

1972 No. 69

SUGAR

The Sugar (Distribution Payments and Repayments)
Regulations 1972

<i>Made</i>	- - - -	25th January 1972
<i>Laid before Parliament</i>	-	31st January 1972
<i>Coming into Operation</i>	-	1st February 1972

The Minister of Agriculture, Fisheries and Food in exercise of the powers conferred upon him by section 16(1) and (2) 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), section 58 of the Finance Act 1968(d) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1.—(1) These regulations may be cited as the Sugar (Distribution Payments and Repayments) Regulations 1972; and shall come into operation on 1st February 1972.

(2) In these regulations, unless the context otherwise requires—

“distribution payment” means any payment under or in accordance with the provisions of section 14 of the Sugar Act 1956 having effect as aforesaid;

“proper officer of Customs and Excise” and “entry” have the same meaning as in the Customs and Excise Act 1952(e).

(3) The Interpretation Act 1889(f) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(4) The Sugar (Distribution Payments and Repayments) Regulations 1963(g) are hereby revoked.

PART I

DISTRIBUTION PAYMENTS

2. No distribution payment shall be payable under the Sugar Act 1956, having effect as aforesaid, 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 to the proper officer of Customs and Excise with the relative entry or in the case of home-produced sugar a return made under regulation 7(1) of the Manufacture of Sugar Regulations 1964(h).

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

(a) the name and address of the claimant;

(b) a brief description of the goods;

(c) the net weight and, in the case of sugar, the polarisation;

(d) such other particulars as are necessary for the assessment of duty on goods which are liable to a duty of Customs or Excise.

(a) 1956 c. 48.

(b) 1962 c. 44.

(c) 1964 c. 49.

(d) 1968 c. 44.

(e) 1952 c. 44.

(f) 1889 c. 63.

(g) S.I. 1963/1011 (1963 II, p. 1676).

(h) S.I. 1964/1483 (1964 III, p. 3462).

PART II
DISTRIBUTION REPAYMENTS

4. Where any beet sugar, cane sugar, invert sugar or any composite sugar product of a kind listed in the Schedules to any order in force under section 9(1), having effect subject to the provisions of section 14(8) of the Sugar Act 1956, or prescribed by an order under section 15 of that Act, having effect subject to the provisions of section 22 of the Finance Act 1964, are to be exported, other than shipped as stores, on or after the coming into operation of these regulations, an entry of the goods shall, unless otherwise allowed, be delivered to the proper officer of Customs and Excise before the goods are shipped for exportation.

5. Any entry of goods in accordance with regulation 4 hereof or of goods deposited in warehouse for exportation shall contain such particulars as are necessary to determine whether the goods are liable to distribution repayment.

In Witness whereof the Official Seal of the Minister of Agriculture,
Fisheries and Food is hereunto affixed on 25th January 1972.

(L.S.)

E. J. G. Smith,
Authorised by the
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(This Note is not part of the regulations.)

These regulations supersede the Sugar (Distribution Payments and Repayments) Regulations 1963.

Part I of the regulations provides for the manner in which claims to distribution payments payable by the Sugar Board under section 14 of the Act are to be made. Similar provision is made in Part II of the regulations to enable the Sugar Board to recover distribution repayments payable by virtue of the Sugar (Distribution Repayments) Order 1972 (S.I. 1972/67).

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