

the Commissioner General may approve.

(3) All bonds required to be given under this Act shall be so framed that the person giving the bond, and any surety thereto, is bound to the Commissioner General that name for the due performance of the conditions of the bond; and all bonds may, unless sooner discharged by the due performance of the conditions thereof, be discharged by the Commissioner General on the expiration of three years from the date thereof, but without prejudice to the right of the Commissioner General to require fresh security.

(4) Where a bond given under this Act is discharged, then the Commissioner General shall cause the bond to be cancelled and an endorsement to that effect made thereon.

Provisions relating to sureties

215. (1) Without prejudice to the rights of a surety to a bond given under this Act against the person for whom he is surety, a surety shall for all the purposes of a bond be deemed to be the principal debtor and accordingly the surety shall not be discharged, nor his liability affected, by the giving of time for payment, or by the omission to enforce the bond for a breach of any conditions thereof, or by any other act or omission which would not have discharged the bond if he had been the principal debtor.

(2) If a person being a surety-

- (a) dies;
- (b) becomes bankrupt or enters into an arrangement or composition with, or for the benefit of, his creditors; or
- (c) departs from The Gambia without leaving sufficient property therein to satisfy the whole amount of the bond,

the Commissioner General may require the person giving the bond to enter into fresh security.

Enforcement of bond

216. (1) Where the conditions of a bond have not been complied with then the Commissioner General may by notice in writing forthwith require the person who has given security under it to pay to the Commissioner

General the amount of the security within fourteen days of the notice; and on failure to comply with the notice, the Commissioner General may enforce payment of the security as though it were duty due and unpaid.

(2) any person against whom the Commissioner General has enforced payment of a security under Subsection (1) may, if aggrieved by such enforcement, file an appeal in the tribunal for determination of the matter, within six months of the enforcement:

Provided that prior to filing the suit, such person shall deposit with the Commissioner General the whole amount of duty demanded.

(3) Nothing in this Section shall, unless the Commissioner General otherwise allows, absolve the person who has given security under Section 213 from the obligations entered into by him under this Act or under any other law.

PART XIV - CLEARING AGENTS & AGENTS APPOINTED BY THE COMMISSIONER GENERAL

Authority of agents

217. (1) Where under the provisions of this Act the owner of goods is required or authorized to perform any act, then that act, unless the contrary appears, may be performed on his behalf by an authorized agent.

(2) A person shall not be the duly authorized agent of an owner unless-

- (a) the person is exclusively in the employment of the owner; or
- (b) the person is a clearing agent duly licensed as such in accordance with any regulations,

and, in either case the person is authorized in writing by the owner, either generally or in relation to a particular act, to perform the act on behalf of the owner.