

Statutory Document No. 2024/0012



Customs and Excise Management Act 1986

CUSTOMS (AERODROME APPROVAL CONDITIONS) REGULATIONS 2024¹

Laid before Tynwald: 20 February 2024

Coming into Operation: in accordance with regulation 2 15 January 2024

The Treasury makes the following Regulations under section 13B(2) of the Customs and Excise Management Act 1986.

1 Title

These Regulations are the Customs (Aerodrome Approval Conditions) Regulations 2024.

2 Commencement

These Regulations come into operation on 15 January 2024¹.

3 Aerodrome Approval Conditions

- (1) In this Regulation “the Act” means the Customs and Excise Management Act 1986.
- (2) The conditions in Schedule 1 are those which must be met in accordance with section 13B(2)(a) of the Act by the person in control of an aerodrome before the Treasury may approve the aerodrome under section 13B(1) of the Act.
- (3) In addition to the conditions in paragraph (2), the Treasury may also, in any case, require that any one or more of the conditions in Schedule 2 to the Regulations are met by the person in control of an aerodrome before the Treasury may approve the aerodrome under section 13B(1) of the Act.
- (4) Any system, process, space, accommodation, facilities, or areas provided in accordance with paragraph (2) or (3) must be adequate in terms of location, scale, security and privacy.

¹ Tynwald procedure – negative under section 180(1) of the Customs and Excise Management Act 1986.

MADE 10TH JANUARY 2024



SCHEDULE 1

[Regulation 3(2)]

Approval conditions to be met for aerodromes before approval given under Regulation 3(b)

- 1 A record management system must be in place which is capable of –
 - (a) Recording details of any aircraft landing or taking off from the aerodrome including –
 - (i) the journey and route,
 - (ii) the date and time of arrival and departure,
 - (iii) the type and registration of the aircraft,
 - (b) storing those details for 4 years, and
 - (c) sending those details to the Treasury in a format to be notified by them.
- 2 Plans or drawing for the aerodrome must be provided to the Treasury.
- 3 Parking areas must be provided for vehicles under the control of officers² as part of their duties.
- 4 Space must be provided –
 - (a) to examine vehicles, aircraft, people, goods and baggage, both without and with any specialised equipment, under the control of officers in the course of their duties, and
 - (b) for the conduct of customs formalities and controls.

² “officer” is defined in section 184 of the Customs and Excise Management Act 1986.

SCHEDULE 2

[Regulation 3(3)]

Approval conditions for aerodromes under regulation 3(c)

- 1 In this Schedule —
 - (a) “chargeable goods” has the meaning given by section 2 of the Taxation (Cross-border Trade) Act 2018³;
 - (b) “domestic goods” has the meaning given by section 33 of the Taxation (Cross-border Trade) Act 2018.
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 - (1) A process for the handling of any dangerous goods within the aerodrome must be in place. This must include provision for the clear marking of dangerous goods and the space to store them appropriately and separately from all other goods within the aerodrome.
 - (2) “Dangerous goods” means articles or substances which are capable of posing a hazard to health, safety, property or the environment, including in particular —
 - (a) explosives,
 - (b) gases,
 - (c) flammable liquid,
 - (d) flammable solids,
 - (e) oxidisers and organic peroxides,
 - (f) toxic and infectious substances,
 - (g) radioactive material, or
 - (h) corrosive substances.
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 - (1) A system must be in place which is capable of recording details —
 - (a) of the journey and route of goods,
 - (b) the location of goods within the aerodrome, and
 - (c) whether goods —
 - (i) have been presented and declared to the Treasury,
 - (ii) are subject to permission to proceed, and
 - (iii) that have been exported have been notified as such to the Treasury.
 - (2) The system required under sub-paragraph (1) must be capable of —
 - (a) storing those details for 4 years, and

³ 2018 c.22 (of Parliament), as applied to the Island by SD 2019/0080 and as subsequently amended.

- (b) sending those details to the Treasury in a format to be notified by them.
- 4 Furnished office accommodation must be provided for the use of officers as part of their duties.
 - 5 Internet-access must be provided for the use of officers as part of their duties.
 - 6 Lavatory facilities must be provided for the use of officers.
 - 7 Space must be provided for the holding of chargeable goods separately from domestic goods. Appropriate arrangements must be in place to ensure that whilst goods are subject to customs control, they cannot be interfered with, altered, or removed from the aerodrome without permission from a proper officer for the Treasury.
 - 8 Appropriate arrangements must be in place to restrict access to the aerodrome, or to a specified part of the aerodrome, to individuals who have been given permission by the person in control of the aerodrome and to report any unauthorised access immediately to the Treasury.
 - 9 The means of access to aircraft, vehicles, containers and other areas utilised by officers must be clearly marked, maintained and clear of obstructions.
 - 10 Space and equipment for the proper display of customs information signs and publications must be available.
 - 11 Details of the dates and times on which the aerodrome is open must be provided to the Treasury.

ENDNOTES

Table of Endnote References

¹ The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.