

**CAYMAN ISLANDS**



**Customs and Border Control Act  
(2022 Revision)**

**CUSTOMS AND BORDER CONTROL  
(PROHIBITED GOODS) (AMENDMENT)  
ORDER, 2023**

**(SL 12 of 2023)**

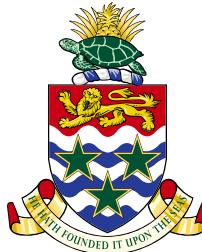
Supplement No. 1 published with Legislation Gazette No. 14 dated 1st May, 2023.

## PUBLISHING DETAILS

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**CUSTOMS AND BORDER CONTROL  
(PROHIBITED GOODS) (AMENDMENT) ORDER,  
2023  
(SL 12 of 2023)**

In exercise of the powers conferred by sections 12(1)(d) and 133 of the Customs and Border Control Act (2022 Revision), the Cabinet makes the following Order —

**Citation and commencement**

1. (1) This Order may be cited as the Customs and Border Control (Prohibited Goods) (Amendment) Order, 2023.
- (2) This Order comes into force on 1st May, 2023.

**Repeal and substitution of paragraph 4 of the Customs and Border Control (Prohibited Goods) Order (2023 Revision) - import of omnibuses**

2. The *Customs and Border Control (Prohibited Goods) Order (2023 Revision)* is amended by repealing paragraph 4 and substituting the following paragraph —

**“Import of certain vehicles**

4. (1) Subject to subparagraph (2), the import of a vehicle whose model year is eight years or older is prohibited.
- (2) Subparagraph (1) does not apply to the following vehicles —
  - (a) exhibition vehicles;



- (b) vehicles which are not constructed or adapted for use on roads; and
- (c) vehicles used for construction, road maintenance, engineering, agricultural or earthmoving work or the transportation of heavy goods or equipment including —
  - (i) backhoes;
  - (ii) bulldozers;
  - (iii) crane trucks or boom trucks;
  - (iv) excavators;
  - (v) forklifts;
  - (vi) front end loaders;
  - (vii) lorries;
  - (viii) mechanical shovels;
  - (ix) tractors;
  - (x) track-laying or wheeled vehicles; and
  - (xi) truck heads or trailer heads.
- (3) Where the vehicle to be imported is an omnibus, further to subparagraph (1), the import of the omnibus is prohibited, unless the omnibus satisfies the following conditions —
  - (a) doors for passenger use must be located on the near-side of the omnibus;
  - (b) no door for passenger use, other than one door for the exclusive use of the driver, may be located on the off-side of the omnibus;
  - (c) an adequate number of emergency exits must be provided;
  - (d) doors and emergency exits must be clearly marked on the inside and outside and must be capable of being readily opened from the outside of the omnibus;
  - (e) doors for passenger use must be so contrived as to be incapable of opening accidentally while the omnibus is in motion; and
  - (f) doors for passenger use must be equipped with handrails, steps and lighting of a strength and design sufficient to ensure the safety of passengers making use of them.
- (4) In this paragraph —
  - “**door**” includes a door giving access to a luggage compartment;
  - “**exhibition vehicle**” means —
    - (a) a classic, vintage, antique, replica or kit car; or
    - (b) any other vehicle,



which is at least thirty years old and used for exhibitions, club activities, parades and other functions of public interest but not for general transportation;

“**omnibus**” means a vehicle constructed or capable of being used for the carriage of ten or more persons, excluding the driver, which is licensed to carry passengers on a fare-paying basis or by private arrangement on a designated route approved by the Public Transport Board established by section 45 of the *Traffic Act (2023 Revision)*;

“**road**” has the same meaning as in section 2 of the *Traffic Act (2023 Revision)*; and

“**vehicle**” means a wheeled or tracked vehicle capable of being driven or towed on a road, and includes an electrically powered vehicle, agricultural and earthmoving vehicle, motor cycle, scooter and wheeled trailer, but does not include a hand cart, barrow or baby carriage.”.

### Transitional provision

3. (1) Where —

- (a) before the date of commencement of this amending Order, a person entered into an agreement to purchase, or purchased, a vehicle whose model year is eight years or older, with the intention of importing the vehicle into the Islands; and
- (b) upon the date of commencement of this amending Order the vehicle has not been imported into the Islands,

the vehicle shall be dealt with as if this amending Order had not come into force.

- (2) Subject to subparagraph (3), a person referred to in subparagraph (1) who intends to import into the Islands the vehicle referred to in that subparagraph shall provide to the Customs and Border Control a bill of sale or other relevant written documentation as proof of —

- (a) the date of the agreement to purchase the vehicle; or
- (b) the date of the purchase of the vehicle.

- (3) The requirement under subparagraph (2) shall not apply to the following vehicles —

- (a) exhibition vehicles;
- (b) vehicles which are not constructed or adapted for use on roads; and
- (c) vehicles used for construction, road maintenance, engineering, agricultural or earthmoving work or the transportation of heavy goods or equipment including —
  - (i) backhoes;

- (ii) bulldozers;
- (iii) crane trucks or boom trucks;
- (iv) excavators;
- (v) forklifts;
- (vi) front end loaders;
- (vii) lorries;
- (viii) mechanical shovels;
- (ix) tractors;
- (x) track-laying or wheeled vehicles; and
- (xi) truck heads or trailer heads.

**Made in Cabinet the 25th day of April, 2023.**

**Kim Bullings**  
*Clerk of the Cabinet*

