

March 4, 2014

## **THE CUSTOMS ACT**

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### **The Customs Tariff (CARICOM/Republic of Cuba Economic Cooperation Agreement) Resolution, 2014**

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**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/ Republic of Cuba Economic Cooperation Agreement (hereinafter referred to as the "Agreement") between CARICOM (of which Jamaica is a Member State) and the Republic of Cuba was signed on the 5<sup>th</sup> day of July, 2000, which introduces reciprocal arrangements between Jamaica and the Republic of Cuba for entry into Jamaica, free from duty, of –

- (a) all goods specified in Annexes II and V;
- (b) 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 Republic of Cuba:

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

1. This Resolution may be cited as the Customs Tariff (CARICOM/ Republic of Cuba Economic Cooperation 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. The goods specified in the First Schedule to this Resolution and originating in the Republic of Cuba are exempt from import duty imposed under the First Schedule to the principal Resolution.
3. The seasonal agricultural products specified in the Second Schedule to this Resolution are exempt from import duties during the periods specified in the Schedule of Agricultural Products Subject to Seasonal Treatment (set out in Table A1 of the Agreement).
4. Goods shall be taken to originate in the Republic of Cuba, 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.
5. – (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.
6. 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 principal Resolution and the general provisions thereto shall extend, so far as they are applicable, to the respective Schedules to this Resolution.

#### **FIRST SCHEDULE**

**(Paragraph 2 )**

***Goods originating in the Republic of Cuba and Eligible for  
Total Exemption from Customs Duty***

**(Insert Here)**

**SECOND SCHEDULE**

**(Paragraph 3)**

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

**(Insert Here)**