



**Isle of Man**

*Ellan Vannin*

**AT 3 of 2013**

**CASH IN POSTAL PACKETS ACT 2012**





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## CASH IN POSTAL PACKETS ACT 2013

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## CASH IN POSTAL PACKETS ACT 2013

*Signed in Tynwald:* 19 February 2013  
*Received Royal Assent:* 19 February 2013  
*Announced to Tynwald:* 20 February 2013

**AN ACT** to amend the Customs and Excise Management Act 1986; the Post Office Act 1993 and the Proceeds of Crime Act 2008 to make provision in relation to cash contained in postal packets; to add definitions in section 15 of the Post Office Act 1993; and for connected purposes.

**BE IT ENACTED** by the Queen's Most Excellent Majesty, by and with the advice and consent of the Council and Keys in Tynwald assembled, and by the authority of the same, as follows:—

### *Introductory*

#### **1 Short title**

The short title of this Act is the Cash in Postal Packets Act 2013.

#### **2 Commencement**

- (1) This Act, other than section 1 and this section, comes into operation on the day appointed by order of the Treasury.
- (2) The Treasury may by order make transitional and saving provisions which it considers necessary or expedient in connection with the commencement of any provision made by or under this Act.<sup>1</sup>

#### **3 Expiry**

- (1) This Act expires —
  - (a) on the day after its promulgation if all its provisions are in operation on its promulgation; or
  - (b) otherwise, on the day after the last provision is brought into operation.

- (2) But the expiry does not affect the continuing operation of the amendments.<sup>2</sup>

*Amendment of the Customs and Excise Management Act 1986*

#### **4 Amendment of the Customs and Excise Management Act 1986**

The *Customs and Excise Management Act 1986* is amended in accordance with sections 5 to 9.

#### **5 Section 76A amended**

- (1) Section 76A(1) (interpretation of Part VA) is amended as follows.
- (2) [Amended the definition of “declaration”]
- (3) [Amended definitions of “ “export” and “import”]
- (4) [Inserted definition of “postal packet”]
- (5) [Inserted definition of “sender”]

#### **6 Section 76B amended**

- (1) [Substituted section 76B(1)]
- (2) [Substituted marginal note to section 76B]

#### **7 New sections 76CA to 76CC**

[Inserted sections 76CA to 76CC]

#### **8 Section 76H amended**

- (1) Section 76H (notice of seizure of cash) is amended as follows.
- (2) [Amended subsection (2)]
- (3) [Inserted subsection (2A)]

#### **9 New section 76I**

[Inserted section 76I]

*Amendment of the Post Office Act 1993*

#### **10 Amendment of the Post Office Act 1993**

The *Post Office Act 1993* is amended in accordance with sections 11 and 12.

**11 Section 15 amended**

- (1) Section 15 (application of customs Acts) is amended as follows.
- (2) [Amended subsection (2)(e)]
- (3) [Inserted subsections (7) and (8)]

**12 Section 49 amended**

- (1) Section 49(3) (inviolability of mails) is amended as follows.
- (2) [Amended paragraph (a)]
- (3) [Inserted paragraphs (aa) and (ab)]
- (4) [Amended paragraph (b)]
- (5) [Amended paragraph (c)]

*Amendment of the Proceeds of Crime Act 2008*

**13 Amendment of the Proceeds of Crime Act 2008**

The *Proceeds of Crime Act 2008* is amended in accordance with sections 14 to 19.

**14 Section 43 amended**

- (1) Section 43 (searches) is amended as follows.
- (2) [Inserted subsection (6)(f)]
- (3) [Inserted subsection (7A)]

**15 New section 43A**

[Inserted section 43A]

**16 Section 44 amended**

[Amended section 44(1)]

**17 Section 45 amended**

- (1) Section 45 (searches: code of practice) is amended as follows.
- (2) [Inserted subsection (1A)]
- (3) [Amended subsection (3)]
- (4) [Amended subsection (4)]
- (5) [Amended marginal note to section 45]

**18 Section 49 amended**

- (1) Section 49 (release of detained cash) is amended as follows.
- (2) [Amended subsection (3)]
- (3) [Inserted subsection (5)]

**19 Section 54 amended**

- (1) Section 54 (compensation where no forfeiture order made) is amended as follows.
- (2) [Substituted subsection (1)]
- (3) [Inserted subsection (8)]



## ENDNOTES

### Table of Endnote References

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<sup>1</sup> ADO - Section 17 in operation 27/03/2013; section 15 in operation 27/03/2013 for the purposes of enabling the Department of Home Affairs to make a code of practice in connection with the exercise of powers conferred by section 43A<sub>2</sub> of the Proceeds of Crime Act 2008 and to bring that code into operation by order; section 13 in operation on 27/03/2013 for the purposes of bringing sections 15 and 17 of the Act into operation [SD2013/0205]; Sections 3 to 12, 14, 16, 18 & 19 in operation on 01/06/ 2013; sections 13 and 15 for all remaining purposes in operation 01/06/2013 [SD2013/0206].

<sup>2</sup> Act promulgated 05/07/2013.