STATUTORY INSTRUMENTS

1973 No. 2226

CUSTOMS AND EXCISE

The Import Duties (Quota Relief) (No. 2) Order 1973

Made - - - -	29*th December* 1973
Laid before the House of Commons	31*st December* 1973
Coming into Operation	1*st January* 1974

The Secretary of State, in exercise of the powers conferred on him by section 5(1) and (4) of the Import Duties Act 1958(**a**), as amended by paragraph 1 of Schedule 4 to the European Communities Act 1972(**b**), and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Import Duties (Quota Relief) (No. 2) Order 1973 and shall come into operation on 1st January 1974.

2.—(1) In this Order—

" certified " means certified by the Secretary of State ;

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

the " relevant quota " means, in relation to goods of any description specified in the Schedules hereto, the quantity of such goods which are to be exempt from, or subject to a reduced rate of, duty, as the case may be, on import into the United Kingdom by virtue of the instruments of the European Communities referred to in Schedule 1, 2 or 3 hereto in relation to the goods.

(2) Any description of goods in column 2 of any of the Schedules hereto (other than one covering a whole heading or subheading) shall be taken to comprise all goods which would be classified under an entry in the same terms constituting a subheading (other than the final subheading) in the relevant heading of the Customs Tariff 1959.

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

3.—(1) Up to and including 31st December 1974, no import duty shall be charged on goods which fall within a subheading specified in column 2 of Schedule 1 hereto and are of a description specified in column 1 thereof if they are certified as forming part of the relevant quota and any conditions attaching to the certificate issued in respect of the goods are complied with.

(2) Any certificate to the effect that goods form part of a relevant quota may be revoked or modified at any time.

(a) 1958 c. 6. (b) 1972 c. 68. (c) 1889 c. 63.

4.—(1) Up to and including 31st December 1974, no import duty shall be charged on goods which fall within a heading or subheading specified in column 2 of Schedule 2 hereto which are of a description specified in column 1 thereof if they form part of the relevant quota.

(2) Up to and including 31st December 1974, any import duty for the time being chargeable on goods of subheadings specified in column 2 of Schedule 3 hereto shall be charged at the rate specified in column 3 thereof in relation to the subheading, instead of any higher rate which would otherwise apply, in the case of goods of a description specified in column 1 of the Schedule which form part of a relevant quota.

5.—(1) For the purposes of Article 4 of this Order goods shall be treated as forming part of a quota as soon as they are entered for home use in the United Kingdom (within the meaning of the Customs and Excise Act 1952(**a**)).

(2) For the purposes of Article 4 of this Order the following classes of goods shall not be treated as forming part of a quota, namely—

(*a*) goods on which, apart from this Order, import duty would not be chargeable or would not be chargeable at a higher rate than that applying within the quota (whether because the goods originate in a particular country or area or in a developing country or otherwise);

(*b*) goods exempt from duty by virtue of Article 6 below.

6.—(1) So long as relief is available in respect of any relevant quota of goods of a description specified in any Schedule to this Order—

(*a*) no import duty shall be charged or,

(*b*) if the goods are subject to a reduced rate of duty within the quota, import duty shall be charged at that rate instead of any higher rate which would otherwise apply,

in the case of goods of that description which satisfy the requisite conditions to benefit from Regulation (EEC) 385/73(**b**) (relating to goods entitled to benefit from the eventual abolition of customs duties in trade between the United Kingdom and the other Member States of the European Communities).

(2) For the purpose of paragraph (1) above relief shall be treated as being available in respect of any relevant quota until two days after the end of the last day on which goods of that description are entitled to exemption from or reduction in import duty by virtue of the preceding articles of this Order.

Limerick,

Parliamentary Under-Secretary of State for Trade,
Department of Trade and Industry.

29th December 1973.

(a) 1952 c. 44.

(b) O.J. L 42, 14.2.1973, p.1.

SCHEDULE 1

1	2	3
Description of Goods	Tariff subheadings	Community Instrument
		Regulations (EEC) on the opening, allocation and administration of Community tariff quotas for the goods specified in Columns 1 and 2 of this Schedule approved by the Council of the European Communities on the dates specified below.
All goods of this subheading	48·01 A	21st December, 1973
All goods of this subheading	78·01 A	21st December, 1973

SCHEDULE 2

1	2	3
Description of Goods	Tariff subheadings	Community Instrument
		Regulations (EEC) on the opening, allocation and administration of Community tariff quotas for the goods specified in Columns 1 and 2 of this Schedule approved by the Council of the European Communities on the dates specified below.
Fresh eels (live or dead) chilled or frozen intended for smoking or for skinning or for use in the industrial manufacture of products falling within heading 16·04, under conditions to be determined by the competent authorities	ex 03·01 AII	17th December, 1973
All goods of this subheading	38·08 A	17th December, 1973
Plywood of coniferous species, without the addition of other substances of a thickness greater than 9 mm. of which the faces are not further prepared than the peeling process and plywood of coniferous species, without the addition of other substances, sanded and of a thickness greater than 18·5 mm.	ex 44·15 AI	21st December, 1973

1	2	3
Description of Goods	Tariff subheadings	Community Instrument
All goods of this heading ...	50·02	17th December, 1973
Woven fabrics of silk or of waste silk woven on handlooms	ex 50·09	21st December, 1973
Woven fabrics of cotton woven on handlooms	ex 55·09	21st December, 1973
All goods of this subheading	73·02 C	27th December, 1973
All goods of this subheading	73·02 D	27th December, 1973
Ferro-chromium containing 0·1% or less by weight of carbon and more than 30% but not more than 90% inclusive of chromium	ex 73·02 EI	27th December, 1973
Unwrought magnesium		27th December, 1973
(a) containing 99·8% or more by weight of pure magnesium	ex 77·01 AII	
(b) containing less than 99·8% by weight of pure magnesium	77·01 AI ex 77·01 AII	
All goods of this subheading	78·01 AII	21st December, 1973
All goods of these subheadings	79·01 AI 79·01 AII	21st December, 1973
Handicrafts		
Goods as specified below which		21st December, 1973
(a) are shown to the satisfaction of the Commissioners of Customs and Excise to be handmade or in the case of cotton fabrics and articles thereof to be hand dyed by the " batik " process and		
(b) are accompanied by a certificate issued by the authorities in the country of origin referred to in the Regulation specified in Column 3 in the form prescribed in that Regulation:—		
goods of these headings and subheadings;	ex 42·02 B ex 42·03 C ex 44·24 ex 44·27 ex 48·21 B	
cotton fabrics dyed by the " batik " process;	ex 55·09	
carpets and rugs;	ex 59·02 B	
ponchoes of wool;	ex 61·01 CII	

1	2	3
Description of Goods	Tariff subheadings	Community Instrument
Handicrafts—cont.		
of cotton fabrics dyed by hand by the " batik " process;	ex 61·02 AI ex 61·02 AII ex 61·02 AIII a) ex 61·02 AIII b) ex 61·02 BI ex 61·02 BII ex 61·02 BIII a) ex 61·02 BIII b)	
capes, skirts and skirt lengths of wool;	ex 61·02 BI ex 61·02 BII ex 61·02 BIII b)	
goods of this heading (including of cotton fabric dyed by the " batik " process);	ex 61·06	
goods of wool;	ex 62·01 BII a) ex 62·01 BII b)2	
double curtains of wool;	ex 62·02 BI ex 62·02 BII b)2	
of cotton fabric dyed by the " batik " process;	ex 62·02 BI ex 62·02 BII a) ex 62·02 BII b)1 ex 62·02 BII b)2	
of cotton fabric dyed by the " batik " process;	ex 62·05 CI ex 62·05 CII a) ex 62·05 CII b)	
goods of this heading;	ex 64·05	
woollen berets;	ex 65·05	
goods of these headings and subheadings;	ex 66·02 ex 68·02 AIV ex 74·18 ex 74·19 ex 83·06 ex 83·07 ex 83·10 ex 83·11 ex 94·03 ex 95·01 B ex 95·02 B ex 95·03 B ex 95·04 B ex 95·05 CII ex 95·06 B ex 95·07 B	
dolls in folk costume typical of the country of origin; goods of this subheading	ex 97·02 A ex 97·03 A	

SCHEDULE 3

1	2	3		4
Description of Goods	Tariff subheadings	Rates of Duty		Community Instrument
				Regulations (EEC) on the opening allocation and administration of Community tariff quotas for the goods specified in Columns 1 and 2 of this Schedule approved by the Council of the European Communities on the dates specified below.
		Full	*C'wealth*	
All goods of these subheadings	08·04 BI a)	£0·0800 per cwt plus 0·24%	0·24%	21st December, 1973
	08·04 BI b)	£0·1600 per cwt plus 0·24%	0·24%	
Yarn of this subheading wholly of silk	ex 50·04 B	2·5%		17th December, 1973
Yarn of this subheading spun wholly of silk waste				17th December, 1973
Dyed	ex 50·05 B	1·0%		
Not dyed ...	ex 50·05 B	0·4%		

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which comes into operation on 1st January 1974, provides for the implementation and administration of the United Kingdom's share of certain tariff quotas opened by the European Economic Community for certain goods from certain third countries under the provisions of Community Instruments specified in the Schedules.

The Order provides for exemption from, or reduced rates specified in Schedule 3 of duty applicable up to and including 31st December 1974 to imports of the relevant goods within the United Kingdom's shares of the quotas and that any goods which constitute part of each quota do so either under a certificate issued by the Secretary of State or as soon as they are entered with Customs for home use.

The Order also provides that goods shall not constitute part of any quota if duty would not be chargeable, or would be chargeable at the quota rate, and that no duty shall be chargeable, or duty shall be chargeable only at the quota rate on goods satisfying the requisite conditions to benefit from the eventual abolition of customs duties between the United Kingdom and other Member States of the Communities until after the relevant quota has been exhausted.

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