

ACT No. XI OF 1916.

[PASSED BY THE INDIAN LEGISLATIVE COUNCIL.]

(Received the assent of the Governor General on the 5th
September, 1916.)

An Act to provide further power to prohibit
or restrict the import and export of goods
to and from British India.

WHEREAS it is expedient to provide further
power to prohibit or restrict the import and
export of goods to and from British India; It is
hereby enacted as follows:—

1. (1) This Act may be called the Import and Ex-
port of Goods Act, 1916;

(2) It extends to the whole of British India; and

(3) It shall remain in force during the continu-
ance of the present war, and for a period of six months
thereafter.

Definitions.

2. In this Act—

“export” means the taking by sea or land out
of British India;

“import” means the bringing by sea or land
in to British India.

Power to
prohibit or
restrict import
or export of
goods from
or to any
country or
place, or any
person or
class of
persons.

3. The Governor General in Council may, by
notification in the Gazette of India, prohibit or res-
trict, in any way he may specify in such notification,
the import or export of all or any goods or any class
of goods from or to any country or place, or from or
to any person or class of persons.

Application of
the provisions
of Act VIII
of 1878.

4. Where, by a notification issued under section 3,
the import or export of any goods is prohibited or
restricted, such goods shall be deemed to be goods of

which

which the import or export has been prohibited or restricted under section 19 of the Sea Customs Act, 1878, and the provisions of the said Act shall have effect accordingly :

Provided that, in any proceedings for the adjudication of confiscation of any goods to which the provisions of any notification under this Act are alleged to apply, the goods shall be deemed to be goods of which the import or export has been so prohibited or restricted, as the case may be, unless the contrary is proved.

5. (1) Where any bond has been executed for the due performance of any condition imposed in the exercise or by virtue of the power of restriction conferred by section 3, the officer in whose favour the bond has been executed or his successor in office may, if he is satisfied that such bond has been forfeited, call upon the person bound thereby to pay the penalty to show cause why it should not be paid by him.

Summary procedure for recovery of penalty of bond.

(2) If, in the opinion of such officer, sufficient cause is not shown and the penalty is not paid, he may, in addition to all other legal remedies, proceed to recover the same as if it were an arrear of land-revenue, and shall, for that purpose, have all the powers conferred upon the Collector by any enactment relating to land-revenue for the time being in force in any part of the province in which the bond was executed.

6. All notifications under section 19 of the Sea Customs Act, 1878, issued after the 3rd day of August, 1914, and in force at the commencement of this Act, shall be deemed to have been issued under the provisions of section 3, and any action taken after the said date which, if this Act had been in force, could have been validly taken, is hereby validated.

Certain notifications under Act VIII of 1878 to be deemed to be issued under this Act.

7. The Import and Export of Goods Ordinance, 1916, is hereby repealed.

Repeal of Ordinance IV of 1916.

VIII of 1878.

VIII of 1878.

IV of 1916.