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Law



**DISPOSAL OF DUTY-FREE PERSONAL
PROPERTY**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This publication implements Air Force Policy Directive 51-7, *International Law*, and the North Atlantic Treaty Organization (NATO), Status of Forces Agreement (SOFA), Article XI and Article XII. It establishes prohibitions for disposal of personal property acquired free of foreign customs taxes or import duties and provides for disciplinary and administrative action. Failure to observe prohibitions and mandatory provisions of this directive in paragraph 2. and its subordinate clauses by military personnel is a violation of Article 92, *Uniform Code of Military Justice* (UCMJ). Violations by civilian employees may result in administrative disciplinary actions without regard to otherwise applicable criminal or civil sanctions for violations of related laws. This instruction applies to all Air Force military personnel, Air Force Reserve and Air National Guard, Department of the Air Force civilian employees, and dependents of both military and civilian personnel, who are authorized to import, purchase, acquire or possess personal property under an exemption from foreign customs taxes and import duties. Maintain and dispose of records created as a result of prescribed processes in accordance with Air Force Manual 37-139, *Records Disposition Schedule*.

SUMMARY OF REVISIONS

This change adds the NATO, SOFA, and Articles XI and XII as implementing documents for this publication; it updates paragraph 2. and deletes paragraph 3. Revisions are indicated by a vertical bar [||] in the left margin.

1. Prohibitions. The following acts are prohibited:

- 1.1. To sell, trade, transfer, give, lend, or in any way dispose of personal property imported or acquired free of foreign customs taxes or import duties to any individual or agency not authorized to import or acquire such property free of tax or duty.

1.2. To sell, trade, transfer, give, or in any way dispose of tax-free gasoline, motor oil, kerosene, or fuel oil, or coupons authorizing acquisition of any of these items, to any individual or agency not authorized to import or acquire the same free of tax.

1.3. To purchase or possess duty-free items with the intent to dispose of the items to any individual or agency not authorized to import or acquire such property free of tax or duty.

2. Subordinate Numbered Air Force or Base Directives. This instruction does not preclude subordinate commands from issuing implementing directives that establish reasonable limits on the quantity of items or personal property that may be purchased or acquired free of foreign customs taxes or import duties. Publish guidance according to Air Force Instruction 33-360, Volume 1, *Publications Management Program*.

DAVID G. EHRHART, Colonel, USAF
Staff Judge Advocate

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References

Air Force Policy Directive 51-7, *International Law*

Air Force Instruction 33-360, Volume 1, *Publications Management Program*

Air Force Manual 37-139, *Records Disposition Schedule*

Article 92, *Uniform Code of Military Justice (UCMJ)*

Abbreviations and Acronyms

NATO—North Atlantic Treaty Organization

SOFA—Status of Forces Agreement