trouble~~ has been due to the dilatory methods of Estate Williams in clearing their cargo.

MCH
C.

4. 2. 38

The arrangements here for the control and delivery of cargo are certainly primitive but that would not of itself warrant the expenditure of large sums on Govt. warehouses. The whole situation must be examined from its elements.

2. The necessity for Government control at all is limited as it appears to me to 3 ~~the~~ requirements: -

over imports

- (1) The collection of revenue from dutiable goods without evasion must be ensured.
- (2) For statistical purposes full and complete records are necessary of all imports.
- (3) There must be no import of prohibited articles.

3. Reliance on a single officer to exercise the control necessary seems to me to be an unjustifiable economy. On the other hand there is not sufficient employment for two full time officers. Your

suggestion of utilizing the services of a police constable appears sound and I would like the C.C.'s views on it. In the first place an estimate should be obtained of the time each month for which such officer's services would be required. It would be desirable to assign the duty to one constable only who would become trained to the work.

In this connection I would like to know whether the C.C. is satisfied that there is at present no evasion of payment of duty.

4. The fact that the Govt. controls the landing and place of deposit of all cargo implies the duty of ensuring that importers have equality of treatment. The F.I.C. are in the same position as all others in respect of 2 & 3 of para 6 of Mr. Rowe's complaint.

I do not understand the Customs Officers statement that the system whereby the very large number of cases are stacked in order by the F.I.C. staff "has nothing to commend it" ^{difficulties}

5. What are the practical ~~obstacles~~ ^{difficulties} in the way of getting dutiable goods conveyed directly to the Customs shed and ~~why~~ how can they ~~not~~ be overcome?

6. Mr. Rowe could under the terms of the licence to the F.I.C. have his goods landed at the public jetty and delivered into the Customs shed without expense except to the F.I.C.

7. The question of a Govt. warehouse on the public jetty is not ruled out. It is indeed obvious by a proper solution and I would be glad to have the Collector's scheme when ready.

H.H.H. 5/2/35

Hon. Collector.

In your view please on the points raised by H.C. and for compliance in due course with para. 7.

I might mention that Constable Swani has had experience of Customs work as he has acted as C.O. when the Co. has been on leave.

M.H.
C.
7.2.58

Hon.C.S.

I must say that there is very little delay, if any, in obtaining ordinary cargo as the clearing documents are received at the earliest one to three days after the ship arrives, while export documents are in most cases prepared before or on the date of sailing.

2. It is difficult to say exactly how many hours an additional officer's services would be required, but it may be taken that when the "Lafonia" arrives with a cargo of 400 tons the service of the officer would be required for three or four days, and 200 ton cargo one to three days.

3. However, I have spoken to the Chief Constable and he stated that if a Constable is sent for Customs duty he would require the services of a Special Constable.

4. If there is any alteration in the personnel of the Defence Force then that person, if appointed, would be available for Customs duties as the training season only lasts from 1st June to 30th September or thereabouts, and for the remainder of his time he would be looking after armaments work which as a rule need not be fixed for any particular days. In fact he could have training in Customs work before leaving the United Kingdom. Personally I consider it essential to have a U.K. trained officer, and preferably an officer who has no direct connections in the Colony.

5. Apart from petty thefts I am satisfied that there is no evasion of duty as the Customs Officer visits every part of the ship, and any cargo found which is not on the manifest is held up until a proper entry has been made. This applies to dutiable and non-dutiable cargo.

6. In so far as practical difficulties occur, I may mention that dutiable goods for this Colony are not stowed separately as in other places, where almost all goods are subject to duty, and when cargo is transferred from ship to lighter at Montevideo it is stowed as it arrives from the home-ship. Our dutiable goods are landed in "pieces" and not as a whole consignment. Dutiable goods for the F.Is.Co remain in the warehouse in a separate space; this is done to avoid unnecessary handling of the packages and with a view to minimising breakages. Dutiable goods for other importers, if not cleared immediately, can and are conveyed to the Customs Bonded Warehouse. The quantity is so small that a hand-cart is sufficient for transportations.

7. I attach a copy of a Minute from the Customs Officer on the question asked in para.4 of His Excellency's Minute of 5/2/38. - (6)

8. With reference to para. 7 of His Excellency's minute I should like to receive the papers relating to the construction of the Public Jetty, costs etc., a chart of the Harbour, and any other information that may be available.

9. I have enclosed this M.P. in a "Secret" cover as it may not be desirable to leave para 4. of this Minute in an open file.

g

Treasurer & Collector of Customs.
9th February, 1938.

*not necessary
m.c.t.*

M. Submitted. In my own experience a Constable has often been employed for Customs work and it has not been necessary to take on another Constable. Surely the Chi Constable could do patrol duty for two or three days.

2. I do not think it advisable that if an officer is obtained for training re. the Defensa Force, he should be required to do Customs work. Care of guns, ammunition re, if opportunity soon would take up his time and in any case such an officer being under the control of two different Dep'ts., might and probably would lead to difficulties.

3. For the present I think the assistance of a Constable should be tried. Under present conditions delay is unavoidable as the officer cannot be in two or three places at one time. What often happens is that an Importer arrives with his entries but cannot

qu. the Customs Officer as he may be engaged on the vessel or taking charge of dutiable goods which he cannot leave to attend to other cargo.

MCH
cs.
9.2.58

All police officers constables are officers of the Customs under the Ordinance (6/1903) and no special appointment is necessary.

The Chief Constable should detail a constable to assist Mr. Bennett when a vessel from Aungmye is discharging: obviously it is desirable that the constable detailed should have some knowledge of the duties.

If for some special reason the Chief Constable cannot manage without another man at any particular time he can make out a case and get one. Ordinarily as you say there is no apparent reason why he should not do some for nothing.

MCH 10/2/58

A-son. Treas. To note. The Ch: Constable will be asked to detail a Constable, preferably Constable Swain.

MCH
cs.
10.2.58

Hon. Col. Sec.
Noted.

WCH
10/2/38

Chief Constable,

Please note for necessary action
H.C.'s minute overhead. A constable
should be detached for Customs
service when vessel "Laponia"
arrives.

WCH
C.S.
11.2.38

Hon. Col. Secy.

Noted thanking you have informed Constable Swain to report to ~~Customs~~
Office when ever any ship arrives

SW16

12/2/38

Offici.

Please see para. 8 of Treasury
minute of 9.2.38 regarding papers
required.

WCH
14.2.38

278/07 attached

Letter to Manager, Estate L. Williams of 16.2.38.

(7)

Harbour Master.

Can you loan a chair
of the Harbour to the Collector
of Customs, please.

WCH
C.S.
16.2.38

Hon. Col. Sec.

Chart herewith.

WCH
16/2/38

Hon. Collector.

With reference to para: 8
of your minute of 9.2.38,
I attach C.S. 278/07 and
also a chart received from the
Harbour Master,

MCH
CS

Hon. C.S.

16.2.38

Thank you.

The mt. sent 278/07 deals chiefly with
indent & materials.

I should be obliged if you would let me
have the correspondence relating to the scheme
& the costs in full.

Yrs. v. p.

① Letter from Manager, Estate L. Williams
of 16/2/38.

Hon. Secy.

Although a search has
been made the only reference
traceable is the copy of the
enclosed despatch. No copy of
the plan or details of the
expenditure can be found.

MCH
CS

Hon. C.S.

16.2.38

The despatch has been sent thank & as there is
no other information available I shall submit recommendation
asking for information - at a later date. Yrs v. p.
24/2/38

Minute from Hon. Secy. Treasurer of 15.3.38.

bf. 31/3/38
C.D. 28/2/38

(9)

Hon. Collector.

I consider the hours for Customs duties should be as set out in para. 2 of your minute. I consider the prescribed fees for the overtime services of Customs officers should be paid irrespective of whether the officer has been excused police duty or not. I believe I am correct in saying that this has always been the practice in the past.

2. Fees for overtime Customs services are payable by the His. Coy. Sumi they handle all cargo.

MCH
16.5.38

Secy.

arrangements will be made accordingly.

Jr. Secy.
16/3/38

Draft
Scheme

~~bf. 31/3/38.~~
~~bf. 17/3/38.~~
C.D.
bf. 20/4/38.
bf. 30/3/38.

bf. 15/3/38.
C.D. 30/4/38.

⑩ Minute from Hon. Col. Treasurer, 12.5.38.

M. Submitted. Before any reference can be made to the C.A.'s fuller details are required locally. For example the present pier will require probably extensive overhaul and strengthening before any addition can be put on it or extension made. Again the extension desired must be decided, depth of water re.

2. It might be as well to refer the matter to the D.P. works for his views.

W.H.
15.5.38

Any ^{major} funds we can get from the C.D. Fund are required for Agricultural Development.

If £10,000 of our own funds was available this would be as proper a scheme as any for the expenditure until we can pay for the work the matter had better rest.

W.H. 14/5/38

Hon. Treas.

To see H's minute.

WCH
C.

14. 5. 38

Donch

Noted.

WCH
16/5/38

WCH 4/6/38
C. 2/5/38

WCH

Should any further communication
be sent to Estate Williams in
the light of W's minute of the
14th of May.

WCH
C.

14. 6. 38

Not necessary at present

WCH 4/6/38

P.A.

b. 6. 38



ESTATE LOUIS WILLIAMS,
GENERAL MERCHANTS,
STANLEY,
FALKLAND ISLANDS.

22nd January 1938.

Sir,

We regret having to report that we are not satisfied with the manner in which the Custom House supervision of importations is being carried out under existing circumstances.

1 We must say right away that we have no complaint against Mr. A.G. Bennett's supervision - it is evident to us that he is doing his best under circumstances that have become abnormal.

2 In years gone by there were generally two Customs Officers on duty - now there is only one and the work of supervision seems to us ^vbe much more complicated than before.

3 Cargo comes forward now in a very mixed way, and while Messrs The Falkland Islands Co. Ltd. obtain possession of their consignments automatically as their goods are not only delivered straight into their own warehouse but they are also stowed in proper order, our cargo and that of other independent importers is dumped in a restricted space in a corner of the warehouse, where it may be held up either for lack of shipping documents, or insufficient time in which to deposit the entries with the Customs, or through congestion at the entrance to the warehouse.

4 In fact Messrs The Falkland Islands Co. Ltd.'s warehouse becomes a mixed establishment of private warehouse, public warehouse, and Bonded Customs Shed, in which process all the advantages are with that company and all the inconvenience falls to the lot of the independent importer, and to a considerable extent on the Public Servant, (the Customs Officer) who is supervising the importation of merchandise which is continually being mixed with stocks already imported ?.

5 It would seem to us that Messrs The Falkland Islands Co. Ltd. obtain control and possession of all their cargo whether they have deposited Customs House Entries or not. We, on the other hand cannot obtain possession of a single case until we have:-

- 1st) Produced Bills of Lading to F.I.Co.
- 2nd) Sorted our invoices and made and deposit sometimes very lengthy, Customs House entries with the Collector of Customs.
- 3rd) Arranged payment of import duty on any dutiable articles.

The only concession is in regard to entries for perishable merchandise. Some years ago, following representations made by us, the Customs Officer releases perishable goods without prior deposit of entries.

(1)

**ESTATE LOUIS WILLIAMS,
GENERAL MERCHANTS,
STANLEY,
FALKLAND ISLANDS.**

- 2 -

7 We also do not consider that it is at all satisfactory that dutiable goods should be deposited in that warehouse at all. The moment they come out of the ship they should go straight into the Custom House Shed, as was the acknowledged process in less abnormal times.

8 The unloading of cargo in itself not alone helps to congest that warehouse, but sometimes the ship is being loaded simultaneously.

9 How can one man possibly attend to the supervision of cargo that is coming out of the ship, taken along a considerable runway and into a warehouse from which goods are continually going in and out, and which is stacked almost from end to end with previously imported merchandise ?

10. In a well regulated warehouse under Customs House supervision we would suggest that there would be an officer at each end, besides another man actually supervising the unloading of the ship.

11 We do not think that it would be necessary to have three men engaged on Customs House duty here, but there should certainly be two such officers.

12. While cargo is being landed we often find it necessary to approach the Customs Officer to make enquiries or consult him regarding some items - latterly it has often been a difficult task to find him. He might be in any of 4 or 5 places, even in the ship's bonded store handing out or sealing in dutiable sea stores.

13. Some day it will be necessary for the Colonial Government to build themselves a proper landing warehouse, where all cargo imported would be deposited under official supervision, for the convenience of all importers here, large and small, but in the meantime we certainly think that at least one more Customs Officer should be employed in order that the present method of supervision may have at least some semblance of reality.

We are, dear Sir,
Yours faithfully,
p.p. Estate Louis Williams.

The Hon.
The Colonial Secretary
Stanley.
Falkland Islands.



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

MINUTE.

28th January, 19 38.

From The Treasurer &
Collector of Customs,
STANLEY.

To
THE COLONIAL SECRETARY,
Stanley, Falkland Islands.

The title of this file seems somewhat out of place since as in para. 2 of red 2 it is stated "right away" that there is no complaint against Mr Bennett's supervision. I may say that I have always found Mr Bennett most conscientious in performing his duties.

2. The complaint is against the ownership and situation of the accommodation wherein imports and exports are housed. The position is one which Government has accepted for a considerable number of years, and, no doubt, good reasons existed for the arrangements when made.

*
27/1/38
yf

3. I cannot agree that the Falkland Islands Company obtain possession of their consignments automatically. the fact of the matter is that they are much more particular in the early rendition of the documents necessary for the release of cargo. On the other hand I can state that in one instance it took nearly seven months to obtain proper documents from the person who has now raised the complaint and today is the first occasion in the experience of the Customs Officer that proper entries were received from the Estate Louis Williams, as early as the morning after the arrival of the ship. The articles required were duty free entries.

4. On more than one occasion the Manager of the Estate Louis Williams has approached the Customs Officer on various points about which he has been advised to see the Collector of Customs, but up to the present he has failed to do so.

5. The Falkland Islands Company are by far the largest importers and occupy at least nine tenths of the space available. They also store duty paid goods in this Warehouse and, although the stacking and moving is done by their own employees the present position is, to say the least of it, unsatisfactory and the appointment of another Officer will not relieve the situation.

6. I think the time has now come when the Government should consider the erection of Government owned warehouses as the present space is inadequate and congestion does arise particularly when loading and unloading at the same time.

7. The only suitable place that I can think of at present for these sheds would be on the Public Jetty. This would necessitate the extension of the present jetty by some 30-40 feet. Cranes and Capstans would be necessary, and as we have the electric power available I suggest the Cranes and Capstans should be electrically driven.

8. A Grant would probably be obtained from the Colonial Development Fund for part of the scheme and perhaps the balance required could be obtained on loan, free of interest. The receipts from landing charges could be devoted to the reduction of rates. Such a scheme involves heavy expenditure but it would create employment during and after construction. It would also be necessary to insist that all cargo be discharged at this jetty and the Falkland Islands Co would still require to employ men to transport cargo from the Customs Warehouse to their own Warehouse.

scheme

9. I could prepare a draft if H.E. should wish me to do so.

10. I attach a copy of the comments by the Customs Officer.
Treasurer & Collector *W. J. Bennett*

3

COPY OF COMMENTS BY CUSTOMS OFFICER.

3. This does not seem to be any business of Mr Rowe, but purely the Government's prerogative.

4. The cargo must come out as unloaded from the ship. It cannot be picked out as it is not loaded direct, but from a lighter at M/V. in transit. There is no place wherein the cargo can be placed Ex ship except the place in question (a portion is often put in the hulk in order to unload quicker). True, the very large number of cases - mostly foodstuffs (F.I.Co) are stacked in order - by their own staff. (The system has nothing to commend it). The non F.I.Co. goods are deposited as near the road as possible, in the shed, congestion is the order of the day, and is invariably ~~mm~~ due to the lax methods of Mr Rowe himself in not producing the papers demanded, and removing his goods.

5. While the East Jetty and Warehouse is in use as a landing place nothing better, or different, can be done.

6. Though the F. I. Co. cargo is in the shed it is not removed from Warehouse until entries are passed. All importers have to do the same thing in producing papers. Perishables are so dealt with.

7. It is far from satisfactory, or safety, nothing else can be done under circumstances and there is no means of getting dutiable goods to the Warehouse until ship is discharged.

8. This is sometimes done with a small quantity, often to create room.

9. This would seem to be beyond Mr Rowe's jurisdiction.

10. Badly needed, on a lengthened Public Jetty.

11. As No. 9 above.

12. There is the Collector's Office in the Town Hall.

13. As 10 above and would be cheaper to the public.

Mr Rowe's cargo does not equal one twenty-fifth of that imported by the F.I. Co.

Para. 4 of H.E's. minute of 5/2/38, relative to C/O's statement "That the system has nothing to commend it".

The F.I.C. cased cargo is landed at once into their Warehouse and stacked up. This makes the finding of any particular package that may be suspected difficult or impossible after the Entries have been handed in, - 1-3 ~~days~~ after cargo has been started, and not infrequently after all cargo has been discharged, depending upon the size of the cargo received. The larger the cargo the longer the Entries are in being prepared. It must be admitted that the F.I.Co's. Entries are a formidable job, and I do not suggest that they can be prepared in a very much shorter time.

5. The dutiable cases come out of the ship in dribbles and continue in this way until the cargo is all landed. There is no facility for removing them either in space, men or vehicles, until all cargo is finished. Non F.I.C. dutiable cargo is, when sorted out, taken to the Customs Shed if not previously examined, paid for and removed by the owner. I find it better to examine the F.I.C. dutiables in situ rather than risk further breakage by removal of some 300 yards.

(SGD) A.G. BENNETT.
8. 2. 38.

14/38.

16th February, 38.

Sir,

Red 5

In continuation of my letter No. 14/38 dated the 29th of January, 1938, I have the honour to inform you that in future the Customs Officer will be assisted by another officer in order that the checking and delivery of cargo may be expedited.

2. I have to add that the Government is giving consideration to the question of erecting Government owned warehouses and the provision of landing facilities at the Public Pier. In this connection the Collector of Customs has been asked to prepare a draft scheme having for its object the discharge of all cargo at the Public Pier.

I am,

Sir,

Your obedient servant,

W. H.
Colonial Secretary.

Manager,
Estate Louis Williams,
STANLEY.

ESTATE LOUIS WILLIAMS

SUCCESSORS TO CHAS WILLIAMS.

Estbl'd 1863

GENERAL MERCHANTS

PORT STANLEY
FALKLAND ISLANDS

16th February 1938.

RADIO ADDRESS
"WILLIAMS"
CODES USED:
BENTLEYS
A.B.C. 5TH ED.
A.I.

Sir,

Ready

We have to own receipt of your favour dated today (14/38) and we are pleased to learn that in future the Customs Officer will have an assistant.

We are also pleased to learn that the Government is giving consideration to the matter of erecting warehouses and the provision of landing facilities at the Public Pier.

As we are the largest independent importers operating in this Colony, we hope that we may be favoured, in due course, with full details of the scheme that may eventually be evolved for the better public and Governmental control of all importations. It is, in our opinion, a field of action, as a Public Utility and Service, that should be under very strict Governmental control, for:-

- a). The prevention of any smuggling.
- b). The prevention of pilferage, theft and wanton mishandling of cargo.
- c). So that all importers be placed on an identical and equitable basis.

We are, dear Sir,

Yours faithfully,

p.p. Estate Louis Williams.

The Hon. The Colonial Secretary
Stanley.

No.

MINUTE.

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

1. 3. 1938

From Customs Officer

To Collector of Customs

Stanley, Falkland Islands.

Constable Swain was employed at Customs duties at S.S. Lofonia & in the warehouse on Feb 23 & 24th during the following hours:- From what rate, please, is he to be paid.

Feb 23rd 4.30 - 7 pm.

" 24th 7.30 - 12 noon.

A. Bennett
1. 3. 38.

Sencs

Forwarded.

I should be glad to have your instructions as to the hours between which Con Swain should be paid the additional allowance.

2. as a P.C. his duties are within the round the clock but while with Customs I engage hours as per Customs Rules of 1916 i.e. duty from 7-30 am. to 4³⁰ pm. - (M.P. 577/16)

3. will these fees be paid whether or not P.C. Swain is excused Police duty.

4. any claims approved to be collected from the F. I. C. ?

J. R. C. P.
15/3/38

No.

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

MINUTE.

12th May, 1938.

From The Colonial Treasurer,

To The Honourable

STANLEY.

The Colonial Secretary,

Stanley.

Stanley, Falkland Islands.

CONFIDENTIAL.

With reference to my recent Minute regarding the extension of the Public Jetty and the erection of Customs Sheds, I have the honour to inform you that before an estimate of income can be prepared it will be necessary to decide on the type of extension of the jetty and also the cost of the extension of sheds and a Customs Office.

2. While considering any extension it may be desirable to keep in view the possibility of providing a safe anchorage for small craft (As already suggested by His Excellency) within the scheme of construction.

3. Although it is rather early to approach the Company for definite figures, the tonnage of cargo landed during a year is, I understand, approximately 3500 tons, Landing charges on which at 7s/6d per ton, would yield £1312. 10. 0. I don't know whether Government would consider unloading cargo in the Outer Harbour; this would necessitate the provision of lighters but perhaps some arrangement could be made with the Falkland Islands Company to land such cargoes on the Government Jetty.

4. In para 12 of Sir W.L. Allardyce's despatch No. 25 of 5th April, 1907, it is stated that an estimate of £2477 was given in 1899 as the cost of a jetty measuring 208 feet, while in para 17 of the same despatch a sum of £2000 was given for a jetty (probably the extension of the present Government Jetty) 200 feet long.

5. Assuming that a scheme of £10,000 was aimed at and the funds obtained on loan, free of interest, from the Colonial Development Fund, it would be necessary to provide a sinking fund of £372 over a period of 20 years. This would leave approximately £940 per annum for labour and other expenses on the basis of the figures given in para 3.

6. I am of the opinion that in addition to providing a proper landing place and Customs facilities, there would be a new avenue for labour during and after construction. The labour for loading and unloading could, perhaps, be drawn from the Public Works Department when required, and it would still be necessary for the Falkland Islands Co and other importers to employ a good number of men to transport cargo from the Customs to their own warehouses.

7. I have not been able to find much information as to costs in the files which I have seen, but it would be well, perhaps, to obtain an opinion of costs from the Crown Agents, who might be able to provide the technical staff for the construction to be carried out by local labour.


Treasurer.