

Statutory Document No. 2018/0140



*Customs and Excise Management Act 1986*

## **CUSTOMS AND EXCISE MANAGEMENT ACT 1986 (AMENDMENT) ORDER 2018**

*Approved by Tynwald: 19<sup>th</sup> June 2018*

*Coming into Operation: in accordance with article 2*

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The Treasury makes the following Order under section 180(3) of the Customs and Excise Management Act 1986.

### **1 Title**

This Order is the Customs and Excise Management Act 1986 (Amendment) Order 2018.

### **2 Commencement**

- (1) This Order comes into operation when it is approved by Tynwald<sup>1</sup>.
- (2) However, when it is approved it shall be deemed to have come into operation on the 21 May 2018<sup>2</sup>.

### **3 Amendment of section 170 of the Customs and Excise Management Act 1986**

In section 170 of the Customs and Excise Management Act 1986, after subsection (1), insert —

- ▮ (1A) The officer, constable or member may use reasonable force if necessary for the purpose of exercising the power in subsection (1). ▮.

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<sup>1</sup> Section 180(3) of the Customs and Excise Management Act 1986 requires an order adding to, amending, varying or repealing any provision of that Act to make it correspond with the like legislation operating in the United Kingdom, to be approved by Tynwald.

<sup>2</sup> Section 180(4) of the Customs and Excise Management Act 1986 provides that an order made under that Act may be made retrospective and be deemed to have come into operation from a date not earlier than the date when the legislation corresponding to the order came into effect in the United Kingdom.

**MADE 18 MAY 2018**

**A L CANNAN**  
*Minister for the Treasury*

*EXPLANATORY NOTE*

*(This note is not part of the Order)*

This Order inserts a new subsection (1A) into section 170 of the Customs and Excise Management Act 1986 (“the Act”) specifying that an officer or other specified person may use reasonable force for the purposes of exercising the powers of search for which section 170 provides.

Section 170 provides customs officers, constables, members of Her Majesty’s armed forces or the coastguard service with the power to stop and search a vehicle or vessel, where there are reasonable grounds to suspect that the vehicle or vessel, is or may be carrying goods which are —

- a) chargeable with any duty which has not been paid or secured; or
- b) in the course of being unlawfully removed from or to any place; or
- c) otherwise liable to forfeiture under the customs and excise Acts (as defined in section 184 of the Act).