

1976 No. 2108

CUSTOMS AND EXCISE

The Import Duties (Quota Relief) (No. 7)

Order 1976

Made - - - - 9th December 1976

Laid before the
House of Commons - 10th December 1976

Coming into Operation 1st January 1977

The Secretary of State, in exercise of the powers conferred on him by section 5(1) and (4) of, and paragraph 8 of Schedule 3 to, the Import Duties Act 1958(a), as amended by paragraph 1 of Schedule 4 to the European Communities Act 1972(b), and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Import Duties (Quota Relief) (No. 7) Order 1976 and shall come into operation on 1st January 1977.

2.—(1) In this Order—

references to a “heading” or “subheading” are references to a heading or subheading of the Customs Tariff 1959;

the “relevant quota” means, in relation to goods of any description specified in column 1 of either of the Schedules hereto, the quantity of such goods which are to be exempt from, or subject to a reduced rate of, duty, as the case may be, on import into the United Kingdom by virtue of the Community instruments referred to in column 3 of Schedule 1 or column 5 of Schedule 2 hereto in relation to the goods.

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

3. Up to and including 30th June 1977, no import duty shall be charged on goods which fall within a heading or subheading specified in column 2 of Schedule 1 hereto and are of a description specified in column 1 thereof if they form part of the relevant quota.

4. Up to and including 31st December 1977, any import duty for the time being chargeable on goods which fall within a subheading specified in column 2 of Schedule 2 hereto shall be reduced to the rate specified in column 3 thereof or, if they qualify for Commonwealth preference, to the rate specified in column 4 in relation to the subheading from any higher rate which would otherwise apply, if they form part of the relevant quota.

(a) 1958 c. 6.

(b) 1972 c. 68.

(c) 1889 c. 63.

5. For the purposes of this Order goods on which by virtue of Article 6 below import duty would not be chargeable or which would be subject to a reduced rate of duty shall not be treated as forming part of the relevant quota.

6.—(1) So long as relief is available in respect of any relevant quota of goods falling within heading 44.15 or subheadings 03.01 A.II., 08.04 B.I., 78.01 A.II or 79.01 A. of a description specified in either Schedule to this Order

(a) no import duty shall be charged or,

(b) if the goods are subject to a reduced rate of duty shown in column 2 of Schedule 2 hereto within the quota, import duty shall be reduced to that rate from any higher rate which would otherwise apply,

in the case of goods of that description which satisfy the requisite conditions to benefit from Regulation (EEC) 385/73(a) (relating to goods entitled to benefit from the eventual abolition of customs duties in trade between the United Kingdom and the other member States of the European Communities)

(2) For the purpose of paragraph (1) above relief shall be treated as being available in respect of any relevant quota until two days after the end of the last day on which goods of that description are entitled to exemption from or reduction in import duty by virtue of the preceding Articles of this Order.

7. Any description of goods in column 1 of Schedule 1 hereto (other than one covering a whole subheading) shall be taken to comprise all goods which would be classified under an entry in the same terms constituting a subheading in the relevant heading of the Customs Tariff 1959.

8. Where any import duty for the time being chargeable on any goods has been removed or reduced by a directly applicable Community provision the import duty shall, to the extent of that removal or reduction, not be regarded as removed or reduced by virtue of this Order and to that extent this Order shall be treated as merely indicative that the import duty payable in respect of the goods has been removed or reduced.

9th December 1976.

Michael Meacher,
Parliamentary Under-Secretary of State
Department of Trade.

(a) O.J. L42, 14.2.1973, p. 1.

SCHEDULE 1

Description of Goods	Tariff Headings or Subheadings	Community Instrument
(1)	(2)	(3)
		Regulations (EEC) on the opening, allocation and administration of Community tariff quotas for the goods specified in columns 1 and 2 of this Schedule as specified below.
Fresh eels (live or dead) chilled or frozen, intended for curing or for skinning or for use in the industrial manufacture of products falling within heading 16.04, under conditions to be determined by the competent authorities	ex 03.01 A.II.	2720/76 (O.J. L.313, 15.11.76, p. 16.)
Plywood of coniferous species, without the addition of other substances, of a thickness greater than 9 mm., the faces of which are not further prepared than the peeling process and plywood of coniferous species, without the addition of other substances, sanded, and of a thickness greater than 18.5 mm.	ex 44.15	2631/76 (O.J. L.305, 6.11.76, p. 1.)
All goods of this subheading	78.01 A.II.	2714/76 (O.J. L.313, 15.11.76, p. 1.)
All goods of this subheading	79.01 A.	2715/76 (O.J. L.313, 15.11.76, p. 4.)
<i>Made by hand (Handicrafts)</i> Goods as specified below which meet the requirements of Article 1(2) of the Regulation specified in column 3:—		
goods of these headings and subheadings;	ex 42.02 B. ex 42.03 C. ex 44.24 ex 44.27 ex 48.21 C.	2632/76 (O.J. L.305, 6.11.76, p. 4.)
cotton fabrics hand-dyed or hand-printed by the "batik" method;	ex 55.09	
goods of these subheadings;	ex 58.01 B. ex 58.01 C.	
goods of this heading;	ex 58.10	

Description of goods	Tariff Headings or Subheadings	Community Instrument
(1)	(2)	(3)
carpets and mats;	ex 59.02 B.	
ponchos of wool;	ex 61.01	
goods of this heading hand- dyed or hand-printed by the “batik” method;	ex 61.02	
ponchos, capes, skirts, skirt lengths, of wool;	ex 61.02 B.	
goods of this subheading;	ex 61.05 A.	
goods of these headings;	ex 61.06 ex 61.07 ex 61.08 ex 61.11 ex 62.01	
double curtains of wool;	ex 62.02 B.	
of cotton fabric hand-dyed or hand-printed by the “batik” method;	ex 62.02 B.	
goods of these headings;	ex 62.05 ex 64.05	
woollen berets;	ex 65.05	
goods of these headings and subheadings;	ex 66.02 ex 68.02 A.IV. ex 74.18 ex 74.19 ex 83.06 ex 83.07 ex 83.10 ex 83.11 ex 94.03 ex 95.01 B. ex 95.02 B. ex 95.03 B. ex 95.04 B. ex 95.05 C.II. ex 95.06 B. ex 95.07 B.	
dolls in folk costume represen- tative of the country of origin;	ex 97.02 A.	
goods of this subheading;	ex 97.03 A.	

Description of goods	Tariff Headings or Subheadings	Community Instrument
(1)	(2)	(3)
<i>Handwoven goods</i>		
Goods as specified below which meet the requirements of Article 1(4)(a), (5) and (6) of the Regulation specified in column 3:—		
handwoven fabrics of silk or of silk waste other than noil;	ex 50.09	2633/76 (O.J. L.305, 6.11.76, p. 74.)
handwoven fabrics of noil silk;	ex 50.10	
handwoven cotton gauze;	ex 55.07	
other handwoven fabrics of cotton;	ex 55.09	
handwoven pile fabrics and chenille fabrics of cotton (other than terry towelling or similar terry products falling within heading No. 55.08 and fabrics falling within heading No. 58.05)	ex 58.04	

SCHEDULE 2

Description of Goods	Tariff Sub-headings	Rates of duty		Community Instrument
		Normal	Common-wealth Preference	
(1)	(2)	(3)	(4)	(5)
All goods of these sub-headings	08.04 B.I.a)	£0.0393 per 100 kg. plus 0.9%	0.9%	Regulation (EEC) on the opening, allocation and administration of a Community tariff quota for the goods specified in columns 1 and 2 of this Schedule as specified below. 2719/76 (O.J. L.313, 15.11.76, p. 14.)
	08.04 B.I.b)	£0.0787 per 100 kg. plus 0.9%	0.9%	

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which comes into operation on 1st January 1977, provides for the implementation and administration of the United Kingdom's share of certain tariff quotas opened by the European Economic Community for certain goods under the provisions of Community Instruments specified in the Schedules.

The Order provides, in respect of imports of the relevant goods within the United Kingdom's shares of the quotas, for exemption from duty up to and including 30th June 1977 in the case of goods in Schedule 1 to the Order, and reduced rates of duty up to and including 31st December 1977 in the case of certain dried grapes in Schedule 2.

The Order also provides that no duty shall be chargeable on certain goods in Schedule 1 and duty shall be reduced in the case of goods in Schedule 2 to the quota rate in column 3 of Schedule 2 if the goods satisfy the requisite conditions to benefit from the eventual abolition of customs duties between the United Kingdom and other member States of the European Communities until two days after the relevant quota has been exhausted, and that such goods shall not form part of any quota.

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