STATUTORY INSTRUMENTS

1977 No. 713

CUSTOMS AND EXCISE

The Import Duties (General) (No. 3) Order 1977

Made - - - -	19*th April* 1977
Laid before the House of Commons - -	21*st April* 1977
Coming into Operation	1*st May* 1977

The Lords Commissioners of Her Majesty's Treasury, by virtue of the powers conferred on them by sections 1, 2, 3(6) and 13 of the Import Duties Act 1958(**a**), as amended by section 5(5) of, and paragraph 1 of Schedule 4 to, the European Communities Act 1972(**b**), and by section 1 of the Finance Act 1971(**c**), and of all other powers enabling them in that behalf, on the recommendation of the Secretary of State(**d**), hereby make the following Order:—

1.—(1) This Order may be cited as the Import Duties (General) (No. 3) Order 1977 and shall come into operation on 1st May 1977.

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

(3) This Order does not increase duties of customs otherwise than in pursuance of a Community obligation.

2. The Import Duties (General) (No. 5) Order 1975(**f**), as amended(**g**), shall be further amended as specified in the Schedule hereto.

3. Article 4 of, and Schedule 2 to, the Import Duties (Developing Countries) (No. 4) Order 1975(**h**), as amended (**i**), shall be deleted and in Article 5(1) and (2) "or Part I of Schedule 2" shall be deleted.

4. The Import Duties (General) (No. 10) Order 1976(**j**), as amended(**k**), shall be further amended as follows:—

(1) Article 4(1)(*b*)(ii) and Article 4(2)(*b*)(ii) with in each case the preceding "and" shall be deleted;

(2) For Article 4(4) there shall be substituted the following . . . "(4) As from 1st July 1977 Article 7(2) and (3) and Schedule 4 shall cease to have effect."

(**a**) 1958 c. 6. (**b**) 1972 c. 68. (**c**) 1971 c. 68. (**d**) *See* S.I. 1970/1537 (1970 III, p. 5293). (**e**) 1889 c. 63. (**f**) S.I. 1975/1744 (1975 III, p. 5912). (**g**) There is no relevant amending Order. (**h**) S.I. 1975/2094 (1975 III. p. 7830). (**i**) S.I. 1977/616 (1977 I, p. 1925). (**j**) S.I. 1976/2077 (1976 III, p. 5700). (**k**) There is no relevant amending Order.

5. Where import duty is chargeable on or after 1st July 1977 at the S rate under the Import Duties (Greece) (Reductions) Order 1975(a), such duty shall continue to be so chargeable notwithstanding anything in this Order.

Donald R. Coleman,

David Stoddart,

Two of the Lords Commissioners of Her Majesty's Treasury

19th April 1977.

(a) S.I. 1975/2057 (1975 III, p. 7540).

SCHEDULE

AMENDMENTS TO THE IMPORT DUTIES (GENERAL) (NO. 5) ORDER 1975

1. In Schedule 4 Papua New Guinea shall be deleted.

2. In Part I of Schedule 5 relating to African, Caribbean and Pacific States

(a) there shall be inserted the following countries namely the Republic of Cape Verde, the Comoros, Papua New Guinea, the Democratic Republic of Sao Tome and Principe, the Republic of the Seychelles and Republic of Surinam.

(b) for "Republic of Dahomey" there shall be substituted "People's Republic of Benin" and for "Malagasy Republic" there shall be substituted "Madagascar".

3. In Part I of Schedule 5 relating to Overseas Countries and Territories

(a) there shall be inserted Mayotte.

(b) the following countries shall be deleted:

Comoro Archipelago, The Seychelles and Surinam.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which comes into operation on 1st May 1977, further amends the Import Duties (General) (No. 5) Order 1975 (the No. 5 Order) which sets out the United Kingdom Customs Tariff and the protective import duties chargeable in accordance with it, the Import Duties (Developing Countries) (No. 4) Order 1975 (the No. 4 Order) and the Import Duties (General) (No. 10) Order 1976 (the No. 10 Order).

The Order provides for the Republic of Cape Verde, Papua New Guinea and the Democratic Republic of Sao Tome and Principe to be included as from 1st May 1977 in the list of African, Caribbean and Pacific (ACP) States in Part I of Schedule 5 to the No. 5 Order and for goods of these countries to receive the tariff treatment applicable under the Lomé Convention. It also provides for the up-dating of the description of certain territories in Part I of Schedule 5 and for the Comoros, the Republic of the Seychelles and the Republic of Surinam to be moved from the list of Overseas Countries and Territories to the list of ACP States in that Schedule.

As a consequence of the inclusion of Papua New Guinea in the list of ACP States, amendments have been made to the No. 4 Order and No. 10 Order to remove the existing arrangements made in accordance with Article 116 of the Act annexed to the Treaty of Accession, under which products originating in Papua New Guinea continued to be treated in the same way as they were before the United Kingdom's accession to the Communities.

The Order also makes it clear that the S rate (i.e. the full rate of duty applicable in the United Kingdom on 1st January 1972) continues to be chargeable on or after 1st July 1977 on certain horticultural products originating in Greece.

The amendments made by this Order are made in pursuance of Community obligations under Council Regulations (EEC) Nos. 328/77 (O.J. No. L46, 18.2.77, p. 1) and 744/77 (O.J. No. L90, 8.4.77, p. 5).

SI 1977/713
ISBN 0-11-070713-3

