

## 1977 No. 104

## CUSTOMS AND EXCISE

## The Export of Goods (Control) (Amendment) Order 1977

Made - - - - 21st January 1977

Coming into Operation 3rd February 1977

The Secretary of State, in exercise of the powers conferred by section 1 of the Import, Export and Customs Powers (Defence) Act 1939(a) and now vested in him(b), hereby orders as follows:

1.—(1) This Order may be cited as the Export of Goods (Control) (Amendment) Order 1977 and shall come into operation on 3rd February 1977.

(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 and as if this Order and the Orders hereby revoked were Acts of Parliament.

2. The Export of Goods (Control) Order 1970(d), as amended(e), shall have effect as if:

(a) at the end of Article 5(1) for the exception relating to cocoa there were substituted the following:

“Cocoa

(m) cocoa beans, whole or broken, raw or roasted, and the following cocoa products namely cocoa paste (in bulk or in block) whether or not defatted, cocoa butter (fat or oil) and unsweetened cocoa powder

(i) to any destination in another member State of the European Economic Community,

(ii) to any destination if imported into the United Kingdom for trans-shipment, or

(iii) to any destination if there is produced to the proper officer of Customs and Excise at the place of export the certificate prescribed for this purpose by the economic and control rules of the International Cocoa Agreement 1975 which were adopted by the International Cocoa Council on 26th July 1976 and are set out in the annex to Regulation (EEC) No. 2762/76(f).”

(a) 1939 c. 69.

(b) See S.I. 1970/1537 (1970 III, p. 5293).

(c) 1889 c. 63.

(d) S.I. 1970/1288 (1970 III, 4270).

(e) The relevant amending Orders are S.I. 1974/28, 1975/2080 (1974 I, p. 70; 1975 III, p. 7747).

(f) O.J. No. L321, 20.11.76.

(b) in Schedule 1, Group 8, for the entry relating to cocoa products there were substituted the following:

“Cocoa beans and cocoa products, the following: —

- |   |        |
|---|--------|
| (1) Cocoa beans, whole or broken, raw or roasted  | ... A  |
| (2) Cocoa products, the following: —  |        |
| (a) Cocoa paste (in bulk or in block) whether or not defatted                                     | ... A  |
| (b) Cocoa butter (fat or oil)   | ... A  |
| (c) Cocoa powder, unsweetened, otherwise than in retail packs each of less than 3.5 kg net weight | ... A” |

(c) in Schedule 1 the entries comprising Group 10 were deleted.

3. The Export of Goods (Control) (Amendment) Order 1974 and the Export of Goods (Control) (Amendment No. 3) Order 1975 are hereby revoked.

21st January 1977.

*B. M. Eyles,*  
An Assistant Secretary  
Department of Trade.

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#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order further amends the Export of Goods (Control) Order 1970. It removes from export control under the Order the species of fauna and flora and their parts and derivatives which were specified in Group 10 of Schedule 1. As from 3rd February 1977 the export of these goods will be subject to the provisions of the Endangered Species (Import and Export) Act 1976. (c. 72).

This Order also modifies the exception relating to cocoa. The relevant EEC Regulation is now No. 2762/76.



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