



ISLE OF MAN FREEPORT FREE ZONE DESIGNATION ORDER 2013

Index

Article	Page
1 Title	3
2 Commencement	3
3 Interpretation.....	3
4 Designation of Freeport area as a free zone	3
5 Appointment of responsible authorities.....	4
6 Condition imposed on responsible authority specified in article 5(a)	4
7 No use of area as free zone unless area certified as secure	4
8 Record keeping and inspection facilities	4
9 Revocation	5

Statutory Document No. 0094/13



Customs and Excise Management Act 1986

ISLE OF MAN FREEPORT FREE ZONE DESIGNATION ORDER 2013

Laid before Tynwald: 16 April 2013
Coming into Operation: 24 June 2013

The Treasury makes the following Order under section 102 of the Customs and Excise Management Act 1986.

1 Title

This Order is the Isle of Man Freeport Free Zone Designation Order 2013.

2 Commencement

This Order comes into operation on 24 June 2013.

3 Interpretation

In this Order —

“**the EU Regulation**” means Regulation (EC) No. 450/2008 of the European Parliament and of the Council of 23 April 2008 laying down the Community Customs Code (Modernised Customs Code)¹;

“**the Freeport area**” means the land at Balthane in the Parish of Malew delineated on the plan marked “**Isle of Man Freeport Free Zone Designation Order 2013 – Freeport Area**” annexed hereto and thereon edged with a thick black line;

“**free zone**” has the meaning given by Section 4 (free zones) of Chapter 3 (storage) of Title VII (special procedures) of the EU Regulation; and

“**officer**” has the same meaning given in section 184(1) of the Customs and Excise Management Act 1986.

4 Designation of Freeport area as a free zone

Subject to article 7, the Freeport area shall be a free zone.

¹ OJ L.145, 4.6.2008, p.1

5 Appointment of responsible authorities

The responsible authority for the Freeport area is —

- (a) for the purposes of paragraph 1 of Article 156 of the EU Regulation (prior approval for construction of buildings), the Department of Economic Development; and
- (b) for other purposes, Freeport Properties Limited whose registered office is Isle of Man Freeport and Business Park, Ballasalla, Isle of Man, IM9 2AP.

6 Condition imposed on responsible authority specified in article 5(a)

The responsible authority specified in article 5(a) must comply with the requirement imposed by paragraph 1 of Article 156 of the EU Regulation (prior approval for construction of buildings).

7 No use of area as free zone unless area certified as secure

The responsible authority specified in article 5(b) must not permit the Freeport area or any part of the Freeport area to function as a free zone unless the Treasury —

- (a) has certified that the Freeport area or, as the case may be, any part of the Freeport area is secure; and
- (b) has so notified the responsible authority in writing.

8 Record keeping and inspection facilities

The responsible authority specified in article 5(b) must —

- (a) maintain an office in the Freeport area at which shall be kept any records for which the responsible authority is responsible and relating to the free zone and the business carried on in the free zone;
- (b) keep separate accounts in connection with the free zone;
- (c) provide such information in connection with the free zone and the operation of the free zone to any officer as the officer may reasonably require;
- (d) provide, free of expense to the Treasury, such accommodation, facilities and equipment as the Treasury may reasonably require and properly maintain, clean, heat, light and ventilate such accommodation and facilities;
- (e) provide, free of expense to the Treasury, such area of land within the free zone as the Treasury may reasonably require for the examination of goods and vehicles and must provide and maintain such appliances and afford such other facilities as are reasonably necessary to enable an account to be taken of any such goods or make an examination or search;

- (f) not permit a person to establish or carry on any trade or business in any part of the free zone unless that person is authorised by the Treasury to carry on such trade or business in the free zone;
- (g) comply with the requirements of Articles 157 (presentation of goods and their placement under free zone procedure) and 160 (entry of goods into the customs territory of the Community) of the EU Regulation subject to any modification or adaptation as may be agreed in writing by the Treasury.

9 Revocation

The Isle of Man Free Zone Designation Order 1987² is revoked.

MADE 6th March 2013

W E TEARE
Minister for the Treasury

² GC 309/87

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the Isle of Man Free Zone Designation Order 1987 and designates the area delineated on the annexed Schedule (the “Freeport area”) as a free zone for the purposes of Regulation (EC) No. 450/2008 of the European Parliament and of the Council of 23 April 2008 laying down the Community Customs Code (the Modernised Customs Code, now known as the Union Customs Code) (“the EU Regulation”).

The Order designates two responsible authorities in respect of the area —

- (a) the Department of Economic Development, in respect of the need under Article 156 of the EU Regulation for approval of construction of buildings in the area by the Treasury; and
- (b) Freeport Properties Limited for other purposes.

The Order imposes conditions on the responsible authorities as regards the development and operation of the area.

Isle of Man Freeport Free Zone Designation Order 2013 - Freeport Area

