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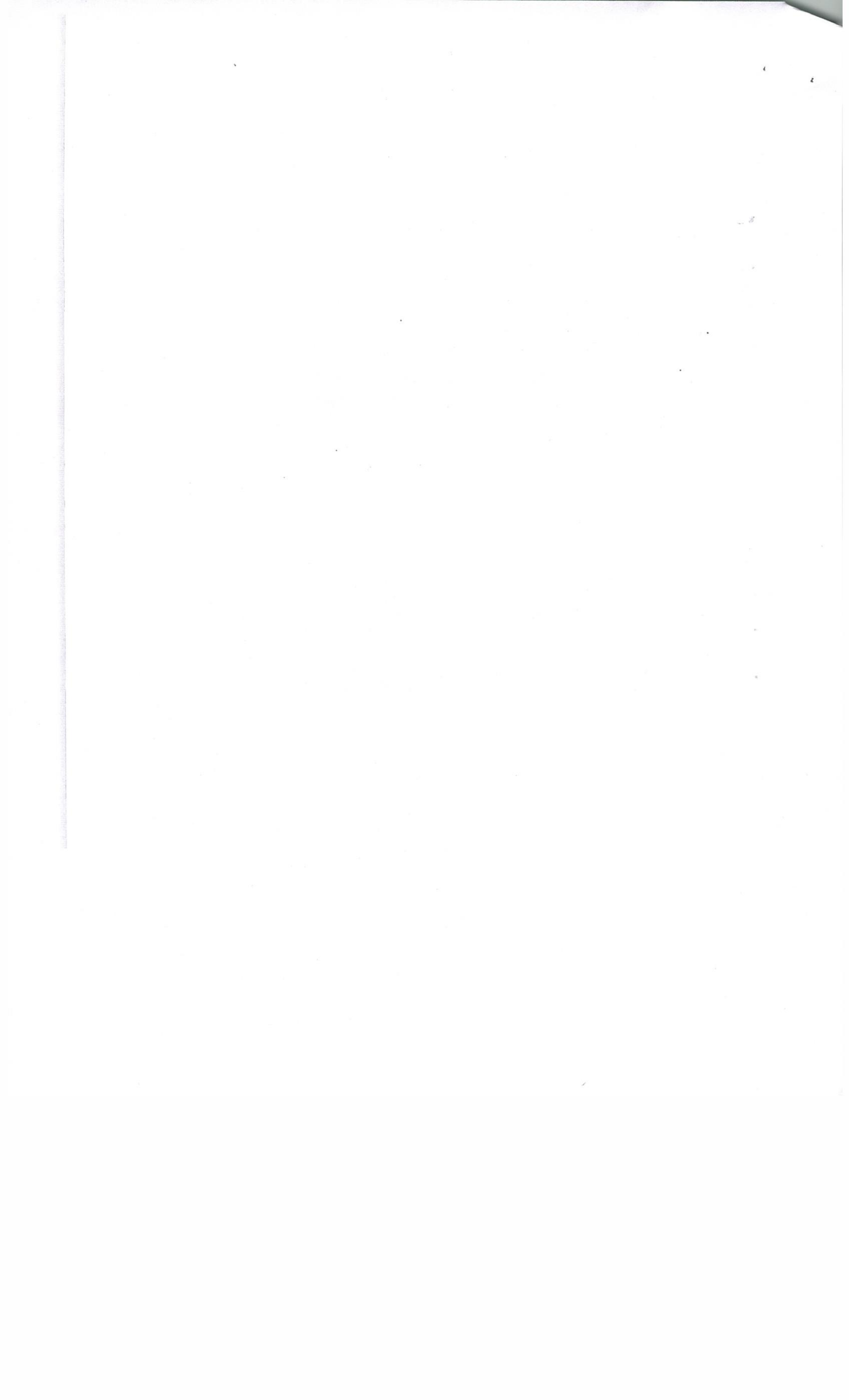
**SAINT VINCENT AND THE GRENADINES  
ADVANCE CARGO INFORMATION ACT 2018**

**ARRANGEMENT OF SECTIONS**

**SECTION**

1. Short title
2. Interpretation
3. Duty to provide information
4. Waiver
5. Use and sharing of ACI
6. Retention of data
7. Penalties for offences
8. Amendment of Schedules
9. Regulations
10. Amendment to Customs (Control and Management) Act
11. Revocation of Customs (Control and Management) Act (Competent Authority) Order

**SCHEDULES**





SAINT VINCENT AND THE GRENADINES

ACT NO. 35 OF 2018

I ASSENT

[L.S.]

DR. FREDERICK BALLANTYNE  
Governor-General  
31st December, 2018.

AN ACT to implement a new system to facilitate the provision of advance information relating to cargo and passengers of a conveyance; to establish procedures for the sharing of such information for the purpose of identifying the cargo and persons that may pose risks to security while facilitating trade through electronic data interchange; to amend the Customs (Control and Management) Act, Chapter 422 and for connected matters.

[ 31st December, 2018 ]

**BE IT ENACTED** by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Assembly of Saint Vincent and the Grenadines and by the authority of the same, as follows:

1. This Act may be cited as the Advance Cargo Information Act 2018. Short title
2. (1) In this Act – Interpretation
  - “advance cargo information” or “ACI” means manifest, airway bill and bill of lading information or data set out in Schedule 1 in respect of the following on board a conveyance – Schedule 1
    - (a) the cargo and stores including all imports, exports in transit and transhipment of goods;
    - (b) any package of which there is no bill of lading or airway bill;

## Schedule 2

- “advance cargo information system” or “ACIS” means the electronic manifest single window for ACI data interchange;
- “advance passenger information” or “API” means the information or data set out in Schedule 2;
- “break bulk” means cargo that must be loaded individually and not in intermodal containers;
- “bulk” means cargo that is transported unpackaged in large quantities;
- “cargo manifest” means a list of cargo being transported or warehoused;
- “cargo reporter” includes freight forwarder, consolidator or non-vessel operating common carrier;
- “carrier” means the person transporting goods or in charge of or responsible for the operation of the means of transport;
- “Community” means the Caribbean Community including the CARICOM Single Market and Economy established by the Treaty;
- “consolidator” means a person who provides consolidation services by combining cargo from multiple shippers into a single shipment;
- “containerised” means packaged in uniform, sealed containers for shipment;
- “conveyance” includes a vehicle, aircraft, vessel or other machine used or capable of being used for the carriage or transportation of persons or goods by land, air or water or over or above water;
- “data message” means a messaging standard for the electronic communication between cargo stakeholders such as masters, shippers, freight forwarders, ground handling agents, regulators, customs and security agencies;
- “freight forwarder” means a person specialising in arranging storage and shipping of merchandise on behalf of its customers;

“IMPACS” means the Implementation Agency for Crime and Security established under the 2006 Agreement establishing the CARICOM Implementation Agency for Crime and Security;

“long haul flight” means a flight with a duration of eight hours or more;

“master”, in relation to a conveyance, means the person having or taking charge or command of the conveyance and includes an agent of the master and any person responsible for the operation of the conveyance;

“Minister” means the Minister charged with responsibility for customs;

“regional space” means the collective territories of the parties to the ACIS which comprise the Community;

“representative” means a person who is authorised in writing by an importer, exporter, freight forwarder or master to transact business under this Act;

“short haul flight” means a flight with a duration of less than eight hours;

“Treaty” means the Revised Treaty of Chaguaramas establishing the Caribbean Community including the CARICOM Single Market and Economy signed at Nassau, The Bahamas, on 5<sup>th</sup> July 2001;

“watch list” means a list that is used to watch or track the current activity or movements of –

- (a) criminals including terrorists and other persons of interest to the intelligence community; and
- (b) suspicious or prohibited cargo and other cargo of interest to the intelligence community.

(2) All other words and expressions used in this Act but not defined shall have the same meaning as is assigned to them in the Customs (Control and Management) Act or any enactment replacing that Act.

Cap. 422

3. (1) The master, or agent of the master, of a conveyance whether laden or in ballast, and every cargo reporter, shall prior to the arrival of the conveyance in Saint Vincent and the Grenadines, provide to the proper

Duty to provide information

Schedule 3

officer through the ACIS, the advance cargo information and advance passenger information within the timeframe specified in Schedule 3.

(2) The master, or agent of the master, of a conveyance whether laden or in ballast, and every cargo reporter, shall prior to the departure of the conveyance from Saint Vincent and the Grenadines provide to the proper officer through the ACIS, the advance cargo information and advance passenger information within the timeframe specified in Schedule 3.

(3) In accordance with subsection (4), the Comptroller –

- (a) may exempt the master of a conveyance from the timeframe specified in Schedule 3; and
- (b) shall establish alternative notification arrangements for the conveyance to which this subsection applies.

(4) The Comptroller may exempt the master and establish alternative notification arrangements under subsection (3) if –

- (a) the distance from Saint Vincent and the Grenadines to a port of departure of a conveyance arriving in Saint Vincent and the Grenadines does not permit the master to provide the information within the timeframe specified in Schedule 3; or
- (b) the conveyance makes a technical stop compelled by an emergency, accident, unfavourable weather condition or other necessity.

(5) The master of a conveyance that makes a technical stop under subsection (4) (b) shall –

- (a) immediately report to the Comptroller;
- (b) only permit the cargo to be off loaded from the conveyance if consent is given by the Comptroller; and
- (c) comply with any direction given by the Comptroller in respect of any cargo on board the conveyance.

(6) A master, agent of a master or cargo reporter who fails to comply with this section commits an offence.

Waiver

4. (1) In consultation with the Minister responsible for national security, the Minister may in the prescribed circumstances waive the requirements of section 3 if in conveyance is –

- (a) a military or law enforcement conveyance; or
- (b) on official state business.

(2) A waiver under subsection (1) is subject to the conditions as may be prescribed by the Minister.

5. (1) Subject to any enactment relating to data privacy and computer misuse, the Comptroller may share the information contained within the ACIS with entities approved by the Minister or the Comptroller.

Use and sharing  
of ACI

(2) IMPACS shall use the cargo and passenger information to conduct screening against databases and watch lists of cargo, crew members and passengers on conveyances that enter into, depart from and move within the regional space.

(3) ACI shall only be used for the purposes of this Act.

6. (1) Advance cargo information collected under this Act shall be retained by the ACIS for a period of seven years from the date of collection of the information.

Retention of data

(2) Advance passenger information collected under this Act shall be retained in accordance with the Advance Passenger Information Act 2018.

No. 8 of 2018

7. A person who commits an offence under this Act is liable on summary conviction to a fine of twenty five thousand dollars.

Penalties for  
offences

8. (1) The Minister may by order published in the *Gazette* amend Schedule 1, 2 or 3.

Amendment of  
Schedules

(2) An order under subsection (1) is subject to negative resolution of the House of Assembly.

9. (1) The Minister may make regulations to give effect to the principles and provisions of this Act.

Regulations

(2) Without limiting subsection (1), the Minister may make regulations prescribing –

- (a) procedures for the reporting and processing of advance cargo and passenger information; and
- (b) offences for the contravention of any of the provisions of the regulations made under this Act with penalties not to exceed twenty five thousand dollars.

Amendments to  
Customs (Control  
and Management)  
Act Cap. 422

10. The Customs (Control and Management) Act is amended –  
(a) by deleting Part IIIA; and  
(b) by deleting the Fifth and Sixth Schedules.

Revocation of  
C u s t o m s  
(Control and  
Management)  
Act (Competent  
A u t h o r i t y)  
Order, Cap. 422

11. The Customs (Control and Management) Act (Competent Authority) Order is revoked.

**SCHEDULE 1**

(section 2)

**ADVANCE CARGO INFORMATION  
ELECTRONIC MANIFEST MANAGEMENT AS YCUDA**

**PART 1**

**A. AIR CARGO DATA MESSAGES**

In keeping with Industry Standards as stated in the CARICOM Business Rules

Cargo Manifest –  
To be submitted by Airlines

Master Air Waybill –  
To be submitted by Airlines

House Air Waybill –  
To be submitted by Freight Forwarders / Representatives

Response Message –  
To be handled by the filing party

**B. MARITIME CARGO DATA MESSAGES**

In keeping with Industry Standards as stated in the CARICOM Business Rules

Cargo Manifest –  
To be submitted by Master/Agent

Master Waybill –  
To be submitted by Master/Agent



House Waybill –  
To be submitted by Freight Forwarders / Representatives

Response Message –  
To be handled by the filing party

#### **C. LAND CARGO DATA MESSAGES**

In keeping with Industry Standards as stated in the CARICOM Business Rules

Cargo Manifest –  
To be submitted by Master/Agent

Master Waybill –  
To be submitted by Master/Agent

House Waybill –  
To be submitted by Freight Forwarder / Representatives/Owner

Response Message –  
To be handled by the filing party

## PART 2

## ACIS DATA FIELDS

No.	DATA FIELDS	DESCRIPTION	MANDATORY
	Tracking No's from Consultant Report	General details with respect to voyage and conveyance	YES
1	Office of departure/arrival	Code of the Customs office of departure or arrival	YES
2	Voyage number/conveyance number	Voyage number, which uniquely identifies the current journey of the means of transport (conveyance)	YES
3	Date of departure	Date when the means of transport leaves the place of departure	YES
4	Time of departure	Estimated date when the means of transport departs the place of departure	
5	Date of arrival	Estimated date when the means of transport arrives at the place of destination	YES
6	Time of arrival	Estimated time when the means of transport arrives at the place of destination	NO
7	Place of departure	Place (LOCODE) where current voyage begins on the current means of transport	YES
8	Place of destination	Place (LOCODE) where current voyage ends for the current means of transport	YES
	<b>SHIPPING INFORMATION</b>		YES
9	Conveyance code	Conveyance code assigned to the party undertaking the transport of the goods	YES

No.	DATA FIELDS	DESCRIPTION	MANDATORY
10	Agent	Code of the Agent in charge of the conveyance reporting during the stay in port	YES
	<b>TOTALS</b>		YES
11	Bills	Total number of waybills on manifest	YES
12	Packages	Total number of packages on manifest	YES
13	Vehicles	Total number of motor vehicles on manifest	YES
14	Containers	Total number of containers on manifest	YES
15	Gross Weight	Total gross weight contained in the manifest	YES
16	<b>TRANSPORT</b>		YES
17	Mode	Identifying the mode of transport	YES
18	Nationality	Flag/Nationality of means of transport	YES
19	Identity	Conveyance name	YES
20	Registration	Conveyance registration number	YES
21	Place	Port where the conveyance was registered	NO
22	Date	Date of registration	NO
23	Master	Name of captain of the conveyance	YES
	<b>TONNAGE</b>		
24	Gross and Net Tonnage	Tonnage of the conveyance - Information data not requested for customs management of the manifest purpose	YES

No.	DATA FIELDS	DESCRIPTION	MANDATORY
25	Office of destination	Office of destination. Code of the customs office of destination in case of transit	Conditional
	<b>CO-LOADER</b>		
26	Co-loader code	Carrier code of the party sharing the Conveyance when multiple parties involved	Conditional
	<b>WAYBILL SEGMENT</b>		YES
27	Waybill reference number	This is the " Identifier" of the transport document. This is the reference assigned by the carrier or agent (e.g. Bill of lading or Airway bill number; it is unique in the manifest)	YES
28	Waybill type	Alphanumeric code for the type of transport document	YES
29	Nature	Code of the document: export-22, import-23, transit-24, transshipment-28, FROB-26.	YES
30	Waybill Line	The 'line number' is a sequence number used to identify each item -bill of lading or airway bill in the manifest	YES
31	Previous Document	Reference of the previous document (master waybill) when consolidated cargo	Conditional
32	UCR	Unique consignment reference number	NO
33	Place of loading	Place (LOCODE) where the goods were originally loaded on the means of transport	YES

No.	DATA FIELDS	DESCRIPTION	MANDATORY
34	Place of unloading	Place (LOCODE) where the goods will be ultimately unloaded/discharged from the means of transport	YES
35	FAS/Liner	Terms of conditions for transported goods (accepted values F or L)	YES
	<b>CARRIER</b>		YES
36	Carrier	Carrier Code, name and address of the party undertaking the transport of the goods	YES
37	Shipping agent	Code of the Shipping Agent in charge of the ship management during the stay in port	YES
	<b>EXPORTER/ SHIPPER</b>		YES
38	Exporter code	Exporter Code	NO
39	Exporter name	Exporter Name	YES
40	Exporter address	Exporter Address	YES
	<b>TRANSPORT</b>		YES
41	Place of loading on current transport	Place (LOCODE) where the goods were loaded on current transport (if there was a change of vessel, it would be recorded here)	YES
42	Place of discharge from current transport	Place (LOCODE) where the goods will be discharged from current transport (if there was further transshipment to be done, it would be recorded here)	YES

No.	DATA FIELDS	DESCRIPTION	MANDATORY
	<b>NOTIFY</b>		YES
43	Notify code	Code of the notifying party.	NO
44	Notify name	Name of the notifying party	YES
45	Notify address	Address of the notifying party	YES
	<b>CONSIGNEE</b>		YES
46	Consignee	Consignee code	NO
47	Consignee name	Name of the consignee	YES
48	Consignee address	Full address of the consignee	YES
	<b>GOODS DETAILS</b>		YES
49	Total containers	Total number of containers for this transport document	YES
50	Packages codes	Kind of packages (packaging type code)	YES
51	Marks	Marks and Numbers	YES
52	Manifested packages	Number of packages as indicated on the waybill.	YES
53	Vehicles	Total number of vehicles for this waybill	YES
54	Manifested gross weight	Gross weight as indicated on the waybill. This field must be accurately captured as the data are compared to the "Totals" information of the general segment.	YES
55	Volume (CBM)	Volume of the goods in cubic metres.	NO
56	Description of goods	Commercial description of the goods from the waybill data (e.g. clothes, machines...)	YES

No.	DATA FIELDS	DESCRIPTION	MANDATORY
57	H.S. Code	Tariff Code for goods	NO
58	UNDG	Dangerous goods code (UNDG)	Conditional
59	Place of Origin	Place where goods are loaded into container for shipment (free text area)	NO
60	Place of Destination	Place where goods will be unloaded from container (free text area)	NO
61	Location	Code of the place where the goods are located in a shed or container park	NO
	<b>DECLARED VALUES AND SEAL DETAILS</b>		YES
62	Value code	Value code	YES
63	P/C	Prepaid or collect indicator for the value code	Conditional
64	(Freight value) Amount	Amount for the value code	YES
65	(Freight) Currency	Currency code for the value code	YES
66	Customs value	Customs value of goods	
67	Customs currency	Customs currency code	
68	Insurance value	Insurance cost of the goods	
69	Insurance currency	Insurance currency code	
70	Transport value	Overall freight cost	
71	Transport currency	Overall freight currency code	
72	Seals Number	Number of seals affixed on non containerized cargo	Conditional

No.	DATA FIELDS	DESCRIPTION	MANDATORY
73	Marks of seals	Description Marks or references number of seals	Conditional
74	Party	Code of the party having affixed the seals	Conditional
75	Information	Additional Information when required	NO
<b>CONTAINER SEGMENT</b>			
76	Container Number	Container number(s) for container(s) relating to waybill.	YES
77	Number of packages	Number of packages in container	YES
78	Ctn. Type	Container size-type	YES
79	E/F	Empty/Full indicator	YES
80	Seal Number	Quantity of seals affixed and seal numbers (3 fields)	YES
81	Party	Party affixing the seals	YES
82	Empty Weight	Empty weight of container (KG)	YES
102	Goods Weight	Weight of goods in container (KG)	YES
103	Min. Temp.CE	Minimum temperature in Celsius for refrigerated containers	Conditional
104	Max. Temp. CE	Maximum temperature in Celsius for refrigerated containers	Conditional
105	Humidity	Temperature in Celsius that the goods should be stored	Conditional
106	Dangerous Code	UNDG code for dangerous goods	Conditional



No.	DATA FIELDS	DESCRIPTION	MANDATORY
107	H.S. Code	Tariff Code for goods in container	NO
108	Goods Description	Description of goods in container	YES
109	Ctn. Disposition	(Cargo disposition, accepted values "CY, CFS and P. UNSTUFF). Required only when BL nature 23 and container is not empty	Conditional
110	Volume	Volume of cargo per container	Yes
111	Container line code	Code identifying shipping container owner	Yes
<b>VEHICLE SEGMENT</b>			
112	Chassis Number	Chassis Number of Vehicle	YES
113	Engine Number	Engine Number of Vehicle	YES
114	Engine Size	Engine (cc) or (kw)	YES
115	Odometer Reading	Mileage of vehicle	YES
116	Make/Brand	Make and Brand of Vehicle	YES
117	Year	Year of Manufacture	YES
118	Colour	Colour of Vehicle	YES
119	New/Used	If vehicle new or used	YES

**SCHEDULE 2**

(section 2)

**ADVANCE PASSENGER INFORMATION**

1. Data relating to the Conveyance (Header Data) –
  - (a) Flight Identification  
(IATA/ICAO Airline code and flight number, Registration Number)
  - (b) Vessel (Conveyance) Identification  
(IMO or Registration Number)
  - (c) Land Conveyance Identification  
(Chassis Number and Registration Number)
  - (d) Country of Registration  
(Country where conveyance is registered)
  - (e) Agent/Owner(Where applicable)  
(Name of Agent for the conveyance or where no Agent, Name of owner)
  - (f) Call Sign (If applicable)
  - (g) Schedule Departure Date  
(Date of scheduled departure of conveyance based on local time of departure location)
  - (h) Scheduled Departure Time  
(Time of scheduled departure of conveyance based on local time of arrival location)
  - (i) Scheduled Arrival Date  
(Date of scheduled arrival of conveyance based on local time of arrival location)
  - (j) Scheduled Arrival Time  
(Time of scheduled arrival of conveyance based on local time of arrival location)
  - (k) Last Place/Port of Call of Conveyance

(Conveyance departed from this last foreign place/port of call to go to "place/port of conveyance initial arrival")

(l) Place/Port of Conveyance Initial Arrival

(Place or Port in the country of destination where the conveyance arrives from the "last place or port of call of conveyance")

(m) Subsequent Place/Port of Call within the country/regional space

(n) Number of Passengers on board

(Total number of passengers on board)

(o) Number of crew on board

2. Data relating to each individual on board –

(a) Official Travel Document Number

(Passport or other Government approved travel documents)

(b) Issuing State or Organization of the Official Travel Document

(Name State or organization responsible for the issuance of the official document)

(c) Official Travel Document Type

(Indicator to identify type of official travel document)

(d) Expiration Date of Official Travel Document

(Expiration date of the official travel document)

(e) Surname/Given Name(s)

(Family name and given name(s) of the holder as it appears on the travel document)

(f) Nationality

(Nationality of the holder of the travel document)

(g) Date of Birth

(Date of birth of the holder)

(h) Gender

(Gender of the holder)

- (i) Place of Birth  
(Please give City and Country of birth)
- (j) Traveller's Status  
(Passenger, crew, in-transit)
- (k) Place/Port of Original Embarkation  
(Place/Port on that journey where traveller first boarded for foreign travel)
- (l) Port/Place of Clearance  
(Place/Port where the traveller is cleared by the border control agencies)
- (m) Place/Port of Onward Foreign Destination  
(Foreign place/port where the traveller is transiting)
- (n) Passenger Name Record (PNR) Data  
(As available in the traveller's Passenger Name Record in the carrier's Reservation System including all historical changes to the PNR listed.) Must include –
  - (i) PNR record locator
  - (ii) Date of reservation/issue of ticket
  - (iii) Date(s) of intended travel
  - (iv) Name(s)
  - (v) Address and contact information (telephone number, e-mail address)
  - (vi) All forms of payment information, including billing address
  - (vii) Complete travel itinerary for specific PNR
  - (viii) Frequent flyer information
  - (ix) Travel agency/Travel agent
  - (x) Travel status of passenger, including confirmations, check-in status, no show or go show information
  - (xi) Split/divided PNR information
  - (xii) General remarks (including all available information on unaccompanied minors under 18 years, such as name and gender of the minor, language(s))

spoken, name and contact details of guardian on departure and relationship to the minor, name and contact details of guardian on arrival and relationship to the minor, departure and arrival agent)

- (xiii) Ticketing field information, including ticket number, date of ticket issuance and one way tickets, Automated Ticket Fare Quote fields
- (xiv) Seat number and other seat information
- (xv) Code share information
- (xvi) All baggage information
- (xvii) Number and other names of travellers on PNR
- (xviii) Any Advance Passenger Information (API) data collected
- (xix) All historical changes to the PNR listed in numbers (i) to (xviii)

3. Additional Data Elements

- (a) Visa Number (if applicable)
- (b) Issue Date of Visa  
(Place where Visa issued)
- (c) Place of Issuance of the Visa  
(Place where Visa was issued)
- (d) Other Document Number used for Travel (if applicable)  
(The other document number used for travel when the official travel document is not required)
- (e) Type of Other Document used for Travel (supporting travel document)  
(Indicator to identify type of other document used for travel)
- (f) Primary Residence
  - (i) Country of Primary Residence  
(Country where Passenger resides most of the year)
  - (ii) Address  
(location identification such as: street name and number)

- (iii) City
- (iv) State/Province/County
- (v) Postal Code
- (g) Destination Address
  - (i) Address where Passenger will be staying in territory of Disembarkation
  - (ii) City
  - (iii) State/Province/County
  - (iv) Postal Code
- 4. Data relating to the Reporting Party.
  - (a) Reporting Party Name
  - (b) Reporting Party Telephone Number
  - (c) Reporting Party Facsimile Number
  - (d) Reporting Party Electronic Mail Address

### SCHEDULE 3

(section 3)

#### TIMEFRAME FOR SUBMISSION OF INFORMATION

1. The information must be submitted in keeping with CARICOM'S standards specifications as set out in Part 1 of Schedule 1.
2. The information set out in Part 2 of Schedule 1 must be provided at the latest –
  - (1) for incoming cargo (i.e. import) by aviation –
    - (a) in the case of short haul flights, at the time of "Wheels Up" of the aircraft; and
    - (b) in the case of long haul flights, 4 hours before arrival at the first port in the country of destination.

- (2) for outgoing cargo (short and long haul flights), at the time of departure ("Wheels Up") of the aircraft.
- (3) for incoming cargo (i.e. import) by maritime –
- (a) containerized cargo – 24 hours before arrival at the first port in the country of destination;
  - (b) bulk/break bulk – 24 hours before arrival at the first port in the country of destination.
- (4) for outgoing cargo (i.e. export) by maritime –
- (a) containerized cargo – 24 hours before loading at port of departure;
  - (b) bulk/break bulk – 24 hours before departure to the first port in the country of destination.
- (5) for outgoing cargo (i.e. exported) by road – 1 hour before departure to the first port in the country of destination.

Passed in the House of Assembly this 20th day of December, 2018.

**NICOLE HERBERT**  
Clerk of the House of Assembly.

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