CHAPTER 24

EXPORTATION OF CERTAIN ARTICLES (PROHIBITION) ORDINANCE

To authorize the Minister responsible for the Police to prohibit in certain cases the exportation of certain articles.

(20th February, 1889)*

Enacted by ORDINANCE IV of 1889 as amended by Legal Notice 46 of 1965 and Acts: LVIII of 1974, VIII of 1982, XIII of 1983 and Legal Notice 407 o f2007.

Short title.

1. This Ordinance may be cited as the Exportation of Certain Articles (Prohibition) Ordinance.

Power of Minister responsible for the Police to prohibit, in certain cases, the exportation or carriage of certain goods.
Amended by: L.N. 46 of 1965; VIII.1982.2; XIII.1983.5; L.N. 407 of 2007.

2. (1) It shall be lawful for the Minister responsible for the Police, whenever he shall deem it expedient, for the security and defence of Malta, to prohibit, by a notice to be published in the Government Gazette, the following goods to be exported or carried coastwise: arms, ammunition and gunpowder, military and naval stores and any articles which the Minister responsible for the Police shall judge capable of being converted into, or made useful in increasing the quantity of, military or naval stores, provisions or any sort of victual, which may be used as food for man.

(2) Where any goods so prohibited are exported or brought to any quay or other place to be shipped for exportation from Malta, or carried coastwise, or are water-borne to be so exported or carried, they shall be forfeited, and the exporter or his agent or the shipper of any such goods shall be liable to the penalty of two hundred and thirty-two euros and ninety-four cents (232.94).

Forfeiture takes place *ipso jure* in default of claim within eight days from issue of a notice.

3. (1) The forfeiture referred to in the last preceding article, shall take place *ipso jure*, without the necessity of any judicial procedure, whenever, within eight days from the date of the publication of a notice signed by the Commissioner of Police, no one shall have, by a judicial or other letter addressed to the said Commissioner, claimed the goods seized.

(2) The said notice shall specify the goods seized by indicating the marks or other external signs which they may bear, and shall state the reason of the seizure thereof; it shall further state that, in default of any claim being preferred by a judicial or other letter addressed to the Commissioner of Police within eight days from the date of the notice, the goods shall be forfeited. Such notice shall be published in the Government Gazette and a copy shall be posted up at the door of the principal Police Station in Valletta.

**See* Proclamation No. III of 1889.

Proceedings for recovery of penalty and for forfeiture. *Amended by: L.N. 46 of 1965; LVIII.1974.68.*

4. It shall be lawful for the Attorney General, on behalf of the Government, to sue before the competent court for the recovery of the penalty referred to in article 2, as well as for the forfeiture of goods seized under this Ordinance whenever legal proceedings shall be necessary for that purpose.