1957 No. 1213

The Sugar and Molasses (Distribution Payments and Repayments) Regulations, 1957

Made - - - -	*9th July*, 1957
Laid before Parliament	*12th July*, 1957
Coming into Operation	*15th July*, 1957

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred upon him by subsections (1) and (2) of section 16 of the Sugar Act, 1956(a), and of all other powers him enabling in that behalf, hereby makes the following Regulations :—

PART I

Distribution Payments

1.—(1) In these Regulations—

"distribution payment" means any payment under or in accordance with the provisions of section 14 of the Sugar Act, 1956 ;

"proper officer of Customs and Excise" has the same meaning as in the Customs and Excise Act, 1952(b).

(2) The Interpretation Act, 1889(c), shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

(3) These Regulations may be cited as the Sugar and Molasses (Distribution Payments and Repayments) Regulations, 1957 ; and shall come into operation on the fifteenth day of July, nineteen hundred and fifty-seven.

2. No distribution payment shall be payable under the Sugar Act, 1956, unless a claim is made to the Sugar Board by the importer or proprietor (hereinafter called "the claimant") of goods eligible for such payment, or by his agent on his behalf ; and every such claim shall be delivered with the entry made for the purpose of customs or excise duty to the proper officer of Customs and Excise.

3. Every such claim shall include the following particulars verified by a declaration made by the claimant or his agent :—

(i) the name and address of the claimant ;

(ii) the following particulars—

(*a*) the marks and number of packages ;

(*b*) a brief description of the goods ;

(*c*) the net weight and polarisation in the case of sugar or the sweetening matter content in the case of molasses ;

(*d*) the amount of customs duty payable on the sugar and molasses content in the case of imported composite sugar products ;

(*e*) such other particulars as may be required for the assessment of customs duty on the goods.

(a) 4 & 5 Eliz. 2. c. 48. (b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 44.
(c) 52 & 53 Vict. c. 63.

4. Where the proper officer of Customs and Excise certifies on a claim made in accordance with Regulations 2 and 3 hereof that the claimant is the importer or proprietor of the goods as shown in the relevant Customs and Excise documents, and further certifies the payment of duty in respect of the goods, the Sugar Board shall, subject to the particulars given in any such certificate, accept a claim made in pursuance of these Regulations as evidence on which the amount of distribution payment due to the claimant will be calculated.

PART II

Distribution Repayments

5. Before any sugar, molasses or goods in the manufacture or preparation of which sugar or molasses have been used, are exported or shipped for exportation or as stores, on or after the coming into operation of these Regulations, the exporter shall enter the goods with the proper officer of Customs and Excise.

6. Any entry of goods in accordance with Regulation 5 hereof shall contain such particulars as may be required to determine whether the goods are liable to distribution repayment and, for the purpose of securing such distribution repayment to the Sugar Board, shall include a statement by the exporter showing whether such goods are, or are not, as the case may be, eligible for drawback of sugar duty.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this ninth day of July, nineteen hundred and fifty-seven.

(L.S.)

D. Heathcoat Amory,
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

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

These Regulations are made under section 16 of the Sugar Act, 1956. In Part I provision is made for the manner in which claims to distribution payments payable by the Sugar Board under section 14 of the Sugar Act, 1956 are to be made and the particulars and verification required for such claims. In Part II similar information is required to enable the Sugar Board to recover distribution repayments payable by virtue of the Sugar and Molasses (Distribution Repayments) Order, 1957 made under section 15 of the Sugar Act, 1956 in respect of goods exported, shipped for exportation or as stores.