STATUTORY INSTRUMENTS

# 1974 No. 1376

## CUSTOMS AND EXCISE

## The Import Duties (Quota Relief) (No. 7) Order 1974

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| *Made* - - - - | 12*th August* 1974 |
| *Laid before the House of Commons* | 14*th August* 1974 |
| *Coming into Operation* | 16*th August* 1974 |

The Secretary of State, in exercise of the powers conferred on him by section 5(1) and (4) and 13 of, and paragraph 8 of Schedule 3 to, the Import Duties Act 1958(a), as amended(b), and of all other powers enabling him in that behalf, hereby makes the following Order:

**1.**—(1) This Order may be cited as the Import Duties (Quota Relief) (No. 7) Order 1974 and shall come into operation on 16th August 1974.

(2) In this Order—

references to a subheading are references to a subheading of the Customs Tariff 1959 and

a "relevant quota" in relation to any goods of a description specified in column 2 of the Schedule hereto means the quantity of such goods which are to be exempt from, or subject to reduced rates of, duty on import into the United Kingdom by virtue of the Community instruments specified in column 4 of the Schedule.

(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.

**2.**—(1) Up to and including 31st December 1974, any import duty for the time being chargeable on goods of a subheading specified in column 1 of Part I of the Schedule (being subheadings covering ferro-alloys) which are of a description specified in column 2 thereof—

(*a*) shall be reduced to the relevant rate specified in column 3 thereof or,

(*b*) if not rate is so specified, shall not be charged

in the case of goods which form part of the relevant quota.

(2) For the purposes of this article, goods shall be treated as forming part of a relevant quota in the order in which they are entered for home use (within the meaning of the Customs and Excise Act 1952(d)) in the United Kingdom—

(*a*) on or after the date on which this Order comes into operation or,

(*b*) in the case of ferro-chromium containing not less than 4 per cent. by weight of carbon, on or after 1st September 1974.

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(a) 1958 c.6.

(b) *See* paragraph 1 of Schedule 4 to the European Communities Act 1972 (c.68).

(c) 1889 c. 63.

(d) 1952 c.44.

**3.**—(1) Up to and including 31st December 1974, no import duty shall be charged on goods falling within subheading 77.01A (certain unwrought magnesium) which are of a description specified in column 2 of Part II of the Schedule if they form part of the relevant quota.

(2) For the purposes of this article—

(*a*) goods of the following description, namely, unwrought magnesium containing 99·95 per cent. or more by weight of pure magnesium shall be treated as forming part of the relevant quota only if they are certified by the Secretary of State as forming part of the quota and any conditions attaching to the certificate issued in respect of the goods are complied with and

(*b*) other goods shall be treated as forming part of the relevant quota in the order in which they are entered for home use (within the meaning of the Customs and Excise Act 1952) in the United Kingdom on or after the date on which this Order comes into operation.

**4.** For the purposes of this Order, goods shall not be treated as forming part of a relevant quota if by virtue of some provision other than this Order they are exempt from import duty or subject thereto at a rate no higher than that which would apply in accordance with Article 2 above.

**5.** Schedule 2 of the Import Duties (Quota Relief) (No. 2) Order 1973**(a)** shall be amended by the substitution, for the entry in column 3 thereof relating to certain plywood of subheading 44.15AI, of the following—

"Regulation (EEC) No. 3593/73 (O.J. No. L 365,31.12.1973) as amended by Regulation (EEC) No. 2087/1974 (O.J. No. L218,9.8.1974)".

*Eric Deakins*,
Parliamentary Under Secretary of State for Trade,
Department of Trade

12th August 1974

(a) S.I. 1973/2226 (1973 III, p.7921).

SCHEDULE

| (1) *Tariff subheadings* | (2) *Description of Goods* | (3) *Rates of Duty* | (4) *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 as specified below. |
| | | PART I | |
| 73.02 CI | All goods of this subheading | 2·8% | |
| 73.02 CII | All goods of this subheading | In the case of goods qualifying for Commonwealth preference 2·8%. In the case of other goods 5·8% | 2088/74 (O.J. No. L 218, 9.8.74) |
| 73.02 D | All goods of this subheading | 1·6% | 2089/74 (O.J. No. L 218, 9.8.74) |
| ex 73.02 EI | Ferro-chromium containing 0·1% or less by weight of carbon and more than 30% but not more than 90% inclusive of chromium | 2·2% | 2090/74 (O.J. No. L 218, 9.8.74) |
| ex 73.02 EI | Ferro-chromium containing not less than 4% by weight of carbon | — | 2091/74 (O.J. No. L 218, 9.8.74) |
| | | PART II | |
| | Unwrought magnesium | | |
| (ex 77.01 AII) | (*a*) containing 99·8% or more by weight but less than 99·95% by weight of pure magnesium | | |
| (ex 77.01 AII) | (*b*) containing 99·95% or more by weight of pure magnesium for use in the nuclear industry | — | 2092/74 (O.J. No. L 218, 9.8.74) |
| ( 77.01 AI) (ex 77.01 AII) | (*c*) containing less than 99·8% by weight of pure magnesium | | |

## EXPLANATORY NOTE

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

This Order provides for the implementation and administration of the United Kingdom's share of the tariff quotas opened by the Regulations of the European Economic Community specified in column 4 of the Schedule.

The Order provides that the relevant goods, referred to in column 2 of the Schedule, are to be exempt from or subject to reduced rates of duty until 31st December 1974, as shown in column 3 of the Schedule, within the United Kingdom's share of those quotas.

Except in the case of magnesium containing 99·95 per cent. or more by weight of pure magnesium, where a certificate of the Secretary of State is necessary for exemption from duty within the quota, goods are to be treated as forming part of the relevant quota share in the order in which they are entered for home use in the United Kingdom on or after 16th August 1974 or, in the case of ferro-chromium containing not less than 4 per cent. by weight of carbon, 1st September 1974.

The Order (Article 5) also amends the Import Duties (Quota Relief) (No. 2) Order 1973 so as to provide for an increase in the duty-free quota implemented by that Order for certain plywood of subheading 44.15 AI of the Customs Tariff 1959.

SI 1974/1376
ISBN 0-11-041376-8

