STATUTORY INSTRUMENTS

1973 No. 822

SUGAR

The Sugar (Distribution Repayments) (Amendment) (No. 5) Order 1973

Made - - - - -		30*th April* 1973
Laid before Parliament	-	30*th April* 1973
Coming into Operation	-	1*st May* 1973

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred upon him by sections 15 and 33(4) of the Sugar Act 1956(a), having effect subject to the provisions of section 3 of, and Part II of Schedule 5 to, the Finance Act 1962(b), section 22 of the Finance Act 1964(c) and section 52 of the Finance Act 1966(d) and of all other powers enabling him in that behalf, an order(e) having been made under section 14 of the said Act, hereby makes the following order:—

1. This order may be cited as the Sugar (Distribution Repayments) (Amendment) (No. 5) Order 1973, and shall come into operation on 1st May 1973.

2.—(1) In this order unless the context otherwise requires "composite sugar product" means any product of a kind listed in the Schedule to the Sugar (Distribution Payments and Repayments) Regulations 1973(f).

(2) The Interpretation Act 1889(g) shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

3.—(1) Notwithstanding the provisions of the Sugar (Distribution Repayments) Order 1972(h) or the provisions of the Sugar (Distribution Repayments) (Amendment) (No. 4) Order 1973(i) distribution repayments shall be payable in respect of any sugar, or any sugar or invert sugar used in the manufacture or preparation of composite sugar products, when such sugar or such composite sugar products are exported or warehoused for exportation in such circumstances that drawback of sugar duty is payable on them:

Provided that no distribution repayments shall be payable where the exporter of such sugar or such composite sugar products satisfies the Sugar Board in the case of sugar or of imported composite sugar products that they were not the subject of a distribution payment and in the case of composite sugar products manufactured or prepared in the United Kingdom that they were not made from sugar or invert sugar which had been the subject of a distribution payment.

(2) The amount of distribution repayment payable in respect of any sugar, or any sugar or invert sugar used in the manufacture or preparation of composite sugar products, shall be at the rate applicable to distribution payments under the Sugar (Distribution Payments) (No. 5) Order 1973(e) on the date that such sugar or composite sugar product is exported or warehoused for export.

(a) 1956 c. 48. (b) 1962 c. 44. (c) 1964 c. 49. (d) 1966 c. 18.
(e) S.I. 1973/821 (1973 II, p. 1072). (f) S.I. 1973/820 (1973 I, p. 2600). (g) 1889 c. 63.
(h) S.I. 1972/67 (1972 I, p. 162). (i) S.I. 1973/306 (1973 I, p. 1072).

(3) Any distribution repayment payable on sugar or invert sugar used in the manufacture or preparation of composite sugar products shall be calculated by reference to the amount of sugar or invert sugar appearing to the Sugar Board to have been used in the manufacture or preparation of such composite sugar product.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 30th April 1973.

(L.S.) *Joseph Godber,*
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which is consequent upon the Sugar (Distribution Payments) (No. 5) Order 1973 (S.I. 1973/821), provides for distribution repayments in respect of sugar, and in respect of sugar or invert sugar used in the manufacture or preparation of composite sugar products, when the sugar or composite sugar products are exported or warehoused for exportation on or after 1st May 1973.