STATUTORY INSTRUMENTS

1963 No. 2009

CUSTOMS AND EXCISE

The Import Duties (General) (No. 10) Order 1963

Made - - - -	12*th December* 1963
Laid before the House of Commons - -	17*th December* 1963
Coming into Operation	31*st December* 1963

The Lords Commissioners of Her Majesty's Treasury, by virtue of the powers conferred on them by sections 1, 2 and 13 of the Import Duties Act 1958(a), and of all other powers enabling them in that behalf, on the recommendation of the Board of Trade hereby make the following Order :—

1. The Schedule to the Import Duties (General) (No. 3) Order 1961(b) (which Schedule by reference to the Customs Tariff 1959 sets out the import duties chargeable under the Import Duties Act 1958 and is hereinafter referred to as " the principal Schedule "), as amended by subsequent Orders under that Act(c), shall be further amended in accordance with the following provisions of this Order.

2.—(1) Any rate of duty in column 4 of the principal Schedule (rates of duty chargeable in the case of goods of Convention area origin) which is less than the corresponding rate in column 2 of that Schedule shall be reduced by one-fifth (being a reduction made in accordance with the Convention), but this shall not apply to a rate of duty in the said column 4 which is reduced or removed by some other provision of this Order.

(2) In the sub-headings of the principal Schedule specified in Schedule 1 to this Order (which sub-headings comprise goods import duty on which falls to be reduced in accordance with the Convention but provide for rates which include an element of revenue duty or correspond to rates which include such an element), the rates of duty in column 4 shall be reduced by the substitution, for references to 12½%, 8¾%, 7½%, 3¼% and 2% of references to 11%, 8%, 7%, 2½% and 1½% respectively.

(3) In the sub-headings of the principal Schedule specified in Schedule 2 to this Order (which sub-headings comprise goods import duty on which falls to be reduced in accordance with the Convention but provide for Convention area rates which in consequence of previous reductions in the full rates are the same as those rates), the rates of duty in column 4 shall be reduced by the substitution, for references to 10% and 8%, of references to 8% and 7% respectively.

(a) 6 & 7 Eliz. 2. c. 6. (b) S.I. 1961/403 (1961 I, p. 585).
(c) See, in particular, S.I. 1961/959, 1962/232, 2240 (1961 II, p. 1878; 1962 I, p. 227; III, p. 3070).

3.—(1) There shall also be made in the principal Schedule the amendments set out in Schedule 3 to this Order, being amendments which reduce or remove duty on certain goods of Convention area origin in accordance with—

(*a*) a decision of the Council of the European Free Trade Association to delete certain goods from Annex D to the Convention (in the case of the amendments set out in Part I of the said Schedule 3), or

(*b*) an agreement entered into between Her Majesty's Government in the United Kingdom and the Government of Denmark (in the case of the amendments set out in Part II of that Schedule), or

(*c*) an undertaking given by Her Majesty's Government in the United Kingdom to the Government of Norway (in the case of the amendments set out in Part III of that Schedule), or

(*d*) the undertaking mentioned in paragraph (*c*) above and a decision of the Council of the European Free Trade Association to delete certain goods from Annex E to the Convention (in the case of the amendment set out in Part IV of that Schedule),

and which also provide, in the case of the amendments set out in paragraphs 12, 15, 17 and 18 of that Schedule, for reductions of duty, corresponding to those made by Article 2(1) above, where reductions in accordance with the agreement mentioned in paragraph (*b*) above or the undertaking mentioned in paragraph (*c*) above involve an alteration in the classification of other goods.

(2) There shall be made in any heading amended under the foregoing paragraph all such alterations in the numbering of any sub-division within the heading as are requisite in consequence of the amendment.

4.—(1) In this Order " the Convention " means the Convention establishing the European Free Trade Association signed at Stockholm on 4th January 1960.

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

5.—(1) This Order may be cited as the Import Duties (General) (No. 10) Order 1963.

(2) This Order shall come into operation on 31st December 1963.

John Peel,
G. T. C. Campbell,
Two of the Lords Commissioners of Her Majesty's Treasury.

12th December 1963.

(a) 52 & 53 Vict. c. 63.

SCHEDULE 1

SUB-HEADINGS WHERE E.F.T.A. RATES OF DUTY REDUCED UNDER ARTICLE 2(2)

27.10 (B)(1)
32.09 (C)(1)(*b*)(i)(I)(*β*)
32.09 (C)(1)(*b*)(i)(II)
32.09 (C)(3)(*a*)(i)(II)
32.09 (C)(3)(*a*)(ii)
32.09 (C)(4)(*a*)
34.03 (B)(1)
34.05 (A)
38.11 (B)(1)(*a*)
38.11 (B)(2)(*a*)
38.18 (B)(1)(*a*)
38.18 (B)(2)(*a*)
38.19 (IJ)(1)(*a*)
38.19 (IJ)(2)(*a*)
39.01 (E)(1)(*a*)(ii)
39.01 (E)(1)(*b*)
40.06 (C)

SCHEDULE 2

SUB-HEADINGS WHERE E.F.T.A. RATES OF DUTY REDUCED UNDER ARTICLE 2(3)

83.09(A)
84.17(B) (1)
84.21(C)
84.22(F)
84.42(A)

SCHEDULE 3

REDUCTION OR REMOVAL OF DUTY ON GOODS OF E.F.T.A. ORIGIN UNDER ARTICLE 3

PART I

AMENDMENTS CONSEQUENT UPON THE DELETION OF CERTAIN GOODS FROM ANNEX D TO THE E.F.T.A. CONVENTION

1. In heading 07.01, after sub-heading (N), there shall be inserted the following sub-heading:—

"(O) Garlic	10%	—	4% "

with the rates of duty in columns 2 and 4.

2. In heading 07.04, after sub-heading (B), there shall be inserted the following sub-heading:—

"(C) Garlic:			
(1) In airtight containers ...	15%	—	6%
(2) Other	10%	—	4% "

with the rates of duty in columns 2 and 4.

3. In heading 08.03 (figs) the rates of duty shall be omitted and there shall be inserted the following sub-headings:—

"(A) Fresh	6s. per cwt.	—	2s. 4½d. per cwt.
(B) Dried	6s. per cwt.	—	6s. per cwt."

with the rates of duty in columns 2 and 4.

4. In heading 08.05, after sub-heading (A), there shall be inserted the following sub-heading:—

"(B) Almonds and chestnuts ...	10%	—	4% "

with the rates of duty in columns 2 and 4.

5. In heading 15.07, after sub-heading (C), there shall be inserted the following sub-heading:—

"(D) Olive oil extracted by means of solvents	10%	—	4% "

with the rates of duty in columns 2 and 4.

6. In sub-heading 20.02(A) (olives), in column 4, for "15%" and "10%" there shall be substituted "6%" and "4%" respectively.

7.—(1) Heading 20.06 shall be amended as follows.

(2) In sub-heading (A), after paragraph (8), there shall be inserted the following paragraph:—

"(9) Nuts	15½%	—	6% "

with the rates of duty in columns 2 and 4.

(3) In sub-heading (B), after paragraph (1), there shall be inserted the following paragraph:—

"(2) Nuts	15½%	—	6% "

with the rates of duty in columns 2 and 4.

(4) In sub-heading (C), after paragraph (4), there shall be inserted the following paragraph:—

"(5) Nuts	15%	—	6% "

with the rates of duty in columns 2 and 4.

PART II

AMENDMENTS REQUIRED BY AGREEMENT WITH DENMARK

8. In heading 11.07 (malt), in column 4, for "10%" there shall be substituted "4%".

9. In sub-heading 16.02(A), after paragraph (1), there shall be inserted the following paragraph:—

"(2) Pastes of meat offal, not canned	20%	—	8% "

with the rates of duty in columns 2 and 4.

10. In heading 19.02 (preparations of flour, starch or malt extract), in column 4, for "10%" there shall be substituted "4%".

11. In sub-heading 20.02(C)—

(*a*) in paragraph (1), after sub-paragraph (*b*), there shall be inserted the following sub-paragraph:—

"(*c*) Potato crisps	15%	—	6%";

(*b*) in paragraph (2) the rates of duty shall be omitted and there shall be inserted the following sub-paragraphs:—

"(*a*) Potato crisps	10%	—	4%
(*b*) Other	10%	—	10%";

with the rates of duty in columns 2 and 4.

12. In heading 21.06, for sub-heading (A) there shall be substituted the following:—

"(A) Natural yeasts	4s. per cwt.	—	1s. 7½d. per cwt."

with the rates of duty in columns 2 and 4.

PART III

AMENDMENTS REQUIRED BY UNDERTAKING TO NORWAY

13. In sub-heading 03.03(C)(1) (peeled prawns), in column 4, for "5%" there shall be substituted "2½%".

14. In sub-heading 05.05(B) (fish waste other than herring offals), in column 4, for "5%" there shall be substituted "2½%".

15. In heading 05.15, for sub-heading (B) there shall be substituted the following:—

"(B) Salted fish roes	10%	—	2½%
(C) Blood powder and blood plasma	10%	—	4%
(D) Other	10%	—	10%"

with the rates of duty in columns 2 and 4.

16. In heading 15.04 (fats and oils, of fish and marine mammals), in column 4, for "6d. per gallon", "8d. per gallon" and "5%" there shall be substituted "3d. per gallon", "4d. per gallon" and "2½%" respectively.

17. In heading 15.08, for sub-heading (D) there shall be substituted:—

"(D) Other:			
(1) Oils wholly obtained from fish or marine mammals ...	10%	—	2½%
(2) Other	10%	—	4%"

with the rates of duty in columns 2 and 4.

18. In heading 15.10 the rates of duty shall be omitted and there shall be inserted the following sub-headings:—

"(A) Wholly obtained from fish or marine mammals	10%	—	2½%
(B) Other	10%	—	4%"

with the rates of duty in columns 2 and 4.

19. In sub-heading 15.12(C)(1) (certain fats and oils), in column 4, for "5%" there shall be substituted "2½%".

20. In heading 15.14 (spermaceti), in column 4, for "5%" there shall be substituted "2½%".

21.—(1) Heading 16.04 (prepared or preserved fish) shall be amended as follows.

(2) In sub-heading (A), in column 4, for "15%" there shall be substituted "7½%".

(3) In sub-headings (B) and (C), in column 4, the rates of duty shall be omitted.

(4) In sub-headings (D) and (E), in column 4, for "5%" there shall be substituted "2½%".

22.—(1) Heading 16.05 (crustaceans and molluscs, prepared or preserved) shall be amended as follows.

(2) In sub-heading (A), in column 4, for "7½%" there shall be substituted "3¾%".

(3) In sub-headings (B)(1) and (C), in column 4, the rates of duty shall be omitted.

(4) In sub-heading (B)(2)(*a*) and (D), in column 4, for "5%" there shall be substituted "2½%".

(5) In sub-heading (B)(2)(*b*), in column 4, for "15%" there shall be substituted "7½%".

23. In sub-heading 23.01(B) (certain flours, meals etc.), in column 4, for "5%" there shall be substituted "2½%".

24. In sub-heading 23.07(C)(1) (fish solubles for animal feeding), in column 4, for "5%" there shall be substituted "2½%".

PART IV

AMENDMENT AS TO WHALE MEAT

25. In heading 02.04, after sub-heading (B), there shall be inserted the following sub-heading:—

"(C) Whale meat	10%	—	2½%"

with the rates of duty in columns 2 and 4.

EXPLANATORY NOTE

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

This Order reduces the rates of import duty on goods to which the E.F.T.A. Convention applies and introduces reduced E.F.T.A. rates of duty on certain products which have not previously been subject to E.F.T.A. duty reductions. The reduction is expressed as being of one-fifth of the current Convention rates of duty except in the following cases:—

(*a*) goods where the E.F.T.A. rate is specially reduced under Article 2(2) of the Order (see Schedule 1);

(*b*) goods in respect of which, consequential on a reduction in the full rate of duty, the E.F.T.A. rate has been reduced to the same level which was either at or below the level required under the Convention (see Schedule 2);

(*c*) goods deleted from Annex D to the Convention (see Schedule 3, Part I);

(*d*) goods covered by Article 2 of the Protocol to the Anglo-Danish Agreement on Agriculture (see Schedule 3, Part II);

(*e*) certain fish products to which a special acceleration of the reduction of the E.F.T.A. rate of duty applied consequent upon an undertaking given to Norway (see Schedule 3, Part III);

(*f*) whale meat which by its deletion from Annex E to the Convention falls within the scope of the undertaking to Norway (see Schedule 3, Part IV).