

RECORDED

(1898)

Important.

PRESS SERIES.

G.O., No. 276

Dated 16th May

[Despatch Abstract.]

Custom House Tariffs.

Coming to the Bd. of Rev. endorsement of the Govt. of India forwarding copy of a despatch from the Secy. of State for India relative to new procedure about to be adopted by the German Custom House authorities respecting information to be given with regard to —.

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Revenue (1898) Department.

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15/5/98

From

The Government of India
Finance & Commerce Dept.

No. 1933 L.R.

Communication to the
Board of Revenue: The correspondence
will be republished in the
Vol. 1000 Gazette

Dated 5 May

Received 11 "

Registered 11 "

Enclosures 3.

Spare copies.

list

To

The B. of Rev (L.R.) 1 Dept.
Encl: Govt: Mess 2.6.98
4/3

SUBJECT.

Forwarding to the Govt of
Madras the copy of a despatch
from the Secretary of State for
India, relative to new procedure
about to be adopted by the
German Customs authorities.

BACK PAPERS.

G.O.	No.	Department.	Date

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FOREIGN OFFICE.

1898.

MISCELLANEOUS SERIES.

No. 445

REPORTS ON SUBJECTS OF GENERAL AND COMMERCIAL INTEREST.

GERMANY.

TRANSLATION OF DECREE RESPECTING INFORMATION TO BE GIVEN BY GERMAN CUSTOMS AUTHORITIES.

Presented to both Houses of Parliament by Command of Her Majesty, FEBRUARY, 1898.

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No. 445.

GERMANY,

BERLIN.

Sir F. Lascelles to the Marquess of Salisbury.

(Received at Foreign Office, February 14, 1898.)

My Lord,

I HAVE the honour to forward to your Lordship herewith a translation of a Decree which I have received from Mr. Harriss Gastrell, Commercial Attaché to this Embassy, relating to the regulations to come into force on April 1 next, regarding information to be given by the custom-houses of the German Empire as to duties leviable on goods to be imported. The intending importer thereby acquires the right to ask for and obtain all details as to duties and tare allowances applicable to his goods.

I have, &c.,
(Signed) F. C. LASCELLES.

[NOTE.—Every merchant should enquire of his Continental agent at the port of entry as to any points which may not seem clear in the Decree.]

The Bundesrath decided on January 20 to sanction the following regulations regarding the affording of official information on matters connected with custom-house tariffs, which are to come into force on April 1, 1898.

Signed at Berlin February 3, 1898.

For the Imperial Chancellor,
(Signed) VON KOENER.

Regulations connected with Information on Custom-House Tariffs.

I.—The officials administering the custom-house at the place in the administrative district, where the goods are to be entered, are to give, when requested, official information as regards the duties to be levied on the said goods, and also about the tare allowances made.

II.—The person enquiring on these points must state:—

- (a) Whether he has already addressed the questions to any other administrative officials, and what reply he obtained.
- (b) Whether the goods in question, to his knowledge, have been previously imported by other persons or by himself, and through what custom-house; and, if so, what treatment they received as regards the duties levied.
- (c) At what custom-house he intends finally to introduce the wares and pay the corresponding duties; or declare why he cannot designate the place of entry.

III.—The enquirer must also make a true declaration as to the quality and origin, &c., of the goods demanded by the administrative officers, and furnish as many samples or patterns as may be required in order to carry out the necessary technical examination of the goods. One sample or pattern must remain with the administrative officers; a second one, after due identification, will be returned to the enquirer; a third one, also duly identified by the officials, will be handed over to that custom-house at which the goods will be entered finally.

Should the production of samples be impossible from the nature of the article to be imported, then drawings or pictures are to accompany the inquiry, and are to be of a kind that the required information can be accurately given without production of the article itself.

In cases where it is not possible either to submit samples or patterns, nor an intelligible and satisfactory description of the goods, the information asked for will not be given.

The administrative officers can dispense with the submission of samples or patterns whenever they may consider them to be unnecessary.

IV.—The enquirer has no right of complaint against the information given him.

The right of those persons liable for the payment of duties, to complain of the eventual manner of "clearance" (under the provisions of paragraph 12 of the Law of the Customs Union) resulting from the information afforded them, is not interfered with by the above paragraph (IV).

V.—The costs of the necessary technical examination of the goods, as also those necessitated by the transport of the patterns or samples, have to be borne by the enquirer. Any other expenses are not to fall upon him. The administrative officers are

authorised to demand a suitable money deposit in advance, and this has especially to be attended to in those cases where the enquirer has neither his domicile nor business residence in the Empire.

VI.—Information is to be given of the answer received to that custom-house of the district at which the goods are to be cleared, and, as far as possible, by the presentation of an identified pattern or sample of the goods. To what extent information must be given to the other custom-houses of the district is left to the judgment of the administrative officers.

VII.—The decision of the administrative officers, upon which the answer is given to the enquirer, is binding on the subordinate custom house officials.

Should this decision of the administrative officers themselves, or of the highest financial authorities of the country or of the Bundesrath, be so altered after communicating it to the enquirer that the goods become subject to a higher duty, or are allotted a smaller tare allowance, then, for those goods of the enquirer which shall have arrived at any custom-house for clearance before the change is announced, the former treatment shall still be granted, and they will be exempted from the higher duty or lower tare allowance. Nevertheless, should the enquirer, under the provisions of the above paragraphs II and III, have knowingly omitted to fulfil them, or have incorrectly carried them out, then the difference in duty is to be collected from him so long as this is not prescribed by lapse of time.

VIII.—The highest financial authorities of the Empire are empowered to allow the original decision given to the enquirer, notwithstanding its having been subsequently altered by the authorities, to stand good for three months longer for such goods as the enquirer may have imported on the strength of that decision, if he can show that the said imported goods have been introduced in consequence of contracts which he bona fide entered into before having acquired any knowledge of the alteration in duty, &c. This regulation does not apply when the original decision has lost its validity from alterations in the laws, in the customs-house tariff, or in other publicly announced regulations.

Cases of this kind that have been approved of by the financial authorities are to appear in a list to be yearly submitted to the Bundesrath showing the remission of duties granted under this regulation.

IX.—If, within one year from the date of the enquiry, any change is involved in the answer given to the enquirer, in consequence of any changes (other than those made in the laws, in the statistical classification, and in other publicly announced regulations), then the enquirer will be officially informed of it. But after one year such information will only be furnished when asked for.

X.—The officials of the Empire administering the duties and taxes have immediately to take cognisance of the cases in which such information has been given, and to communicate them in a

tabular form as quickly as possible to the Imperial Treasury. Cases which are easy to decide and do not involve the possibility of any divergence of opinion, or which are of quite subsidiary importance, can be left out of these lists. It will be the business of the Imperial Treasury to see that divergent decisions by officials regarding the same article shall be quickly disposed of and made uniform by means of the highest financial officials or of the Bundesrath.

NOTE.—The reference to para. 12 of the "Law of the Customs Union" mentioned under paragraph IV is important, and provides that, in cases of complaint as to the application of the classification to the article imported, the question will be decided by the administrative officers of the customs.



(True Copy)

Heute

Registrar,
Fin. & Econ. Dept.

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12/15/92

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It is particularly requested that the attention of exporters of goods to Germany may be called to the accompanying paper.

Foreign Office,
February, 1898.

Enclature 307
Foreign Office,
February 24th, 1898.

Print

Sir,

I am directed by the Secretary
of State for Foreign Affairs to
transmit to you, to be laid
before the Secretary of State for
India, the accompanying translation
of a German Decree, as marked
No. 445 Misc. Series. } in the margin, respecting
information to be given with
regard to Custom House Tariffs.

I am, &c.,

Sd/ F. H. Villiers.

The Under Secretary of State,
India Office.

2 p

India Office,

London, 10th March 1898.

Revenue
No. 44

Print

To His Excellency the Right Honourable
the Governor General of India in Council.

My Lord,

I forward herewith, for the information
of your Excellency's Government, copy of the
papers noted in the margin*, relative
to new procedure about
to be adopted by the

* Letter from Foreign
Office, dated 24th
February 1898, with inclosures.

German Customs Authorities.

2. The Foreign Office have particularly
requested that the attention of the
exporters of goods to that country
may be called to the decree now
enclosed.

I have, &c.,
Edw. George Hamilton.

No. 1033-S.R.

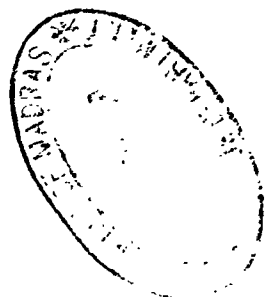
Government of India,

Finance and Commerce Department.

Simla, the 5th ^{May} ~~April~~ 1898.

Read:-

Despatch from the Secretary of State
for India No. 44, Revenue, dated the 10th
March 1898.



Ordered that copy of this despatch
and of its enclosures, is forwarded to
Governments of Madras, Bombay, Bengal
and Burma.

Ordered also that copy be forwarded
to the Chambers of Commerce, Madras,
Bombay, Bengal, Rangoon and Karachi.

J. A. Whitton
Asst. Secretary to the Govt. of India

Government (1898) of Madras.
REVENUE.

Recd.

Regd.

1898.

Enclosures

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G.O., No. 276, 16th May 1898.

MAY.

Custom House Tariffs.

Communicating to the Board of Revenue endorsement of the Government of India forwarding copy of a despatch from the Secretary of State for India relative to new procedure about to be adopted by the German Custom House authorities respecting information to be given with regard to—

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following despatch from the Right Hon'ble Lord GEORGE HAMILTON, Her Majesty's Secretary of State for India, to His Excellency the Right Honourable the Governor-General of India in Council, No. 44, Revenue, dated India Office, London, 10th March 1898:—

I forward herewith, for the information of your Excellency's Government, copy of the papers noted in the margin, relative to new procedure about to be adopted by the German Customs Authorities.

2. The Foreign Office have particularly requested that the attention of the exporters of goods to that country may be called to the decree now enclosed.

ENCLOSURES.

From F. H. VILLIERS, Esq., to the Under Secretary of State, India Office, dated Foreign Office, 24th February 1898.

I am directed by the Secretary of State for Foreign Affairs to transmit to you, to be laid before the Secretary of State for India, the accompanying translation of a German Decree, as marked in the margin, respecting information to be given with regard to Custom House Tariffs.

No. 445, Mis. Series.

No. 445.

GERMANY.

TRANSLATION OF DECREE RESPECTING INFORMATION TO BE GIVEN BY GERMAN CUSTOMS AUTHORITIES.

BERLIN.

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(Received at Foreign Office, February 14, 1898).

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Signed at Berlin 3rd February 1898.

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(Signed) VON KOENER,

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1933-S.R.

Ordered that copy of this despatch and of its enclosures be forwarded to the Governments of Madras, Bombay, Bengal and Burma.

Ordered also that copy be forwarded to the Chambers of Commerce, Madras, Bombay, Bengal, Rangoon and Karachi.

(True Extract.)

SIMLA,
5th May 1898.

(Signed) J. A. ROBERTSON,
Offg. Asst. Secy. to the Govt. of India.

ORDER—No. 276, Revenue, dated 16th May 1898.

Separate Revenue No. 26.

Communicated to the Board of Revenue. The correspondence will be re-published in the *Fort St. George Gazette*.

(True Extract.)

(Signed) G. S. FORBES,
Ag. Secretary to Government.

To the Board of Revenue (Separate Revenue).
„ the Superintendent, Government Press.

Returned for signature.

Despatched in post.

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18

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ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH BILL

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