1968 No. 1381

CUSTOMS AND EXCISE

The Composite Goods Order 1968

Made - - -	*26th August* 1968
Laid before the House of Commons - -	*4th September* 1968
Coming into Operation	*5th September* 1968

Whereas the continued use of the Customs Tariff 1959, in classifying goods for customs purposes, has been authorised by the Import Duties (General) (No. 4) Order 1968(a) and the composite goods to which this Order applies (being imported composite goods) require to be classified accordingly:

And whereas it appears to the Treasury on the recommendation of the Commissioners of Customs and Excise that, in respect of composite goods of any description specified or indicated in this Order which are chargeable with duty in respect of hydrocarbon oil contained in them as a part or ingredient, it is inconvenient, and of no material advantage to the revenue or to importers of goods of any such description, to charge duty according to the quantity of hydrocarbon oil appearing to be used in the manufacture or preparation of the goods (as provided by section 259(1) of the Customs and Excise Act 1952(b), which section is in this Order referred to as "the principal section"):

Now, therefore, the Lords Commissioners of Her Majesty's Treasury by virtue of the powers conferred on them by Schedule 2 to the Finance Act 1957(c), hereby make the following Order:—

1. Any composite goods which, apart from small proportions of colouring matter or of additives, consist wholly of hydrocarbon oil shall be treated for the purpose of the duty of customs chargeable thereon as consisting wholly of hydrocarbon oil.

2. In the case of composite goods, other than those mentioned in Article 1 of this Order, which fall to be classified in any of the tariff subheadings indicated in the first column of the schedule to this Order (the general descriptions of which are indicated in the second column of that schedule) the duty of customs chargeable under the principal section in respect of hydrocarbon oils contained in the goods as a part or ingredient of them shall be calculated at the rates indicated in the third column of the schedule to this Order.

3. In this Order, unless the context otherwise requires, the following expressions have the meanings respectively assigned to them:—

(a) S.I. 1968/679 (1968 I, p. 1519). (b) 1952 c. 44.
(c) 1957 c. 49.

"additive" means any substance commonly added in small proportions to hydrocarbon oils for the purpose of improving or modifying their quality or characteristics as fuel or as lubricants;

"composite goods" means goods which contain as a part or ingredient of them any article chargeable with hydrocarbon oil duty;

"hydrocarbon oils", "light oils" and "heavy oils" have the same meanings as in the Customs and Excise Act 1952;

"tariff subheading" means a subheading of the Customs Tariff 1959 as defined in Article 1(1) of the Import Duties (General) (No. 4) Order 1968.

4.—(1) This Order may be cited as the Composite Goods Order 1968.

(2) The Interpretation Act 1889(a) applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(3) This Order shall come into operation on the 5th September 1968.

(4) The Composite Goods Order 1964(b) and the Composite Goods (Amendment) Order 1968(c) are hereby revoked.

B. K. O'Malley,
Joseph Harper,
Two of the Lords Commissioners
of Her Majesty's Treasury.

26th August 1968.

SCHEDULE

GOODS CHARGEABLE WITH HYDROCARBON OIL DUTY IN RESPECT OF HYDROCARBON OILS CONTAINED IN THEM AS A PART OR INGREDIENT.

Tariff Subheading	*General description of goods*	*Rate per cent of the value of the goods*
	(1) The following, containing light oils:—	
27.10(B) (1) ...	Preparations containing not less than 70 per cent. by weight of petroleum or shale oils.	8
34.03(B) (1) ...	Lubricating preparations containing less than 70 per cent. by weight of petroleum or shale oils.	8
38.18(B) (1) (a) 38.18(B) (2) (a)	Composite solvents and thinners for varnishes and similar products.	8
	(2) The following, containing heavy oils:—	
36.08(C)	Firelighters	4½

(a) 1889 c. 63.
(b) S.I. 1964/1341 (1964 II, p. 3056).
(c) S.I. 1968/405 (1968 I, p. 1086).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order imposes hydrocarbon oil duty at the rate of 4½ per cent. *ad valorem* on imported firelighters containing heavy oil. It revokes, and replaces in consolidated form, the Orders mentioned in Article 4(4) of the Order, under which duty is imposed on certain other imported composite goods containing oil. This Order makes no change in the liability to duty of these other goods.

Taking account of section 6(3) of the Finance Act 1964, under which hydrocarbon oil duty is charged on imported goods containing oil as a part or ingredient only if they are goods which should be classed with oil according to their use, the Order provides that certain of the goods so classed shall be charged with duty as if they consisted wholly of hydrocarbon oil, and that others shall be charged with duty at the *ad valorem* rates shown in the Schedule to the Order.