

March 4, 2014

THE CUSTOMS ACT

The Customs Tariff (CARICOM/Dominican Republic Free Trade Agreement) Resolution, 2014

WHEREAS under section 5 of the Customs Act the House of Representatives may, from time to time, by resolution impose import or export duties of customs upon any goods whatsoever which may be imported into or exported from the Island and revoke, reduce, increase or alter any duties so imposed and may provide for the importation or exportation of any goods without payment of customs duties thereon:

AND WHEREAS an order or resolution made or passed pursuant to section 5, 6 or 7 of the Customs Act, may differentiate between the goods of different countries, and may do so subject or not to conditions and imposing, varying or revoking import or export duties or providing exemptions therefrom as to the place from which the goods are consigned to Jamaica:

AND WHEREAS the CARICOM/ Dominican Republic Free Trade Agreement (hereinafter referred to as the "Agreement") between CARICOM (of which Jamaica is a Member State) and the Dominican Republic was signed on the 22nd day of August, 1998, which introduces reciprocal arrangements between Jamaica and the Dominican Republic for entry into Jamaica, free from duty, of –

- (a) all goods, other than those set out in the list of goods to be excluded from liberalization and for which the Most Favoured Nation rate or the duty will remain in force;
- (b) all goods specified in the schedule of products to be subject to phased liberalization (set out in Table C1 of the Agreement);
- (c) seasonal products within the periods specified in the Schedule of Agricultural Products Subject to Seasonal Treatment (set out in Table A1 of the Agreement):

AND WHEREAS it is desirable, with a view to implementing the Agreement to

make provisions in relation to specified goods imported into Jamaica from the Dominican Republic:

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives as follows:-

1. This Resolution may be cited as the Customs Tariff (CARICOM/ Dominican Republic Free Trade Agreement) Resolution, 2014, and shall be read and construed as one with the Customs Tariff (Revision) Resolution, 1972, (hereinafter referred to as the “principal Resolution”) and all amendments thereto.
2. – (1) The goods specified in the First Schedule to this Resolution and originating in the Dominican Republic are exempt from import duty imposed under the First Schedule to the principal Resolution.
 - (2) The agricultural products specified in the Second Schedule to this Resolution and originating in the Dominican Republic are –
 - (a) subject to paragraph (b), exempt from import duty under the First Schedule to the principal Resolution;
 - (b) during the months of highest Jamaica production specified in the Third Schedule, subject to the imposition of import duty at the Most Favoured Nation rate.
3. Goods shall be taken to originate in the Dominican Republic, if they are shown, to the satisfaction of the Commissioner of Customs, to have been produced or manufactured in accordance with the Rules of Origin set out in Chapter IV of the Agreement.
4. – (1) The provisions of paragraph 2 shall not apply to used goods.
 - (2) For the purposes of this paragraph, “used goods” means –
 - (a) with respect to motor vehicles, vehicles which are produced in a period of more than six months before their importation into Jamaica; and
 - (b) with respect to other goods, goods which show evidence of wear or of being

irregular, imperfect or discarded from the production process.

5. Reference in the Schedules to this Resolution to Tariff Headings and Chapters are references to Tariff Headings and Chapters in the First Schedule to the Customs Tariff (Revision) Resolution, 1972, and the general provisions thereto shall extend, so far as they are applicable, to the respective Schedules to this Resolution.

FIRST SCHEDULE

(Paragraph 2(1))

Goods originating in the Dominican Republic and Eligible for Total Exemption from Customs Duty

(Here, Insert Schedule)

SECOND SCHEDULE

(Paragraph 2(3))

Agricultural Products Originating in the Dominican Republic and Subject to Most Favoured Nation Rate of Duty During Months of Highest Jamaica Production

(Here, Insert Schedule)