STATUTORY INSTRUMENTS

# 1975 No. 2058

# CUSTOMS AND EXCISE

## The Import Duties (Morocco and Tunisia) (Reductions) Order 1975

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| *Made* - - - - | 8*th December* 1975 |
| *Laid before the House of Commons* - - | 10*th December* 1975 |
| *Coming into Operation* | 1*st January* 1976 |

The Lords Commissioners of Her Majesty's Treasury, by virtue of the powers conferred on them by sections 1, 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 of all other powers enabling them in that behalf, on the recommendation of the Secretary of State(**c**), hereby make the following Order:—

**1.**—(1) This Order may be cited as the Import Duties (Morocco and Tunisia) (Reductions) Order 1975 and shall come into operation on 1st January 1976.

(2) In this Order:—

(*a*) references to goods originating in Morocco are references to goods which

(i) are to be regarded under the Agreement, signed on 31st March 1969, between the European Economic Community and Morocco(**d**) as originating in Morocco, or

(ii) being products of a class excluded from the scope of the Protocol to the said Agreement relating to origin of goods, are nevertheless goods of Morocco.

(*b*) references to goods originating in Tunisia are references to goods which

(i) are to be regarded under the Agreement, signed on 28th March 1969, between the European Economic Community and Tunisia(**e**) as originating in Tunisia, or

(ii) being products of a class excluded from the scope of the Protocol to the said Agreement relating to origin of goods, are nevertheless goods of Tunisia.

references to a heading or subheading are references to a heading or subheading of the Customs Tariff 1959;

(**a**) 1958 c. 6. (**b**) 1972 c. 68. (**c**) *See* S.I. 1970/1537 (1970 III, p. 5293).
(**d**) The Agreement is annexed to Regulation (EEC) 2285/73 (O.J. No. L239; 27.8.1973, p. 1).
(**e**) The Agreement is annexed to Regulation (EEC) 2286/73 (O.J. No. L239, 27.8.1973, p. 105).

"the M rate" in relation to goods of any heading or subheading means the rate which is shown in relation to such goods prefixed by the letter "M" in column 4 of Schedule 1 to the Import Duties (General) (No. 5) Order 1975(a) (being the rate applicable to goods satisfying the requisite conditions to benefit from the eventual abolition of customs duties in trade between member States of the European Economic Community);

the abbreviations used in Schedule 2 hereto (being those used in the Customs Tariff 1959) have the meanings given in Article 11(5) of the said Order.

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

**2.**—(1) Any import duty for the time being chargeable on goods which fall within a heading or subheading specified in column 1 of Part I of Schedule 1 hereto and are of a description specified in column 2 thereof shall be charged at the M rate instead of any higher rate which would otherwise apply in the case of goods originating in Morocco and in the case of goods originating in Tunisia.

(2) Any import duty for the time being chargeable on goods which fall within a heading or subheading specified in Part II of Schedule 1 hereto shall be charged at the M rate instead of any higher rate which would otherwise apply in the case of goods originating in Morocco and in the case of goods originating in Tunisia.

**3.** Subject to Article 4(1) below, any import duty for the time being chargeable on goods which fall within a subheading specified in column 1 of Schedule 2 hereto shall be charged at the rate specified in column 3 thereof in relation to the goods instead of any higher rate which would otherwise apply in the case of goods originating in Morocco and in the case of goods originating in Tunisia.

**4.**—(1) Where a description of goods is specified in column 2 of Schedule 2 hereto in relation to any subheading the reductions in duty provided for in relation to that subheading by Article 3 above shall apply only to goods of that description.

(2) Any description of goods in column 2 of Part I of Schedule 1 or in Schedule 2 hereto shall be taken to comprise all goods which would be classified under an entry in the same terms constituting a subheading in the relevant heading in the Customs Tariff 1959.

**5.** Articles 2 and 3 above shall operate without prejudice to any greater reductions in, or to any exemption from, import duties which may be available in the case of goods originating in Morocco or Tunisia apart from this Order by virtue of their being goods of a developing country or otherwise.

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(a) S.I. 1975/1744 (1975 III, p. 5912). (b) 1889 c. 63.

**6.** Where any import duty for the time being chargeable on any goods has been reduced by a directly applicable Community provision the import duty shall, to the extent of that reduction, not be regarded as reduced by virtue of this Order and the reference to it in the Schedules hereto shall be treated as merely indicative of the rate of import duty payable in respect of the goods.

*Donald R. Coleman,*

*James A. Dunn,*

Two of the Lords Commissioners of Her Majesty's Treasury

8th December 1975.

## SCHEDULE 1

### GOODS OF MOROCCO OR TUNISIA SUBJECT TO THE "M" RATE

### PART I

| (1) Tariff Heading | (2) Description of Goods |
|---|---|
| 08.01 A. | Dates in immediate packings of a net capacity of 35kgs or less |
| 09.04 A.II. | Pimento, not crushed or ground |
| B. | Pepper and pimento, crushed or ground |
| 20.01 B. | Vegetables and fruit, prepared or preserved by vinegar or acetic acid, without sugar, other than gherkins |
| 22.08 )<br>22.09 ) | All goods of these headings other than spirits ex 22·08 and 22·09A obtained from agricultural products listed in Annex II to the E.E.C. Treaty |

## SCHEDULE 1 (*continued*)

### PART II

| Tariff Heading | Tariff Heading |
|---|---|
| 02.01 A. IV. b) | 73.03 |
| 02.04 | 73.05 B. |
| | 73.06 |
| All headings and subheadings of Chapter 3 | 73.07 A. I. |
| | B. I. |
| 05.01 to 05.03 (inclusive) | 73.08 and 73.09 |
| 05.05 to 05.15 A. (inclusive) | 73.10 A. |
| 07.05 B. | D. I. a) |
| 08.02 C. I. | 73.11 A. I. |
| 09.03 | IV. a)1. |
| 09.09 | B. |
| 09.10 | 73.12 A. |
| 12.07 | B. I. |
| 12.08 | C. III. a) |
| 13.01 to 13.03 A. (inclusive) | V. a)1. |
| 13.03 B. I. b) | 73.13 A. |
| II. b) | B. I. |
| C. | II. b) |
| | c) |
| All headings and subheadings of Chapter 14 | III. |
| 15.05 and 15.06 | IV. b) |
| 15.08 to 15.11 (inclusive) | c) |
| 15.14 to 15.16 (inclusive) | d) |
| 16.05 A. II. | V. a)2. |
| 17.04 | 73.15 A. I. b) |
| 18.03 to 18.06 (inclusive) | III. |
| | IV. |
| All headings and subheadings of Chapter 19 | V. b) |
| 20.02 F. | d)1.aa) |
| | VI. a) |
| All headings and subheadings of Chapter 21 | c)1.aa) |
| 22.01 to 22.03 (inclusive) | VII. a) |
| 22.06 | b)2. |
| 23.01 | c) |
| All headings and subheadings of Chapters 25 and 26 | d)1. |
| | B. I. b) |
| All headings and subheadings of Chapter 27 except:— | III. |
| | IV. |
| | V. b) |
| 27.01 | d)1.aa) |
| 27.02 | VI. a) |
| 27.04 A. II. | c)1. aa) |
| B. | VII. a) |
| All headings and subheadings of Chapters 28 to 44 (inclusive) | b)1. |
| | 2.bb) |
| All headings and subheadings of Chapters 46 to 99 (inclusive) except:— | 3. |
| | 4.aa) |
| 54.01 | 73.16 A. II. |
| 57.01 | B. |
| 73.01 | C. |
| 73.02 A. I. | D. I. |

## SCHEDULE 2

SPECIFIC REDUCTIONS IN DUTY ON GOODS OF MOROCCO OR TUNISA

| (1) Tariff Heading | (2) Description of Goods | (3) Rate of Import Duty |
|---|---|---|
| 08.02 A.I.a) | | W.i.g. of £0·1377 per 100 kg, or 1·5% plus £0·0275 per 100 kg |
| b) | | W.i.g. of £0·1377 per 100 kg, or 0·7% plus £0·0275 per 100 kg |
| c) | | W.i.g. of £0·1377 per 100 kg, or 0·4% plus £0·0275 per 100 kg |
| d)1. | | W.i.g. of £0·1377 per 100 kg, or 2·4% plus £0·0275 per 100 kg |
| 2. | | 4% |
| II.a)1. | | W.i.g. of £0·1377 per 100 kg, or 1·8% plus £0·0275 per 100 kg |
| b)1.aa) | | W.i.g. of £0·1377 per 100 kg, or 2·4% plus £0·0275 per 100 kg |
| bb) | | 4% |
| B.I.a) | | W.i.g. of £0·1377 per 100 kg, or 2·4% plus £0·0275 per 100 kg |
| b) | | 4% |
| 16.04 A. | | 9% |
| B.I. | | 2·1% |
| II. | | 2·1% |
| III. | | 2·2% |
| C.I. | | 4·5% |
| II.a) | | 5·1% |
| b) | | 6% |
| D. | | 10% |
| E.I. | | 8% |
| II. | | 5% |
| III. | | 10% |
| F.I. | | 7·5% |
| II. | | 6·3% |
| III. | | 7·5% |
| G.I. | | 4·5% |
| II.a) | | 5·1% |
| b) | | 6% |
| 16.05 A.I. | | 4·8% |
| B.I. | | 6% |
| II.a) | | 6% |
| b)1. | | 6% |
| )2. | | 6·6% |
| III. | | 6% |
| IV. | | 6% |
| 20.02 A. I. | | 11·5% |
| II. | | 10% |
| B. | | 9% |
| H.I.a) | | 10% |
| b) | | 11% |
| c) | All goods of this subheading other than carrots and mixtures | 11% |
| d) | | 10% |
| e) | All goods of this subheading other than mixtures | 11% |
| II.a) | | 10% |
| b) | All goods of this subheading other than carrots and mixtures | 10% |

SCHEDULE 2 (*continued*)

| (1) Tariff Heading | (2) Description of Goods | (3) Rate of Import Duty |
|---|---|---|
| c) | All goods of this subheading other than mixtures | 10% |
| 20.05 A.II. | | 11% |
| B.III. | | 10·1% |
| C.III. | | 11% |
| 20.06 B.II.c)1.aa) | Apricot halves | 5·1% |
| bb)11. | Peach halves | 5·7% |
| 2.bb)22. | Apricot halves | 6·9% |
| 1010. | Peach halves | 6·9% |

## EXPLANATORY NOTE

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

This Order, which comes into operation on 1st January 1976, implements obligations of the United Kingdom, concerning import duties after the end of 1975, in respect of goods of Morocco and Tunisia under the Agreement of 31st March 1969 between the European Economic Community (EEC) and Morocco and the Agreement of 28th March 1969 between the EEC and Tunisia.

In the case of goods specified in Schedule 1, the rate of import duty is reduced to the same as that chargeable on goods satisfying the requisite conditions to benefit from the eventual abolition of customs duties between member States of the EEC. This is the rate prefixed by the letter "M" in column 4 of Schedule 1 to the Import Duties (General) (No. 5) Order 1975 (which sets out the United Kingdom Customs Tariff). In the case of goods of a tariff subheading specified in Schedule 2 to this Order, import duty is reduced to the rates specifically set out in column 3 of that Schedule. The reductions in duty made by this Order do not affect any entitlement to a greater reduction in, or any exemption from, duty which may be available in the case of goods of Morocco and Tunisia as goods of a developing country under the Generalised System of Preferences of the EEC.

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