

the master of the aircraft or vessel shall be guilty of an offence and liable to a fine of such amount as the court deems just; and the aircraft or vessel may be seized and detained until the fine is paid or security therefor given.

(3) Where an aircraft, vessel, vehicle, animal or other thing is liable to forfeiture under this Act, then the tackle, apparel, furniture and all other gear used in connection therewith shall also be liable to forfeiture therewith.

Provisions relating to goods liable to forfeiture

254. (1) Where goods are liable to forfeiture under this Act, then the package in which the goods are, and all the contents of the package shall also be liable to forfeiture therewith.

(2) Where goods which are prohibited goods or restricted goods have been shipped for importation without knowledge by the shipper of the prohibition or restriction and before, in the opinion of the Commissioner General, the expiration of a reasonable time for that information to be available at the port of shipment, then, notwithstanding this Act, those goods shall not on importation be liable to forfeiture but shall be re-exported, or otherwise disposed of, as the Commissioner General may determine; and pending re-exportation or disposal the goods shall be subject to customs control.

Power to seize goods liable to forfeiture

255. (1) An officer or police officer may seize an aircraft, vessel, vehicle, goods, animal or other thing liable to forfeiture under this Act or which he has reasonable grounds to believe is liable to forfeiture; and any such aircraft, vessel, vehicle, goods animal or other thing may be seized whether or not a prosecution for an offence under this Act which rendered it liable to forfeiture has been, or will be taken.

(2) An aircraft, vessel, vehicle, goods, animal or other thing seized and detained under this Act shall be taken to a customs warehouse or to such other place of security as the proper officer may consider appropriate.

(3) The Commissioner General may, at any time prior to the commencement of proceedings under this Act

relating to an aircraft, vessel, vehicle, goods, animal or other thing which has been seized under this Act, release it and return it to the person from whom it was seized, if he is satisfied that it was not liable to seizure.

(4) No officer shall be liable to legal proceedings for any action taken in good faith in accordance with this Section.

Procedure on seizure

256. (1) Where a thing has been seized under this Act, then, unless the thing was seized in the presence of the owner thereof, or, in the case of an aircraft or vessel, of the master thereof, the officer effecting the seizure shall, within one month of the seizure, give notice in writing of the seizure and of the reasons thereof to the owner thereof or, in the case of an aircraft or vessel, to the master thereof:

Provided that:

(a) no notice of seizure shall be given where a person has, within the period of one month, been prosecuted for the offence by reason of which the thing has been seized, or the offence has been compounded under Part XVIII, and if, after the notice has been given but before condemnation of the thing in accordance with this Act-

(i) prosecution is brought, then the thing shall be dealt with in accordance with Section 257 as if no notice had been given;

(ii) the offence is so compounded, then the thing shall be dealt with in accordance with Part XVIII as if no notice had been given;

(b) where the thing has been seized in the presence of a person coming within the definition of owner for the purpose of this Act, then it shall not be necessary for the officer effecting the seizure to give notice thereof to any other person coming within that definition;