



European Communities Act 1972

1972 CHAPTER 68

[^{F1}PART II

AMENDMENT OF LAW

[^{F16} The common agricultural policy.

[^{F2}(1)

[^{F2}(2)

(3) Sections 5 and 7 of the ^{M1}Agriculture Act 1957 (which make provision for the support of arrangements under section 1 of that Act for providing guaranteed prices or assured markets) shall apply in relation to any [^{F3}EU arrangements] for or related to the regulation of the market for any agricultural produce as if references, in whatever terms, to payments made by virtue of section 1 were references to payments made by virtue of the [^{F3}EU arrangements] by or on behalf of [^{F4}the relevant Minister and as if for every reference in section 5 to the Minister there were substituted a reference to the relevant Minister.]

(4) Agricultural levies of the [^{F5}EU] , so far as they are charged on goods exported from the United Kingdom or shipped as stores, shall be paid to and recoverable by [^{F6}the relevant Minister]; and the power of [^{F6}the relevant Minister] to make orders under section 5 of the ^{M2}Agriculture Act 1957, as extended by this section, shall include power to make such provision supplementary to any directly applicable [^{F7}EU provision] as [^{F6}the relevant Minister considers] necessary for securing the payment of any agricultural levies so charged, including provision for the making of declarations or the giving of other information in respect of goods exported, shipped as stores, or otherwise dealt with.

(5) Except as otherwise provided by or under any enactment, agricultural levies of the [^{F8}EU] , so far as they are charged on goods imported into the United Kingdom, shall be levied, collected and paid, and the proceeds shall be dealt with, as if they were [^{F9}EU customs duties] , and in relation to those levies the following enactments shall apply as they would apply in relation to [^{F9}EU customs duties] , that is to say:—

Status: Point in time view as at 31/01/2020. This version of this provision has been superseded.

Changes to legislation: European Communities Act 1972, Section 6 is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- [^{F10}(a) the ^{M3}Customs and Excise Management Act 1979 (as for the time being amended by any later Act) and any other statutory provisions for the time being in force relating generally to customs or excise duties on imported goods; and]
- [^{F11}(b) sections 1, 3, 4, 5, 6 (including Schedule 1), 7, 8, 9, 12, 13, 15, 17 and 18 of the ^{M4}Customs and Excise Duties (General Reliefs) Act 1979 but so that—
- (i) any references in sections 1, 3 and 4 to the Secretary of State shall include the Ministers; and
 - (ii) the reference in section 15 to an application for an authorisation under regulations made under section 2 of that Act shall be read as a reference to an application for an authorisation under regulations made under section 2(2) of this Act;]

and, if, in connection with any such [^{F12}EU arrangements] as aforesaid, the Commissioners of Customs and Excise are charged with the performance, on behalf of the Board or otherwise, of any duties in relation to the payment of refunds or allowances on goods exported or to be exported from the United Kingdom, then in relation to any such refund or allowance [^{F13}section 133 (except subsection (3) and the reference to that subsection in subsection (2) and section 159 of the ^{M5}Customs and Excise Management Act 1979 shall apply as they apply in relation to a drawback of excise duties], and other provisions of that Act shall have effect accordingly.

- (6) The enactments applied by subsection (5)(a) above shall apply subject to such exceptions and modifications, if any, as the Commissioners of Customs and Excise may by regulations prescribe, and shall be taken to include section 10 of the ^{M6}Finance Act 1901 (which relates to changes in customs import duties in their effect on contracts), but shall not include [^{F14}section 126 of the ^{M7}Customs and Excise Management Act 1979] (charge of duty on manufactured or composite articles).

^{F15}(7)

- (8) Expressions used in this section shall be construed as if contained in Part I of the ^{M8}Agriculture Act 1957; and in this section “agricultural levy” shall include any tax not being a customs duty, but of equivalent effect, that may be chargeable in accordance with any such [^{F16}EU arrangements] as aforesaid, and “statutory provision” includes any provision having effect by virtue of any enactment and, in subsection (2), any enactment of the Parliament of Northern Ireland or provision having effect by virtue of such an enactment.]

Textual Amendments

- F1** Act repealed (31.1.2020 at 11.00 p.m. subject to savings for implementation period in [ss. 1A, 1B](#) of the repealing Act) by [European Union \(Withdrawal\) Act 2018 \(c. 16\), ss. 1, 25\(4\)](#) (with savings relating to retention of existing EU law in [ss. 2-7, Sch. 1, Sch. 8 para. 37](#)) (as amended by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\), ss. 1, 2, 25, 36\(c\), 42\(7\), Sch. 5 para. 55; S.I. 2020/75, reg. 4](#)); [S.I. 2019/1198, reg. 2](#))
- F2** [S. 6\(1\)\(2\)](#) repealed (15.11.2001) by [S.I. 2001/3686, regs. 1\(1\), 3\(a\)](#)
- F3** Words in [s. 6\(3\)](#) substituted (1.12.2009) by [European Union \(Amendment\) Act 2008 \(c. 7\), ss. 3, 8, Sch. Pt. 1; S.I. 2009/3143, art. 2](#)
- F4** Words in [s. 6\(3\)](#) substituted (15.11.2001) by [S.I. 2001/3686, regs. 1\(1\), 3\(b\)](#)
- F5** Words in [s. 6\(4\)](#) substituted (1.12.2009) by [European Union \(Amendment\) Act 2008 \(c. 7\), ss. 3, 8, Sch. Pt. 1; S.I. 2009/3143, art. 2](#)
- F6** Words in [s. 6\(4\)](#) substituted (15.11.2001) by [S.I. 2001/3686, regs. 1\(1\), 3\(c\)](#)

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- F7** Words in s. 6(4) substituted (1.12.2009) by European Union (Amendment) Act 2008 (c. 7), ss. 3, 8, **Sch. Pt. 1**; S.I. 2009/3143, **art. 2**
- F8** Words in s. 6(5) substituted (1.12.2009) by European Union (Amendment) Act 2008 (c. 7), ss. 3, 8, **Sch. Pt. 1**; S.I. 2009/3143, **art. 2**
- F9** Words in s. 6(5) substituted (1.12.2009) by European Union (Amendment) Act 2008 (c. 7), ss. 3, 8, **Sch. Pt. 1**; S.I. 2009/3143, **art. 2**
- F10** S. 6(5)(a) substituted by Customs and Excise Management Act 1979 (c. 2, SIF 40:1), s. 177(1), **Sch. 4 para. 12** Table Pt. I
- F11** S. 6(5)(b) substituted by Customs and Excise Duties (General Reliefs) Act 1979 (c. 3, SIF 40:1), s. 19(1), **Sch. 2 para. 4**
- F12** Words in s. 6(5) substituted (1.12.2009) by European Union (Amendment) Act 2008 (c. 7), ss. 3, 8, **Sch. Pt. 1**; S.I. 2009/3143, **art. 2**
- F13** Words substituted by Customs and Excise Management Act 1979 (c. 2, SIF 40:1), s. 177(1), **Sch. 4 para. 12** Table Pt. I
- F14** Words substituted by Customs and Excise Management Act 1979 (c. 2, SIF 40:1), s. 177(1), **Sch. 4 para. 12** Table Pt. I
- F15** S. 6(7) repealed (the repeal extending to N.I. except so far as relating to potatoes) (27.7.1993 but 4.8.1993 so far as relating to potatoes) by 1993, c. 51, ss. 64, 65, Sch. 5 (subject to provision at the end of Sch. 5); S.I. 1993/2038, **art. 2**.
- F16** Words in s. 6(8) substituted (1.12.2009) by European Union (Amendment) Act 2008 (c. 7), ss. 3, 8, **Sch. Pt. 1**; S.I. 2009/3143, **art. 2**

Modifications etc. (not altering text)

- C1** S. 6 excluded (N.I.) by Northern Ireland Constitution Act 1973 (c. 36, SIF 29:3), s. 2(2), **Sch. 2 para. 3**
- C2** Functions of the Ministers under s. 6 now exercisable by the Ministers and the Secretary of State for Wales jointly: S.I. 1978/272, art 4(2), **Sch. 2**
- C3** S. 6 modified (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 52(1)**; S.I. 1998/3178, **art. 2(1)**
S. 6: transfer of functions (27.12.1999) by S.I. 1999/3141, arts. 2(1)(5), 3, **Sch.**

Marginal Citations

- M1** 1957 c. 57(2:10).
- M2** 1957 c. 57(2:10).
- M3** 1979 c. 2(40:1).
- M4** 1979 c. 3(40:1).
- M5** 1979 c. 2(40:1).
- M6** 1901 c. 7(40:1).
- M7** 1979 c. 2(40:1).
- M8** 1957 c. 57(2:10).

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