



Finance Act 1951

1951 CHAPTER 43

PART I

CUSTOMS, EXCISE AND PURCHASE TAX

Amendments to give effect to agreements affecting Customs and Excise

6 Valuation of goods for purpose of ad valorem duties

- (1) For the purpose of any enactment for the time being in force under which a duty of customs is chargeable on goods by reference to their value, the value of any imported goods shall be taken to be that laid down by the Second Schedule to this Act, and duty shall be paid on that value:

Provided that, in the case of goods imported under a contract of sale and entered for home consumption, duty shall be deemed to have been paid on that value if, before the goods are delivered for home consumption, duty is tendered and accepted on a declared value based on the contract price.

- (2) For the purpose of the proviso to the foregoing subsection—
- (a) the declared value of any goods is their value as declared by or on behalf of the importer in making entry of the goods for home consumption;
 - (b) that value shall be deemed to be based on the contract price if, but only if, it represents that price properly adjusted to take account of circumstances differentiating the contract from such a contract of sale as is contemplated by the Second Schedule to this Act;
 - (c) the rate of exchange to be used for determining the equivalent in sterling of any foreign currency shall be the current selling rate in the United Kingdom as last notified before the time when the goods are entered for home consumption.
- (3) The Commissioners may by statutory instrument make regulations for the purpose of giving effect to the foregoing provisions of this section, and in particular for requiring any importer or other person concerned with the importation of goods into the United Kingdom to furnish to the Commissioners, in such form as they may require, such

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information as is, in their opinion, necessary for a proper valuation of the goods and to produce any books of account or other documents of whatever nature relating to the purchase, importation, or sale of the goods by that person; and if any person contravenes or fails to comply with any regulations made under this section, he shall in respect of each offence be liable to a customs penalty of fifty pounds.

As from the commencement of this Act, any regulations made by the Commissioners under subsection (3) of section fifteen of the Import Duties Act, 1932, which are in force at that commencement shall have effect as if made under this subsection.

- (4) Section sixteen of the Import Duties Act, 1932 (which relates to the determination of disputes as to value), shall apply in relation to any duty of customs chargeable on goods by reference to their value as it applies in relation to a duty chargeable under that Act.
- (5) In any scheme having effect under section nine of the Finance Act, 1932 (which provides for allowing drawback of certain duties in respect of imported goods used as materials in making articles exported or shipped as stores), or under that section as applied by any subsequent enactment, references to the value of any goods at importation shall, whether the scheme took effect before or after the passing of this Act, be taken as referring to the value on which duty was paid on those goods, unless otherwise provided by the scheme.
- (6) Notwithstanding anything in section eleven of the Finance Act, 1944, or subsection (1) of section fourteen of the Finance (No. 2) Act, 1945 (which relate to the application for purposes of purchase tax of enactments relating to customs generally), the foregoing provisions of this section shall not affect the law relating to purchase tax, and accordingly subsection (2) of the said section eleven shall have effect with the substitution of a reference to this section for the reference to section ten of the Finance Act, 1935.

7 Unesco agreement (blind welfare and news-reels)

The Third Schedule to this Act shall have effect with a view to enabling effect to be given to an agreement which was drawn up at the fifth session of the General Conference of the United Nations Educational, Scientific and Cultural Organisation, and of which His Majesty's Government in the United Kingdom is a signatory.

8 Pakistan trade agreement

With a view to the fulfilment of the agreement made on the second day of April, nineteen hundred and fifty-one, between His Majesty's Governments in the United Kingdom and in Pakistan (being the agreement set out in the Fourth Schedule to this Act), the Ottawa Agreements Act, 1932, and any other enactment relating to customs which amends or relates to that Act shall have effect as from that date as if the said agreement were included among the agreements scheduled to the said Act of 1932, and as if accordingly any reference to a country the Government of which is a party to one of the scheduled agreements within the meaning of that Act, or a country between the Government of which and His Majesty's Government in the United Kingdom any of those agreements was made, applied to Pakistan by virtue of the said agreement and not by virtue of the agreement made in the year nineteen hundred and thirty-nine between His Majesty's Government in the United Kingdom and the Government of India.

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9 Dried and crystallized figs

- (1) For the entry in the Schedule to the Customs Tariff Act, 1876, relating to figs (under which there is charged a duty of seven shillings a hundredweight) there shall be substituted the following entry:—

“Figs—		
Per cwt.		
	s.	d.
dried	6	0
drained or crystallized	7	0.”

- (2) In section twenty-one of the Finance Act, 1916 (which provides for drawback of certain of the duties under the said Act of 1876), after the words "dried figs" there shall be inserted the words " drained or crystallized figs. "
- (3) This section shall come into force on the first day of September, nineteen hundred and fifty-one.