



Saint Lucia Customs Auction Sale - Rules and Guidelines

Auctions conducted by the Saint Lucia Customs and Excise Department follow established guidelines and procedures in order to ensure transparency and adherence to the law. There are normally two (2) categories of goods offered for sale at Customs auctions. These include: (i) goods condemned as forfeited; and (ii) goods **not** condemned as forfeited, also referred to as abandoned or unclaimed goods. The following serves as a guide to potential participants in a Customs auction sale of goods in each category.

(i) AUCTION SALE OF GOODS CONDEMNED AS FORFEITED.

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AUCTION SALE OF GOODS CONDEMNED AS FORFEITED.

Auction Sale of Goods Condemned as Forfeited – The Law.

Section 134 of the Customs Act stipulates that anything condemned as forfeited by virtue of the Customs Act, or considered to have been condemned as forfeited by that act, shall, unless a prohibited or restricted article be sold by public auction.

How can I find out about goods offered for sale by public Auction?

Customs Warehouse Auctions shall be advertised in the Gazette and in a newspaper circulated in Saint Lucia, not less than 7 days before it is due to take place. The Comptroller of Customs may also choose other forms of media (e.g., radio, internet, posters etc.) along with the ones prescribed by law.

Who can bid at the auction Sale of Goods Condemned as Forfeited?

Subject to the provisions of Section 134(4) of the Customs Act, the following persons shall not be permitted to bid for anything at an auction for sale of Goods Condemned as Forfeited —

- a) A Customs officer;

b) any person having or having had any interest in the thing being auctioned (*e.g. the importers/owners of said thing; or agents/representatives of the importers/owners*), and any person who makes a bid in contravention of this subsection commits an offence and is liable on summary conviction to a fine of \$5,000.

How can I Participate at the Auction?

All persons wishing to take part in the auction must be registered. Applicants are required to submit a valid ID of along with a completed Customs Auction Bidder Registration Form. A copy of the registration form can be obtained from all customs offices around Saint Lucia, and on the **Customs & Excise Department Saint Lucia** website, www.customs.gov.lc. The completed form, plus a clear and legible copy of your ID must be submitted on time to one of the following Customs offices in Saint Lucia:

- c) Customs office in Soufriere - not less than seven (7) days before the date of the auction.
- d) Customs main office in Vieux Fort - not less than five (5) days before the date of the auction.
- e) Customs main office in Castries – not less than three (3) days before the date of the auction.

Will there be a viewing of the advertised goods before the Auction?

Images of all goods advertised for sale will be displayed on the **Customs & Excise Department Saint Lucia** website, www.customs.gov.lc. Notwithstanding, one day preceding the date of the auction will be set aside to allow registered bidders to view all motor vehicles and heavy equipment advertised for sale. Other large items such as: household appliances, furniture, construction tools and equipment maybe displayed as well on that day. Smaller items, including jewelry, auto parts, clothing etc., maybe displayed on the actual day of the auction before bids are accepted. Images of all the items being sold will be displayed on a screen during bidding.

What Happens to The Proceeds of the Auction Sale?

All monies arising from the sale of Goods Condemned as Forfeited shall be used to pay—

- a) firstly, any duty payable on that thing;
- b) secondly, all the charges of and incidental to the sale, warehousing and carriage of that thing; and
- c) lastly, all the charges of and incidental to the seizure of that thing and any proceedings for the condemnation of the thing,

and any residue shall be paid by the Comptroller into the Consolidated Fund, subject to such disposition to or among the person making or aiding in, or in any manner contributing towards the seizure as the Comptroller may direct.

What happens to goods that cannot be sold?

Anything which cannot be sold at this auction shall be destroyed or otherwise disposed of as the Comptroller may direct.

What are the reserve prices/ starting bids?

The reserve price which is normally the starting bid for the item being sold represents the lowest price at which the goods may be sold to recover duties, other taxes and charges. At a sale the auctioneer shall announce the amount of duty, rent and charges due to the Government on each lot.

How do I bid at the auction?

On the day of the auction each registered bidder is given a bidder card with their “bidding number” that is used to identify all participants. When the auctioneer calls out the amount that you wish to bid for the item being sold, you will indicate your interest by raising your hand displaying your bidder card and number to the auctioneer. If there is more than one person offering the same bid the auctioneer will increase the bid amount until only one person offers a bid. Should there be a dispute between bidders the auctioneer can either re: auction the item or declare the successful bidder. The auctioneer’s decision will be final and binding on all parties.



How do I pay and obtain my winnings?

Successful bidders must make full payment of the purchase price before the goods can be delivered. For successful bids ranging from \$10,000.00 to \$30,000.00, if bidders are unable to make full payment on the day of the sale, they will be required to deposit at least twenty percent of the purchase price with the balance to be paid within one week. For successful bids above \$30,000.00, if bidders are unable to make full payment on the day of the sale, they will be required to deposit at least ten percent of the purchase price with the balance to be paid within two weeks.

When the auctioneer receives the amount of the purchase price he or she shall make and sign an order to the officer in charge of the Customs Warehouse to deliver the goods. The purchaser of the goods shall present the order to the officer in charge of the warehouse and on surrender thereof, if in order, and on giving a receipt for the goods in the auction sales record to the officer in charge of the warehouse the purchaser may take delivery. Any goods sold but not cleared within 14 days from the day of sale are liable to forfeiture.

(ii) SALE OF GOODS NOT CONDEMNED AS FORFEITED (UNCLAIMED/ABANDONED GOODS).

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- [How do goods end up in a Customs Warehouse?](#)
- [How can I find out about Customs Warehouse Auctions?](#)
- [Should all goods offered for sale by Customs be sold by public auctions?](#)
- [Who can bid at the auction Sale of abandoned goods?](#)
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- [Will there be a viewing of the advertised goods before the Auction?](#)
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GOODS NOT CONDEMNED AS FORFEITED

(UNCLAIMED/ABANDONED GOODS).

Sale of Goods Not Condemned as Forfeited – The Law

Section 135 of the Customs Act provides, that Where anything, not being a thing condemned or deemed to be condemned as forfeited, may by virtue of any customs enactment be sold, it shall, unless it is of a perishable nature, be offered for sale at a public auction.

Customs Warehouse - Auction

A Customs Warehouse refers to any place appointed by the Comptroller of Customs for the deposit of goods, for the security of those goods and of any duty chargeable on them. If the proprietor of the goods does not within 14 days from the date of their deposit into a Customs Warehouse clear the goods, the Comptroller may sell the goods.

How do goods end up in a Customs Warehouse?

Section 28 of the Customs Act provides that where in the case of any imported goods for which an entry is required, entry has not been made by the expiration 7 days of good being imported by air and of 14 days of the goods being imported by sea, those goods may be deposited in a customs warehouse.

Where in the case of any imported goods for which an entry is required, at the expiration of 21 clear days from the date when such entry having been made of the goods they have not been unloaded from the importing vessel, or in the case of goods which have been unloaded, they have not been produced for examination and clearance, those goods may be deposited in a customs warehouse.

How can I find out about Customs Warehouse Auctions?

Customs Warehouse Auctions shall be advertised in the Gazette and in a newspaper circulated in Saint Lucia, not less than 7 days before it is due to take place. The comptroller may also choose other forms of media (e.g., radio, internet, posters etc.) along with the ones prescribed by law.

Should all goods offered for sale by Customs be sold by public auctions?

The Comptroller of Customs is not mandated to sell perishable goods by way of public auction. Under the provision of section 135(5) of the Customs act the Comptroller shall offer for sale anything which is of a perishable nature in the manner which appears to him or her, bearing in mind its nature, most likely to realize the largest sum.

Who can bid at the auction Sale of abandoned goods?

Members of the public, age of eighteen (18) years and over are allowed to register and bid at a public auction for Goods Not Condemned as Forfeited.

How can I Participate at the Auction?

All persons wishing to take part in the auction must be registered. Applicants are required to submit a valid ID along with a completed Customs Auction Bidder Registration Form. A copy of the registration form can be obtained from all customs offices around Saint Lucia, and on the **Customs & Excise Department Saint Lucia** website, www.customs.gov.lc . The completed form, plus a clear and legible copy of your ID must be submitted on time to the following Customs offices around Saint Lucia:

- a) Customs office in Soufriere - not less than seven (7) days before the date of the auction.
- b) Customs main office in Vieux Fort - not less than five (5) days before the date of the auction.
- c) Customs main office in Castries – not less than three (3) days before the date of the auction.

Will there be a viewing of the advertised goods before the Auction?

Images of all goods advertised for sale will be displayed on the **Customs & Excise Department Saint Lucia** website, www.customs.gov.lc . Notwithstanding, one day preceding the date of the auction will be set aside to allow registered bidders to view all motor vehicles and heavy equipment advertised for sale. Other large items such as: household appliances, furniture, construction tools and equipment maybe displayed as well on that day. Smaller items, including jewelry, auto parts, clothing etc., maybe displayed on the actual day of the auction before bids are accepted. Images of the item being sold will be displayed on a screen during bidding.

Can goods be withdrawn from the Auction Sale?

Any goods, being goods not condemned as forfeited, previously advertised for sale in the in the Gazette and in a newspaper circulated in Saint Lucia, may not be available for sale on the day of the auction, as the importer has the right to the clearance of his/her goods up to the day of the auction. To cause any item to be withdrawn from the auction the importer must submit a paid customs entry of the said goods, and pay all charges of and incidental to the sale, warehousing and carriage of that thing before it is offered for sale by the auctioneer.

What Happens to The Proceeds of the Auction Sale?

All monies arising from the sale at this auction shall be used to pay -

- a) firstly, any duty payable on that thing; and
- b) secondly, all the charges of and incidental to the sale, warehousing and carriage of that thing.

Any residue shall, if application is made within 6 months of the sale, be paid over to any person who satisfies the Comptroller that he or she was the owner of that thing at the time of its sale.

What happens to goods that cannot be sold?

Anything which cannot be sold at any auction shall be destroyed or otherwise disposed of as the Comptroller may direct.

What is the reserve prices/ starting bid?

The reserve price which is normally the starting bid for the item being sold represents the lowest price at which the goods may be sold to recover duties, other taxes and charges. At a sale the auctioneer shall announce the amount of duty, rent and charges due to the Government on each lot.

How do I bid at the auction?

On the day of the auction each registered bidder is given a bidder card with their “bidding number” that is used to identify all participants. When the auctioneer calls out the amount that you wish to bid for the item being sold, you will indicate your interest by raising your hand displaying your bidder card and number to the auctioneer. If there is more than one person offering the same bid the auctioneer will increase the bid amount until only one person offers a bid. Should there be a dispute between bidders the auctioneer can either re-auction the item or declare the successful bidder. The auctioneer’s decision will be final and binding on all parties.



How do I pay and obtain my winnings?

Successful bidders must make full payment of the purchase price before the goods can be delivered. For successful bids ranging from \$10,000.00 to \$30,000.00, if bidders are unable to make full payment on the day of the sale, they will be required to deposit at least twenty percent of the purchase price with the balance to be paid within one week. For successful bids above \$30,000.00, if bidders are unable to make full payment on the day of the sale, they will be required to deposit at least ten percent of the purchase price with the balance to be paid within two weeks.

When the auctioneer receives the amount of the purchase price he or she shall make and sign an order to the officer in charge of the Customs Warehouse to deliver the goods. The purchaser of the goods shall present the order to the officer in charge of the warehouse and on surrender thereof, if in order, and on giving a receipt for the goods in the auction sales record to the officer in charge of the warehouse the purchaser may take delivery. Any goods sold but not cleared within 14 days from the day of sale are liable to forfeiture.