STATUTORY INSTRUMENTS

1983 No. 300

CUSTOMS AND EXCISE

The Customs Duties (ECSC) Provisional Anti-Dumping Order 1983

Made - - - -	*3rd March* 1983
Laid before the House of Commons	*4th March* 1983
Coming into Operation	*5th March* 1983

The Secretary of State, in exercise of the powers conferred on him by section 6(1) and (2) of the Finance Act 1978 (**a**) and of all other powers enabling him in that behalf, hereby makes the following Order:—

1.—(1) This Order may be cited as the Customs Duties (ECSC) Provisional Anti-Dumping Order 1983 and shall come into operation on 5th March 1983.

(2) In this Order references to goods originating in Brazil are references to goods which are to be so regarded under the rules on the common definition of the concept of origin which are applicable in accordance with any Community instrument for the purposes of the uniform application of the Common Customs Tariff.

(3) This Order charges a duty pursuant to Commission Recommendation No. 376/83/ECSC (**b**) requiring the imposition of a provisional anti-dumping duty.

2. There shall be charged on the importation into the United Kingdom on or after 18th February 1983 of any goods of a description set out in the second column of the Schedule hereto (being goods classified in the Common Customs Tariff of the European Economic Community falling within the heading mentioned in the first column of that Schedule) a duty of customs at the rate provided for by the following Article.

3. The duty chargeable by virtue of this Order shall be determined by applying the provisions of Article 1(2) and (3) of Commission Recommendation No. 376/83/ECSC.

4. For the purposes of applying Article 1(3) of Commission Recommendation No. 376/83/ECSC (which provides for a reduction of duty where goods are of a low quality) the reference to "competent national authorities" shall be interpreted as a reference to the Commissioners of Customs and Excise.

Peter Rees,
Minister for Trade,
Department of Trade.

3rd March 1983.

(**a**) 1978 c.42. (**b**) OJ No. L45, 17.2.1983, p.14.

SCHEDULE

Tariff Heading	Description of Goods
73.13 B.I.ex *a)*	*Sheets and plates of iron or steel, not further worked than hot-rolled, of a thickness of 3mm or more, originating in Brazil, other than—* *(a)* goods consigned from another member State, in respect of which an anti-dumping duty imposed by Commission Recommendation No. 376/83/ECSC has been paid or secured, or *(b)* goods imported into any of the territories to which the ECSC Treaty applies (a) before 18th February 1983 (this being the date on which that Recommendation came into force).

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order imposes a provisional anti-dumping duty on imports into the United Kingdom from 18th February 1983 of certain sheets and plates of iron or steel as described in the Order, originating in Brazil.

The United Kingdom is under a Community obligation to impose the duty by virtue of Commission Recommendation No. 376/83/ECSC which fixes the rate of duty as equal to 72.20 European Currency Units (ECU) per 1,000 kilograms net but also provides that where the importer establishes to the satisfaction of the competent national authorities (in the United Kingdom the Commissioners of Customs and Excise) that the quality of the imported products is inferior to the quality described in the last publication of basic prices by the Commission, the rate of duty shall be reduced to that extent. The basic prices for iron and steel products published by the Commission which are effective from 1st December 1982 are contained in OJ No. L321, 17.11.1982, p.1 and this publication also sets the equivalent value of one ECU from that date as £0.551012; but the Commission may adjust these figures from time to time.

The duty will not be collected on importation if the importer gives security of the amount of the duty to the Commissioners of Customs and Excise in accordance with the provisions of the Anti-Dumping and Countervailing Duties Order 1978 (S.I. 1978/1147).

The Order applies to imports from 18th February 1983. Section 6(2)*(d)* of the Finance Act 1978 enables provision to be made in respect of goods imported into the United Kingdom before the Order comes into force.

(a) *See* Article 79 of the ECSC Treaty.

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