

(2) An officer, or an officer in the service of the Post Office, who, in the performance of a duty under this Act, examines or seizes a postal article shall be subject in all respects to this Act and the article shall be dealt with in accordance with this Act.

Time of entry of
postal articles

116. In the case of goods-

- (a) imported by post, the time of entry of the goods for home use shall, except in the case where actual entry is required, be deemed to be the time when the duty thereon is assessed by the proper officer;
- (b) exported by post, the time of entry of the goods for export shall be deemed to be the time of the posting of the goods.

PART VII - DEPARTURE AND CLEARANCE OF AIRCRAFT AND VESSELS AND DEPARTURE OVERLAND

Clearance
required for
departure
aircraft and
vessel to a
foreign port

117. (1) No aircraft or vessel, whether laden or in ballast, shall depart from a port or place in The Gambia to a foreign port or place unless a certificate of clearance has been granted in respect of the aircraft or vessel.

(2) The master or agent of a vessel or aircraft which departs from a port or place within The Gambia in contravention of Subsection (1) shall be guilty of an offence.

Grant of
clearance

118. (1) The master or agent of an aircraft or vessel, whether laden or in ballast, proposing to depart to a foreign port or place shall apply to the proper officer for a certificate of clearance.

(2) Where application for a certificate of clearance is made, then the proper officer shall not grant the certificate of clearance until he is satisfied that all the provisions of this Act in relation to the aircraft or vessel, its cargo, stores, baggage, crew and passengers have been complied with:

Provided that the proper officer may, by reason of the provisions of any other law, refuse to grant the certificate of clearance notwithstanding that he may be satisfied that this Act has been complied with.

(3) Where the master or agent of an aircraft, or of a vessel of less than two hundred and fifty tons register, makes application for a certificate of clearance, then he shall at the same time-

- (a) deliver to the proper officer an outward manifest on the prescribed form and in the prescribed manner;
- (b) produce to the proper officer all documents which he may require relating to the aircraft or vessel and its cargo, stores, baggage, crew and passengers;
- (c) answer all questions which the proper officer may ask relating to the aircraft or vessel and its cargo, stores, baggage, crew and passengers.

(4) Where the master or agent of a vessel of two hundred and fifty tons register or more makes application for a certificate of clearance then the proper officer may grant clearance subject to an understanding by the master or agent to deliver to the proper officer, within twenty-four hours of the grant of the certificate of clearance, the outward manifest of the vessel in the prescribed form and in the prescribed manner, and to answer all questions which he may be asked relating to the vessel, its cargo, stores, baggage, crew and passengers.

(5) Where an aircraft or vessel proposes to depart to a foreign port in ballast, then the aircraft or vessel shall be cleared in ballast, that is to say, the words "in ballast" shall be written in those parts of the form relating to the aircraft or vessel which contain provisions for the particulars of its cargo; and for the purpose of this Subsection, an aircraft or vessel shall be deemed to be in ballast when the aircraft or vessel carries; in addition to the crew and its stores, only