STATUTORY INSTRUMENTS

1973 No. 2220

CUSTOMS AND EXCISE

The Import Duties (Temporary Reductions and Exemptions) (No. 5) Order 1973

Made - - - -	28*th December* 1973
Laid before the House of Commons	31*st December* 1973
Coming into Operation	1*st January* 1974

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:

Citation, operation, interpretation

1.—(1) This Order may be cited as the Import Duties (Temporary Reductions and Exemptions) (No. 5) Order 1973 and shall come into operation on 1st January 1974.

(2) In this Order a reference to a heading or subheading is a reference to a heading or subheading of the Customs Tariff 1959.

(3) Any entry in column 2 of Schedules 1, 2 or 3 to this Order 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 in the Customs Tariff 1959.

(4) The Interpretation Act 1889(d) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Intra-Community trade

2.—(1) Up to and including in respect of goods mentioned in Schedule 1, the relevant date there specified, or, in respect of goods mentioned in Schedule 2, 30th June 1974, no import duty shall be charged on goods of a heading of the Customs Tariff 1959 specified in column 1 of the said Schedules which are of a description specified in column 2 thereof if they satisfy the requisite conditions to benefit from Regulation (EEC) 385/73(e) (relating to goods entitled to benefit from the eventual abolition of customs duties in trade between member States of the European Communities).

(a) 1958 c. 6.
(b) 1972 c. 68.
(c) *See* S.I. 1970/1537 (1970 III, p. 5293).
(d) 1889 c. 63.
(e) O.J. No. L 42. 14.2.1973, p. 1.

(2) Up to and including 31st December 1974, in the case of goods which fall within the subheading specified in column 1 of Schedule 3 hereto, which are of a description specified in column 2 thereof, import duty shall be charged at the rates shown in column 3 thereof, instead of any higher rate which would otherwise apply.

The full rate

3.—(1) Up to and including the dates specified in Article 2, in the case of goods which fall within a heading specified in column 1 of Schedules 1 or 2 hereto which are of a description specified in column 2 thereof:

(*a*) if a rate of duty is shown in column 3 thereof in relation to the goods, import duty shall be charged at the rate so shown instead of any higher rate which would otherwise apply and

(*b*) if the entry "free" appears in the said column 3 in relation to them, no import duty shall be charged.

(2) Paragraph (1) above shall operate without prejudice to the exemptions provided for by Article 2 above and any exemptions or greater reductions provided for by the following Articles of this Order in the case of goods of particular countries or goods qualifying for Commonwealth preference.

Goods qualifying for Commonwealth preference

4. Up to and including the dates specified in Article 2, in the case of goods falling within a heading specified in column 1 of Schedules 1 or 2 hereto which are of a description specified in column 2 thereof and qualify for Commonwealth preference, if a rate of duty is shown in column 4 thereof in relation to the goods, import duty shall be charged at the rate so shown instead of any higher rate which would otherwise apply.

Egypt and Cyprus

5.—(1) Up to and including the dates specified in Article 2, any import duty for the time being chargeable on goods of a description specified in column 2 of Schedules 1 or 2 hereto shall be charged:

(*a*) at the rate shown in column 5 thereof in relation to the description if the goods originate in Egypt and

(*b*) at the rate shown in column 6 thereof in relation to the description if the goods originate in Cyprus.

(2) For the purposes of paragraph (1) above goods shall be regarded as originating:

(*a*) in Egypt if they are to be so regarded under the Agreement, signed on 18th December 1972, between the European Economic Community and Egypt**(a)** and

(*b*) in Cyprus if they are to be so regarded under the Agreement, signed on 19th December 1972, between the Community and Cyprus**(b)**.

(a) The Agreement is annexed to Regulation (EEC) 2409/73 (O.J. No. L 251, p. 1).
(b) The Agreement is annexed to Regulation (EEC) 1246/73 (O.J. No. L 133, p. 1).

Miscellaneous

6.—(1) Articles 4 and 5 above shall operate without prejudice to any greater reduction in, or to any exemption from, import duties which may be available apart from this Order in the case of goods there referred to by virtue of their being goods of developing countries or goods of a part of the Commonwealth preference area or otherwise.

(2) Where no entry appears in columns 4, 5 or 6 of Schedules 1 or 2 hereto in relation to goods of a description in column 2 thereof, no exemption from or reduction in duty applies by virtue of Articles 4 or 5 above to goods of that description qualifying for Commonwealth preference or originating in Egypt or Cyprus as the case may be.

(3) For the purposes of classification under the Customs Tariff 1959, insofar as that depends on the rate of duty, any goods to which this Order applies shall be treated as chargeable with the same duty as if this Order had not been made.

Hugh Rossi,
John Stradling Thomas,
Two of the Lords Commissioners
of Her Majesty's Treasury.

28th December 1973.

SCHEDULE 1

(1) Tariff Heading	(2) Description	(3) Full	(4)	(5) Rates of duty %	(6)
			Common-wealth	Egypt	Cyprus
08.12 AII	Apricots (up to and including 30th November 1974)	£0·3200 per cwt. plus 1·2%	1·2	—	—

SCHEDULE 2

(1) Tariff Heading	(2) Description	(3) Full	(4)	(5) Rates of duty %	(6)
			Common-wealth	Egypt	Cyprus
08.02 AII	Oranges:				
	—Other:				
	——From 1st April to 30th June:				
	———Fresh	£0·1400 per cwt. plus 1·6%	1·6	£0·0840 per cwt. plus 0·9%	£0·0840 per cwt. plus 0·9%
	———Dried	9·6	1·6	—	—
	——From 1st January to 31st March:				
	———Fresh	5·6	1·6	3·3	3·3
	———Dried	9·6	1·6	—	—
08.05 AII	Almonds:				
	—Other than bitter:				
	——In shell	3	0·6	—	—
	——Not in shell	0·6	—	—	—

SCHEDULE 2—(*continued*)

(1) Tariff Heading	(2) Description	(3) Full	(4) Rates of duty % Common-wealth	(5) Egypt	(6) Cyprus
ex 29.02 AIII	1,2-Dibromoethane	Free	—	—	—
ex 29.03 A	Benzene-1, 3-disulphonic acid	Free	—	—	—
ex 29.14 B IV b)	2-Ethyl-2-hydroxymethylpropanediol triacrylate	Free	—	—	—
ex 29.16 D	Prostalglandin E_1	Free	—	—	—
ex 29.23 A II	*N*-(2-[4-(1,2-Diphenylvinyl) phenoxy] ethyl) diethylammonium chloride	Free	—	—	—
ex 29.27	2-(3-Phenoxyphenyl) propionitrile	Free	—	—	—
ex 29.39 E	Thyrocalcitonin, porcine	Free	—	—	—
ex 29.44 C	Tylosin and its salts	Free	—	—	—
ex 29.44 C	Bleomycin sulphate	Free	—	—	—
ex 39.01 C V	Elastomers of polyurethane with groups of ether in one of the forms mentioned in Note 3(*a*) and 3(*b*) of Chapter 39	11	4·4	4·9	3·3
ex 39.02 C XIV a)	Copolymers of vinylidene chloride and hexafluoropropylene in one of the forms mentioned in Note 3(*a*) and (*b*) of Chapter 39	9	3·6	4·0	2·7
ex 76.03	Aluminium alloy strip in coils containing not less than 18 per cent. by weight and not more than 23 per cent. by weight of tin and not less than 0·7 per cent. by weight and not more than 1·5 per cent. by weight of copper as the major alloying elements and having a width of not less than 75 millimetres and not more than 230 millimetres and a thickness of not less than 3·0 millimetres and not more than 6·5 millimetres	Free	—	—	—

SCHEDULE 2—(*continued*)

(1) Tariff Heading	(2) Description	(3) Full	(4) Rates of duty % Commonwealth	(5) Egypt	(6) Cyprus
ex 81.02 B	Molybdenum alloy sheet containing not less than 98 per cent. by weight of molybdenum, not less than 0·40 per cent. by weight and not more than 1·00 per cent. by weight of titanium and not less than 0·06 per cent. by weight and not more than 0·20 per cent. by weight of zirconium as the major alloying element	Free	—	—	—
ex 81.04 D I	Chromium, in the form of cathode chips or pellets, which contains not more than 0·10 per cent. by weight of total oxygen, not more than 0·015 per cent. by weight of total aluminium, and not more than 0·001 per cent by weight of aluminium compounds insoluble in boiling 5N hydrochloric acid and in boiling fuming perchloric acid, and estimated as Al	Free	—	—	—
ex 81.04 K I	Titanium sponge	Free	—	—	—

SCHEDULE 3

(1) Tariff Heading	(2) Description	(3) "Community" (M) rate of duty %
08.04 A I	Grapes, fresh: —Table grapes: ——From 1st November to 14th July: 1. Hothouse *a*) From 1st November to 31st January *b*) From 1st February to 30th June *c*) From 1st July to 14th July ——From 15th July to 31st October: 1. Hothouse *a*) From 15th July to 31st August *b*) From 1st September to 31st October	 4·0 £0·5600 per cwt. 8·0 8·0 4·0

EXPLANATORY NOTE

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

This Order provides for exemption from or reductions in import duty in the case of goods specified in the Schedules from the dates specified in the Order.

There is exemption from import duties in the case of all goods in Schedules 1 and 2 if the goods satisfy the requisite conditions to benefit from the eventual abolition of customs duties in trade between member States of the European Communities.

In the case of goods in Schedule 3, duty is reduced to the rate specified in column 3 of that Schedule, instead of any higher rate which would otherwise apply so as to bring the duty on Community hothouse grapes in line with other grapes.

In the case of other goods, where a rate of duty is specified in column 3 of Schedules 1 or 2, duty is reduced to that rate instead of any higher rate which would otherwise apply and where "free" appears in column 3 in relation to the goods, they are exempt from duty whatever their origin.

In the case of goods qualifying for Commonwealth preference or originating in Egypt or Cyprus greater reductions in duty are available than those referred to above, in a number of cases, such reductions being shown respectively in columns 4, 5 and 6 of Schedules 1 or 2.

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