STATUTORY INSTRUMENTS

1975 No. 2100

CUSTOMS AND EXCISE

The Origin of Goods (Certain Mediterranean Countries) Regulations 1975

Made - - -	11*th December* 1975
Laid before the House of Commons - -	11*th December* 1975
Coming into Operation	1*st January* 1976

The Secretary of State, in exercise of powers conferred by section 12(2) of the Import Duties Act 1958 (**a**) and now vested in him (**b**), and of the powers conferred on him by section 2 of the Finance Act 1973 (**c**), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Origin of Goods (Certain Mediterranean Countries) Regulations 1975 and shall come into operation on 1st January 1976.

(2) The Interpretation Act 1889 (**d**) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament and as if these Regulations and the Regulations hereby revoked were Acts of Parliament.

2.—(1) Subject to paragraph (2) below, these Regulations shall apply to determine the question whether goods are grown, produced or manufactured or originate in any of the following countries, namely, Greece, Lebanon, Malta or Spain, for the purposes of any preferential rate of, or exemption from, duties of customs available in respect of any of those countries by virtue of any of the following provisions, namely—

(*a*) Article 2 of the Import Duties (Certain Mediterranean Countries) (Reductions and Exemptions) Order 1973 (**e**), as amended (**f**),

(*b*) Articles 7(2) and 8 of the Customs Duties and Drawbacks (Tobacco and other Revenue Duties) Order 1975 (**g**) as amended by the Customs Duties and Drawbacks (Tobacco) Order 1975 (**h**) or

(a) 1958 c. 6. (b) *See* S.I. 1970/1537 (1970 III, p. 5293). (c) 1973 c. 51.
(d) 1889 c. 63. (e) S.I. 1973/2208 (1973 III, p. 7764).
(f) The relevant amending Orders are S.I. 1974/2073, 1975/975, 1003, 1005, 1978 (1974 III, p. 8093; 1975 II, pp. 3383, 3460, 3513, III, p. 7351).
(g) S.I. 1975/1943.(1975 III, p. 7220). (h) 1975/2095 (1975 III, p. 7844).

(*c*) any Order made under section 5(1) and (4) of the Import Duties Act 1958, as amended by section 5(5) of, and paragraph 1 of Schedule 4 to, the European Communities Act 1972 (**a**).

(2) Subject to Regulation 5, these Regulations shall not affect the operation of the Origin of Goods (Petroleum Products) Regulations 1973 (**b**) or any Regulation of the European Economic Community in so far as those Regulations determine the aforesaid question in relation to any goods.

(3) The Developing Countries (Origin of Goods) Regulations 1971 (**c**) (which relate to goods of Algeria, Lebanon and Malta for the purposes of Orders made under section 1 of the Finance Act 1971 (**d**)) shall apply to determine the question whether goods are to be treated as produced or manufactured in Algeria for the purposes of Article 8 of the Order referred to in Regulation 2(1)(*b*) above or Article 2 of the Import Duties (Certain Mediterranean Countries) (Reductions and Exemptions) Order 1975 (**e**), but shall not apply to determine the question whether goods are to be treated as produced or manufactured in Lebanon or Malta for the purposes of Article 2 of the Order referred to in Regulation 2(1)(*a*) above.

3.—(1) For the purposes of these Regulations, goods shall be treated as grown, produced or manufactured or as originating in one of the following countries, namely, Lebanon or Malta, if they are to be regarded as originating in either of those countries under the provisions of the Protocols (relating to origin of goods) to any of the following Agreements, namely:

(*a*) the Agreement between Lebanon and the Community annexed to Regulation (EEC) 152/74 (**f**),

(*b*) the Agreement between Malta and the Community annexed to Regulation (EEC) 492/71 (**g**).

(2) For the purposes of these Regulations, goods shall be treated as grown, produced or manufactured or as originating in Spain, if they are goods which

(*a*) are to be regarded as originating in Spain by applying the provisions of the Protocol to the Agreement, signed on 29th June 1970, between the European Economic Community and Spain (**h**) (relating to origin of goods) with the modification that any reference to the Community (whether as such or as a contracting party) or member States shall be construed as a reference to the United Kingdom, or,

(*b*) being products of a class excluded from the scope of the said Protocol are nevertheless goods grown, produced or manufactured in Spain and consigned to the United Kingdom from Spain or if not so consigned are goods which remained under customs control in any other country through which they were moved, were not entered for home use there and underwent no operation there other than splitting into consignments or any operation for the purpose of keeping them in good condition.

(**a**) 1972 c. 68. (**b**) S.I. 1973/2071 (1973 III, p. 7142).
(**c**) S.I. 1971/1921 (1971 III, p. 5192). (**d**) 1971 c. 68.
(**e**) S.I. 1975/1978 (1975 III, p. 7351). (**f**) O.J. No. L18, 22.1.1974, p. 1.
(**g**) O.J. No. L61, 14.3.1971, p. 1.
(**h**) The Agreement is annexed to Regulation (EEC) 1524/70 (O.J. No. L182, 16.8.1970, p.1).

4. For the purposes of these Regulations, goods shall be treated as grown, produced or manufactured or as originating in Greece if they are to be regarded as being in free circulation in that country under the provisions of Article 7 of the Agreement of Association between Greece and the European Economic Community annexed to Decision 63/106/EEC (**a**) as modified by the Additional Protocol, signed on 28th April 1975 (**b**).

5.—(1) Regulation 3(2) of the Origin of Goods (Petroleum Products) Regulations 1973 (**c**) shall not apply to goods produced or manufactured in Spain.

(2) Regulation 3 of those Regulations shall be amended by inserting after Regulation 3(2) the following paragraph

"(3) Notwithstanding the provisions of the following Regulations, goods specified in Schedule 1 hereto shall not be treated as produced or manufactured in Spain unless—

(*a*) they were consigned to the United Kingdom from Spain or,

(*b*) if not so consigned, they remained under customs control in any other country through which they were moved, were not entered for home use there and were not subject to any operation there other than unloading, reloading or any operation intended to keep them in good condition."

6. The Origin of Goods (Certain Mediterranean Countries) Regulations 1974 (**d**) as amended by the Origin of Goods (Amendment) Regulations 1975 (**e**) are hereby revoked.

Eric Deakins,

Parliamentary Under-Secretary of State,
Department of Trade.

11th December 1975.

(**a**) O.J. No. 26, 18.2.1963, p. 293/63.
(**b**) *See* O.J. No. 123, 15.5.1975, p. 1.
(**c**) S.I. 1973/2071 (1973 III, p. 7142).
(**d**) S.I. 1974/2076 (1974 III, p. 8106).
(**e**) S.I. 1975/1109 (1975 II, p. 3895).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide origin rules for goods which are entitled to preferential rates of, or exemption from, customs duties as goods of Greece, Lebanon, Malta or Spain by virtue of the provisions specified in Regulation 2(1). (Under those provisions goods of those countries are exempted from increases in protective import duties under the Import Duties Act 1958 and in the protective elements of the revenue duties on tobacco which would otherwise apply from 1st January 1976, and in certain cases are subject to relief from customs duties within quotas.)

For the purposes of those provisions goods are to be treated as grown, produced or manufactured or as originating in the countries mentioned above if they satisfy the relevant requirements of the Association and other Agreements, specified in Regulations 3 and 4, between the European Economic Community (E.E.C.) and those countries. Further rules are provided for goods of Spain excluded from the Agreement between the E.E.C. and that country.

The Regulations amend the Origin of Goods (Petroleum Products) Regulations 1973 which lay down origin rules for petroleum products by requiring direct consignment from Spain and not from another member State. Otherwise these Regulations do not affect the operation of those Regulations in the case of the countries concerned or of any Regulation of the European Economic Community. (Nor do they affect the operation of any rules of origin relating to Malta as a country of the Commonwealth preference area or part of that area.) To the extent that the Regulations apply, the question of origin in Lebanon or Malta will not be determined by the Developing Countries (Origin of Goods) Regulations 1971, but the question of origin in Algeria will be so determined.

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