EXPLANATORY NOTE

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

This Order is made to fulfil the obligation entered into under the Geneva Agreement to eliminate the margin of Imperial Preference in the case of motor bicycles, motor tricycles and agricultural tractors (except the track-laying type). Empire goods of these kinds have hitherto been chargeable with customs duty at two-thirds of the full rate.

The full rate on motor bicycles and motor tricycles is being reduced from 33⅓ per cent. to 22½ per cent. by the Additional Import Duties (No. 2) Order, 1948, which is being made concurrently with this Order. The full rate of 15 per cent. chargeable on the above-mentioned agricultural tractors will, however, remain the same.

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(4) SILK DUTIES

[Drawbacks *see* p. 662 below.]

The Silk Duties (No. 1) Order, 1948

1948 No. 1814

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 of opinion—

(*a*) so far as the provisions of this Order hereinafter set out relate to products other than Empire products, after consultation with the Board of Trade; and

(*b*) so far as the said provisions relate to Empire products, upon the recommendation of the Board of Trade and having regard to the terms for the time being in force of the Agreement on Tariffs and Trade concluded at Geneva in the year nineteen hundred and forty-seven,

that it is expedient that the said provisions should have effect:

And whereas the Treasury are satisfied that none of the agreements defined by the Ottawa Agreements Act, 1932, as the scheduled agreements will be contravened by any of the provisions of this Order: 22 & 23 Geo. 5. c. 53.

Now, therefore, the Lords Commissioners of His Majesty's Treasury, in pursuance of the directions given them by paragraph (*d*) of subsection (3) of section three of the Finance Act, 1937, and by virtue of the powers conferred on them by section nineteen of the Import Duties Act, 1932, section nine of the Finance Act 1933, section one of the Import Duties (Emergency Provisions) Act, 1939, subsection (5) of section five of the Finance Act, 1947, and section nine of the Finance Act, 1948, and of all other powers enabling them in that behalf, hereby make the following Order:— 1 Edw. 8. & 1 Geo. 6. c. 54. 22 & 23 Geo. 5. c. 8. 23 & 24 Geo. 5. c. 19. 2 & 3 Geo. 6. c. 97. 10 & 11 Geo. 6. c. 35. 11 & 12 Geo. 6. c. 49.

1. The full rates, and the preferential rates in the case of Empire products, of the duties of customs chargeable under section nine of the Finance Act, 1933, on articles of apparel made wholly or partly of silk Variation of duties of customs on articles of apparel.

or artificial silk shall, instead of those hitherto in force, be the appropriate rates specified in relation to such articles in the First Schedule to this Order.

Amendment of Silk Duties (No. 1) Order, 1934.

2. As from the date of commencement of this Order, the Silk Duties (No. 1) Order, 1934(a), shall have effect as if:—

(*a*) for the table set out in Part II of the First Schedule to that Order there were substituted the Tables A and B set out in the First Schedule to this Order; and

(*b*) the reference in paragraph 4 of the Second Schedule to that Order to rates calculated by reference to value and to weight respectively included a reference to rates calculated by reference to value and to quantity respectively;

and any reference in that Order to articles of the descriptions specified in the first column of the said Part II shall be construed as a reference to articles of the descriptions specified in the first column of either of the said Tables A and B.

Suspension of operation of Finance Act, 1937, s. 3 (3), (*b*) and (*c*).

3. The operation of paragraphs (*b*) and (*c*) of subsection (3) of section three of the Finance Act, 1937, shall be suspended so long as this Article remains in force.

Interpretation. 9 & 10 Geo. 5. c. 32.

4.—(1) In this Order, the expression "Empire products" means goods which are Empire products within the meaning of subsection (1) of section eight of the Finance Act, 1919.

(2) For the purpose of calculating the rate of duty chargeable on any article of a description specified in the first column of either of the tables set out in the First Schedule to this Order—

(*a*) any rate expressed as a specified figure per cent. means an amount equal to that figure per cent. of the value of the article; and

(*b*) any rate expressed as a specified sum the pound means an amount calculated at the rate of that sum the pound on the weight of the article.

52 & 53 Vict. c. 63.

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

Short title, repeals and commencement.

5.—(1) This Order may be cited as the Silk Duties (No. 1) Order, 1948.

(2) The statutory provisions mentioned in the Second Schedule to this Order are hereby revoked or repealed to the extent specified in the third column of that Schedule.

(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.

(a) S.R. & O. 1934 (No. 653) I, p. 421.

FIRST SCHEDULE

NEW DUTIES CHARGEABLE UNDER SUBSECTION (2) OF SECTION NINE OF THE FINANCE ACT, 1933, ON ARTICLES MADE WHOLLY OR PARTLY OF SILK OR ARTIFICIAL SILK, NOT BEING ARTICLES MENTIONED IN PART I OF THE FIRST SCHEDULE TO THE SILK DUTIES (NO. 1) ORDER, 1934, OR IN PARAGRAPH (4) OR (6) OF ARTICLE 1 OF THAT ORDER

TABLE A

Description of articles	Full rate	Preferential rate
Stockings and socks made wholly of silk, or containing silk components the value whereof exceeds 20 per cent. of the aggregate of the values of all the components.	33⅓ per cent. or 12s. per dozen pairs, whichever is the greater.	27½ per cent. or 10s. per dozen pairs, whichever is the greater.
Stockings and socks (containing no silk) made wholly of artificial silk, or containing artificial silk components the value whereof exceeds 20 per cent. of the aggregate of the values of all the components :—		
(*a*) where all the artificial silk consists of regenerated cellulose or cellulose acetate.	33⅓ per cent. or 7s. 6d. per dozen pairs, whichever is the greater.	30 per cent. or 6s. 9d. per dozen pairs, whichever is the greater.
(*b*) in other cases	33⅓ per cent. or 10s. per dozen pairs, whichever is the greater.	30 per cent. or 9s. per dozen pairs, whichever is the greater.

TABLE B

Description of articles	Rate chargeable where the article is made wholly of silk or artificial silk, or where the value of the silk or artificial silk component or the aggregate of the values of all such components, as the case may be, exceeds 20 per cent. of the aggregate of the values of all the components of the article		Rate chargeable where the value of the silk or artificial silk component or the aggregate of the values of all such components, as the case may be, exceeds 5 per cent. but does not exceed 20 per cent. of the aggregate of the values of all the components of the article		Rate chargeable where the value of the silk or artificial silk component or the aggregate of the values of all such components, as the case may be, does not exceed 5 per cent. of the aggregate of the values of all the components of the article.	
	Full rate	Preferential rate	Full rate	Preferential rate	Full rate	Preferential rate
Articles of apparel (other than such stockings and socks as are mentioned in Table A of this Schedule) :—						
(1) Where any component is silk—						
(*a*) dresses and skirts (other than divided skirts)	33⅓ per cent. or 15s. the lb., whichever is the greater.	33⅓ per cent. or 15s. the lb., whichever is the greater.	22½ per cent. or 5s. the lb., whichever is the greater.	20 per cent. or 4s. 6d. the lb., whichever is the greater.	12 per cent. or 1s. the lb., whichever is the greater.	10 per cent. or 1s. the lb., whichever is the greater.
(*b*) in other cases ...	33⅓ per cent. or 15s. the lb., whichever is the greater.	30 per cent. or 13s. 6d. the lb., whichever is the greater.				
(2) Where no component is silk—						
(*a*) dresses and skirts (other than divided skirts)	30 per cent. or 6s. 9d. the lb., whichever is the greater.	30 per cent. or 6s. 9d. the lb., whichever is the greater.	22½ per cent. or 2s. 6d. the lb., whichever is the greater.	20 per cent. or 2s. 3d. the lb., whichever is the greater.	12 per cent. or 6d. the lb., whichever is the greater.	10 per cent. or 6d. the lb., whichever is the greater.
(*b*) in other cases ...	33⅓ per cent. or 7s. 6d. the lb., whichever is the greater.	30 per cent. or 6s. 9d. the lb., whichever is the greater.				

Textile bed furnishings (viz., bedspreads, quilts, canopies, valances, sheets, pillow cases, bolster cases, mattress cases, nightdress cases, and similar articles); household curtains of all kinds, cushion covers, chair backs, table cloths, table mats, table centres, table runners, d'oyleys, duchesse sets, serviettes, and similar articles of furnishing drapery :—						
(1) Where any component is silk.	43⅓ per cent. or 12s. the lb., whichever is the greater.	Five-sixths of the full rate.	25 per cent. or 4s. the lb., whichever is the greater.	Five-sixths of the full rate.	12 per cent. or 9d. the lb., whichever is the greater.	Five-sixths of the full rate.
(2) Where no component is silk.	42 per cent. or 4s. 8d. the lb., whichever is the greater.	Five-sixths of the full rate.	25 per cent. or 1s. 8d. the lb., whichever is the greater.	Five-sixths of the full rate.	12 per cent. or 4d. the lb., whichever is the greater.	Five-sixths of the full rate.
Articles other than articles previously mentioned in this Schedule :—						
(1) Where any component is silk.	43⅓ per cent. ...	Five-sixths of the full rate.	25 per cent. ...	Five-sixths of the full rate.	12 per cent. ...	Five-sixths of the full rate.
(2) Where no component is silk.	42 per cent. ...	Five-sixths of the full rate.				

SECOND SCHEDULE

STATUTORY PROVISIONS REVOKED OR REPEALED

Session and Chapter	Short Title	Extent of repeal
—	The Silk Duties Order, 1938	The whole Order.
10 & 11 Geo. 6. c. 35.	The Finance Act, 1947 ...	Subsection (3) of section five and Part II of the Second Schedule.

EXPLANATORY NOTE

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

This Order reduces the ad valorem rates of Customs duty on certain silk and artificial silk stockings and socks and other apparel containing these materials, having regard to the terms of the Agreement on Tariffs and Trade concluded at Geneva in 1947. It also increases or alters, within the limits permitted by that Agreement, the alternative "specific" rates—i.e. amounts per dozen pairs, or per pound weight—chargeable if they exceed the ad valorem rates.

As two examples, the full rate of duty on silk stockings (if over 20 per cent. silk by value) was 43⅓ per cent. ad valorem or 12s. per pound weight, whichever was the greater, but not in any case more than 10s. per dozen pairs; the rate will now be 33⅓ per cent. or 12s. the dozen pairs, whichever is the greater. The full rate on a silk dress (if over 20 per cent. silk by value) was whichever was the greater of 43⅓ per cent. or 12s. the lb.; it will now be whichever is the greater of 33⅓ per cent. or 15s. the lb.

The Geneva Agreement also provides for the reduction or elimination in some instances of the margin of Imperial Preference—i.e. the difference between the rates of duty on foreign and Empire goods—which in the case of the silk duties has hitherto been, in general, a margin of one-sixth of the full rates. Over a considerable field of those duties, however, this margin will remain.

This Order makes the necessary changes in the margins of preference, in exercise of the power given by section nine of the Finance Act, 1948. The First Schedule (which also sets out again the rates of duties chargeable on certain articles not affected by the Geneva Agreement) sets out the full and also the preferential rates which will now be chargeable, and a comparison of these rates will indicate the cases in which the margin of preference has been reduced or eliminated.