# IMPERIAL TRADE AGREEMENTS

## The Ottawa Duties (Geneva Agreement) Order, 1948

## 1948 No. 1816

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| *Made* - - - - - - - - | 31*st July*, 1948 |
| *Laid before the House of Commons* | 3*rd August*, 1948 |
| *Coming into Operation* - - - | 9*th August*, 1948 |

Whereas the Treasury are satisfied that, having regard to the Geneva Agreement on Tariffs and Trade to which certain of the Governments in His Majesty's dominions were parties, the rates of the duties chargeable on the goods mentioned in the Schedule to this Order under section one of the Ottawa Agreements Act, 1932, can be reduced to the respective rates specified in that Schedule without contravening any of the agreements scheduled to that Act for the time being in force: 22 & 23 Geo. 5. c. 53.

And whereas the Treasury have consulted with the appropriate department and are of opinion that it is expedient that the provisions of Article two of this Order should have effect:

Now, therefore, the Lords Commissioners of His Majesty's Treasury—

(*a*) in pursuance of the directions given to them by subsection (2) of section one of the Ottawa Agreements Act, 1932, as applied by section six of the Finance Act, 1934, as amended by section ten of the Finance Act, 1948, and by section eight of the Finance Act, 1935, as so amended, and 24 & 25 Geo. 5. c. 32. 11 & 12 Geo. 6. c. 49. 25 & 26 Geo. 5. c. 24.

(*b*) by virtue of the powers conferred on them by subsection (5) of section one of the Ottawa Agreements Act, 1932, and section one of the Import Duties (Emergency Provisions) Act, 1939, 2 & 3 Geo. 6. c. 97.

and of all other powers enabling them in that behalf, hereby make the following Order:—

**1.** The respective duties chargeable under section one of the Ottawa Agreements Act, 1932, on goods of the classes specified in the Schedule to this Order shall be charged at the reduced rates so specified. Patent leather and rice in the husk.

**2.** There shall be charged on preserved fruits, being loganberries preserved in syrup, pineapples preserved in syrup or fruit salad of the description specified in Part II of the Schedule to the Ottawa Duties (Geneva Agreement) Order, 1947(a), such additional duties of customs as with the duty chargeable under section one of the Ottawa Agreements Act, 1932, will amount to the specific rates of duty respectively specified in respect thereof in the said Part II and, accordingly, the words " or fifteen per cent., whichever is the less ", wherever they occur in the said Part II, shall cease to have effect. Elimination of alternative ad valorem duty on certain preserved fruit.

**3.**—(1) This Order may be cited as the Ottawa Duties (Geneva Agreement) Order, 1948. Short title, interpretation and commencement.

(a) S.R. & O. 1947 (No. 2712) I, p. 1047.

52 & 53 Vict. c. 63.

(2) The Interpretation Act, 1889, shall apply in the interpretation of this Order as it applies in the interpretation of an Act of Parliament.

(3) This Order shall come into operation on the 9th day of August, 1948.

Dated this 31st day of July, 1948.

*C. James Simmons,*
*Joseph Henderson,*
Two of the Lords Commissioners of His Majesty's Treasury.

## SCHEDULE

### Reduced Rates of Duty

| *Goods chargeable at reduced rate* | *Rate of duty* |
|---|---|
| Patent leather not forming part of another article, and goods composed wholly of patent leather ... | 7½ per cent. of the value of the goods. |
| Rice in the husk ... ... ... | 6s. per cwt. |

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## EXPLANATORY NOTE

(*This Note does not form part of the Order, but is intended to indicate its general purport.*)

Article 1 of this Order, together with the Schedule, makes the following changes in certain Ottawa duties in order to reduce them to the maximum rates agreed at Geneva:—

(*a*) the duty on rice in the husk imposed by the Finance Act, 1935, is reduced from ⅜d. per lb. (the equivalent of 6s. 2⅜d. per cwt.) to 6s. per cwt.;

(*b*) the duty on patent leather imposed by the Finance Act, 1934, is reduced from 15 per cent. to 7½ per cent. The same reduction was made by the Finance Act, 1939, but only for the duration of the 1938 trade agreement with the U.S.A., which was suspended when the Geneva Agreement came into force.

Article 2 relates to the Ottawa duties on certain preserved fruits and fruit salad. The original duty imposed by the Ottawa Agreements Act, 1932, was 15 per cent. ad valorem. By the Geneva agreement, specific rates of duty per cwt. were laid down as maxima. By the Ottawa Duties (Geneva Agreement) Order, 1947, which was concerned only with reductions of duty, the duty on these articles was reduced to the agreed maximum specific rates in cases where the ad valorem duty came to more than those rates. This Article increases the duty to the specific rates in cases where the ad valorem duty comes to less than those rates. This in effect completes the replacement of the ad valorem duty by the specific rates agreed as maxima at Geneva. A similar substitution of specific rates per cwt. for the ad valorem duty was made by the Finance Act, 1939, but only for the duration of the 1938 agreement with the U.S.A., which was suspended when the Geneva Agreement came into force.