STATUTORY INSTRUMENTS

1961 No. 1455

SUGAR

The Composite Sugar Products (Surcharge—Average Rates) Order, 1961

Made - - - -	*24th July*, 1961
Laid before Parliament	*1st August*, 1961
Coming into Operation	*2nd August*, 1961

Whereas the Minister of Agriculture, Fisheries and Food (hereinafter called "the Minister") has on the recommendation of the Commissioners of Customs and Excise (hereinafter called "the Commissioners") made an Order(a) pursuant to the powers conferred upon him by subsection (1) of section 9 of the Sugar Act, 1956(b), providing that in the case of certain descriptions of composite sugar products surcharge shall be calculated on the basis of an average quantity of sugar taken to have been used in the manufacture of the products:

Now, therefore, the Minister, on the recommendation of the Commissioners, and in exercise of the powers conferred upon him by subsection (1) of section 9 and subsection (4) of section 33 of the Sugar Act, 1956, and of all other powers him enabling in that behalf, hereby makes the following Order:—

1.—(1) This Order may be cited as the Composite Sugar Products (Surcharge—Average Rates) Order, 1961; and shall come into operation on the 2nd day of August, 1961.

(2) The Interpretation Act, 1889(c), shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

2. Surcharge payable on or after the 2nd day of August, 1961, under and in accordance with section 7 of the Sugar Act, 1956, in respect of sugar and molasses used in the manufacture of the descriptions of imported composite sugar products specified in the second column of the Schedule to this Order shall, notwithstanding the provisions of the Sugar and Molasses (Rates of Surcharge and Surcharge Repayments) Order, 1961(d), and the Composite Sugar Products (Surcharge—Average Rates) Order, 1959(a), be calculated, by reference to the weight, the value or (as the case may be) the quantity of the products, at the rates specified in relation thereto in the third column of the said Schedule.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this twenty-fourth day of July, Nineteen hundred and sixty-one.

(L.S.)

Christopher Soames,
Minister of Agriculture,
Fisheries and Food.

(a) S.I. 1959/73 (1959 II, p. 2517). (b) 4 & 5 Eliz. 2. c. 48. (c) 52 & 53 Vict. c. 63.
(d) S.I. 1961/1454 (*See* p. 2951 of this Pt.).

SCHEDULE

In this Schedule:—

" Tariff heading " means a heading or, where the context so requires, a subheading of the Customs Tariff, 1959 (see paragraph (1) of Article 1 of the Import Duties (General) (No. 3) Order, 1961(a)).

" Per cent." means, where it occurs in relation to any rate of surcharge, per cent. of the value for customs duty purposes of the product to which it relates.

Tariff heading	Description of Imported Composite Sugar Products	Rates of Surcharge
		per cwt. s. d.
04·02... ...	Milk and cream, preserved, concentrated or sweetened:—	
	containing not more than 10 per cent. by weight of added sweetening matter	1 10⅔
	containing more than 10 per cent. but not more than 50 per cent. by weight of added sweetening matter	8 3⅓
17·02 (D) and 17·05 (D)...	Syrups containing sucrose sugar, whether or not flavoured or coloured, but not including fruit juices containing added sugar in any proportion:—	
	containing 70 per cent. or more by weight of sweetening matter	11 10⅔
	containing less than 70 per cent., and more than 50 per cent., by weight of sweetening matter...	8 6⅔
	containing not more than 50 per cent. by weight of sweetening matter	4 1⅓
17·02 (F) ...	Caramel:—	
	Solid	18 8
	Liquid...	13 0⅔
17·04... ...	Sugar confectionery, not containing cocoa	15 2⅔
18·06 (D) ...	Chocolate and other food preparations containing cocoa (but not being chocolate milk crumb, chocolate couverture not prepared for retail sale, or sweetened cocoa powder)	10 9⅓
		per cent.
19·08 (A) ...	Pastry, biscuits, cakes and other fine bakers' wares:—	
	Biscuits	4
	Other	2⅔
20·01 (B) ...	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, containing added sweetening matter...	5⅓
20·03... ...	Fruit preserved by freezing, containing added sugar...	2
		per cwt. s. d.
20·04... ...	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallised)	12 3⅓
20·05 (B) ...	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, containing added sweetening matter	11 8⅔

(a) S.I. 1961/403 (Pt. I, p. 585).

Tariff heading	Description of Imported Composite Sugar Products	Rates of Surcharge
		per cent.
20·06 (A) and (B)... ...	Fruit otherwise prepared or preserved, containing added sweetening matter:—	
	Ginger	8
	Other	2
20·07... ...	Fruit juices (including grape must) and vegetable juices, unfermented and not containing spirit:—	
	containing not more than 20 per cent. by weight of added sweetening matter	⅛
	containing more than 20 per cent. by weight of added sweetening matter	9⅜
21·07... ...	Food preparations not elsewhere specified or included:—	
	Table jelly crystals, powders or squares ...	9⅜
		per cwt. s. d.
	Sweetfat (mixtures of edible fats and sugar) ...	12 0
		per proof gallon d.
22·09 (D) (2)	Other spirits (including spirituous beverages having the character of spirits, and liqueurs), sweetened...	9⅜

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order provides for increases in the average rates of surcharge payable on imported composite sugar products of the descriptions specified in the Schedule on or after the 2nd day of August, 1961. These correspond to the increases in surcharge rates effected by the Sugar and Molasses (Rates of Surcharge and Surcharge Repayments) Order, 1961 (S.I. 1961/1454). There is no change in the descriptions of products to which the average rates apply.