

Memorandum for Cabinet by Minister of Finance, Customs and Port

## Revised Drawback (Cigarettes) Regulations

Representations have been made to the Ministry of Trade, Industry and Agriculture by the Tobacco Companies for an increase in the percentage of tobacco wastage eligible for drawback.

The Companies claim that wastages due to lower moisture content in the finished product as well as tobacco dust discarded by the cigarette making-machine add up to 4% of the volume of tobacco used.

The claim was fully investigated by the Comptroller of Customs whose findings confirm the claim of the Companies. A recommendation for an allowance of 4% wastages for drawback purposes was made by the Comptroller of Customs and approved by Finance. Opportunity is being taken to include in the Regulations a provision for drawback on cigarettes manufactured from herbal mixture. Herbal mixture is considered as leaf tobacco for duty purposes and no reason is seen why this mixture should not qualify for drawback.

Hon. Ministers are invited to advise His Excellency to issue the attached drawback regulations revising earlier ones so as to take into account 4% tobacco loss in the manufacture of cigarettes. The Regulations have been vetted by Crown Counsel.

12th June 1969.

MEPF/306/63

L.N. of 1969.

IMPORT DUTIES ACT, 1964  
(ACT NO. XI of 1964)

IMPORT DUTIES (LOCALLY MANUFACTURED CIGARETTES SUPPLIED TO MEMBERS OF DIPLOMATIC MISSIONS) DRAWBACK REGULATIONS, 1969.

Date of Commencement:

IN exercise of the powers conferred by section 20 of the Import Duties Act, 1964, His Excellency the Governor-General has made the following regulations:-

Citation.

1. These regulations may be cited as the Import Duties (Locally Manufactured Cigarettes supplied to Members of Diplomatic Missions) Drawback Regulations, 1969.

Drawback on cigarettes supplied to members of Diplomatic Missions.

2. Subject to the provisions of the Import Duties Act, 1964, and of regulations 3 and 4 of these regulations, a drawback of import duties charged on the goods mentioned in the first column of the Schedule hereto, at the rates specified in respect of such goods in the second column of the said Schedule, shall be allowed on the supply of locally manufactured cigarettes to any such persons as are, in accordance with, or by an order made under, the provisions of the Diplomatic Immunities and Privileges Act, 1966, entitled to be exempt from import duties on cigarettes, but to the extent only that they are so exempt.

Act No. I of 1966.

Evidence of supply of cigarettes to entitled persons.

3. (1) A claim for the payment of such drawback shall be supported by -

- (a) a certificate issued by the person for whose use the cigarettes are supplied, showing that the quantities of locally manufactured cigarettes in respect of which drawback is claimed have been supplied to him; and

/....

(b) a certificate issued by the Ministry of Commonwealth and Foreign Affairs showing that the person to whom locally manufactured cigarettes in respect of which drawback is claimed have been supplied is a person entitled to exemption from import duties on cigarettes in view of the provisions of the Diplomatic Immunities and Privileges Act, 1966.

(2) For the purposes of the payment of drawback under these regulations, a certificate issued in accordance with sub-paragraph (b) of paragraph (1) of this regulation shall be sufficient evidence of the facts stated therein unless the contrary is proved.

Surrender of tobacco stalks and offal.

4. (1) In the case of tobacco contained in cigarettes manufactured from leaf tobacco, the drawback allowed under these regulations shall be payable subject to the surrender to the Comptroller of Customs of a quantity of tobacco stalks and offal equal in weight to not less than five per centum of the tobacco in the quantity of cigarettes in respect of which drawback is claimed.

(2) In the case of tobacco contained in cigarettes manufactured from tobacco imported cut, or cut and blended but not further manufactured, the drawback allowed under these regulations shall be payable subject to the surrender to the Comptroller of Customs of a quantity of tobacco offal equal in weight to not less than two per centum of the tobacco in the quantity of cigarettes in respect of which drawback is claimed.

Revokes  
Legal Notice  
No. 52 of 1967  
and saving.

5. The Import Duties (Locally Manufactured Cigarettes supplied to Members of Diplomatic Missions) Drawback Regulations, 1967, are hereby revoked without prejudice to anything lawfully done or omitted to be done thereunder.



SCHEDULE

Regulation 2

First Column Goods	Second Column Rate of Drawback
Tobacco:	31s 6d per kilogramme of tobacco contained in cigarettes manufactured from leaf tobacco charged with duty at the Preferential Tariff;
	31s 11d per kilogramme of tobacco contained in cigarettes manufactured from leaf tobacco charged with duty at the General Tariff;
	31s 2d per kilogramme of tobacco contained in cigarettes manufactured from tobacco imported cut or cut and blended but not further manufactured.
Herbal smoking mixture	30s -d per kilogramme of smoking mixture contained in cigarettes manufactured from herbal smoking mixture.
Filter Plugs	The duty paid on importation plus ten per cent thereof as wastage allowance.
Cardboard Sleeves	The duty paid on importation.

L.N. of 1969

IMPORT DUTIES ACT, 1964  
 IMPORT DUTIES (DRAWBACK ON EXPORTED CIGARETTES) ORDER, 1969

Date of commencement:

IN exercise of the powers conferred by section 19 of the Import Duties Act, His Excellency the Governor-General has made the following order:-

Citation.

1. This order may be cited as the Import Duties (Drawback on Exported Cigarettes) Order, 1969.

Drawback on exportation of cigarettes.

2. Subject to the provisions of the Import Duties Act, 1964, and of article 3 of this order, a drawback of import duties charged on the goods mentioned in the first column of the Schedule hereto shall be allowed, on the exportation or shipment as stores of cigarettes manufactured in these Islands, at the rates specified in respect of such goods in the second column of the said Schedule.

Surrender of tobacco stalks and offal.

3. (1) In the case of tobacco contained in cigarettes manufactured from leaf tobacco the drawback allowed by this order shall be payable subject to the surrender to the Comptroller of Customs of a quantity of tobacco stalks and offal equal in weight to not less than five per centum of the tobacco in the quantity of cigarettes in respect of which drawback is claimed.

(2) In the case of tobacco contained in cigarettes manufactured from tobacco imported cut, or cut and blended but not further manufactured the drawback allowed by this order shall be payable subject to the surrender to the Comptroller of Customs of a quantity of tobacco offal equal in weight to not less than two per centum of the tobacco in the quantity of cigarettes in respect of which drawback is claimed.

/....

4. The Import Duties (Drawback on Exported Cigarettes) Order, 1960, is hereby revoked without prejudice to anything lawfully done or omitted to be done thereunder.

SCHEDULE

Article 2.

First Column	<p>31s 5d per kilogramme of tobacco contained in cigarettes manufactured from leaf tobacco charged with duty at the Preferential Tariff;</p> <p>31s 11d per kilogramme of tobacco contained in cigarettes manufactured from leaf tobacco charged with duty at the General Tariff;</p> <p>31s 2d per kilogramme of tobacco contained in cigarettes manufactured from tobacco imported cut, or cut and blended, but not further processed.</p>
Herbal smoking mixture	<p>30s -d per kilogramme of smoking mixture contained in cigarettes manufactured from herbal smoking mixture.</p>
Filter Plugs	<p>The duty paid on importation plus ten per cent thereof as wastage allowance.</p>
Cardboard Sleeves	<p>The duty paid on importation.</p>

L.N. of 1969.

## IMPORT DUTIES ACT, 1964

(ACT NO. XI OF 1964)

IMPORT DUTIES (CIGARETTES SUPPLIED TO HEADQUARTERS OF THE  
NORTH ATLANTIC TREATY ORGANIZATION IN MALTA) DRAWBACK  
REGULATIONS, 1969.

## Date of commencement:

IN exercise of the powers conferred by section 20 of the Import Duties Act, 1964, His Excellency the Governor-General has made the following regulations:

## Citation

1. These regulations may be cited as the Import Duties (Cigarettes supplied to Headquarters of the North Atlantic Treaty Organization in Malta) Drawback Regulations, 1969.

## Drawback on cigarettes supplied to Headquarters of the North Atlantic Treaty Organization in Malta.

2. Subject to the provisions of the Import Duties Act, 1964, and of regulations 3 and 4 hereof, a drawback of import duties charged on the goods mentioned in the first column of the Schedule hereto shall be allowed, on the supply to Headquarters of the North Atlantic Treaty Organization in Malta, of cigarettes manufactured in these Islands, at the rates specified in respect of such goods in the second column of the said Schedule.

## Evidence of supply of cigarettes to the North Atlantic Treaty Organization in Malta.

3. (1) A claim for the payment of such drawback shall be supported by a certificate issued by the Headquarters Commandant at Headquarters of the North Atlantic Treaty Organization in Malta showing that the quantities of cigarettes manufactured in these Islands in respect of which drawback is claimed have been supplied to Headquarters of the North Atlantic Treaty Organization in Malta.

(2) For the purposes of the payment of drawback under these regulations a certificate issued in accordance with paragraph (1) of this regulation shall be



sufficient evidence of the facts stated therein unless the contrary is proved.

Surrender of tobacco stalks and offal.

4. (1) In the case of tobacco contained in cigarettes manufactured from leaf tobacco the drawback allowed under these regulations shall be payable subject to the surrender to the Comptroller of Customs of a quantity of tobacco stalks and offal equal in weight to not less than five per centum of the tobacco in the quantity of cigarettes in respect of which drawback is claimed.

(2) In the case of tobacco contained in cigarettes manufactured from tobacco imported cut, or cut and blended but not further manufactured the drawback allowed under these regulations shall be payable subject to the surrender to the Comptroller of Customs of a quantity of tobacco offal equal in weight to not less than two per centum of the tobacco in the quantity of cigarettes in respect of which drawback is claimed.

Revokes Legal Notice 66 of 1961 and saving.

5. The Import Duties (Cigarettes supplied to Headquarters, Allied Forces Mediterranean) Drawback Regulations, 1961, are hereby revoked without prejudice to anything lawfully done or omitted to be done thereunder.

#### SCHEDULE

Regulation 2

First Column Goods	Second Column Rate of Drawback
Tobacco	31s 5d per kilogramme of tobacco contained in cigarettes manufactured from leaf tobacco charged with duty at the Preferential Tariff; 31s 11d per kilogramme of tobacco contained in cigarettes

/...



	manufactured from leaf tobacco charged with duty at the General Tariff;
	31s 2d per kilogramme of tobacco contained in cigarettes manufactured from tobacco imported cut, or cut and blended but not further manufactured.
Herbal smoking mixture	30s -d per kilogramme of smoking mixture contained in cigarettes manufactured from herbal smoking mixture.
Filter Plugs	The duty paid on importation plus ten per cent thereof as wastage allowance.
Cardboard Sleeves	The duty paid on importation.