

1974 No. 1037

## CUSTOMS AND EXCISE

**The Import Duties (Temporary Reductions and Exemptions)  
(No. 9) Order 1974**

*Made* - - - - - 17th June 1974

*Laid before the House of Commons* 17th June 1974

*Coming into Operation* - - - 18th June 1974

The Lords Commissioners of Her Majesty's Treasury, by virtue of the powers conferred on them by sections 1, 2, 3(6) and 13 of the Import Duties Act 1958(a), as amended (b), and of all other powers enabling them in that behalf, on the recommendation of the Secretary of State (c), hereby make the following Order:

*Citation, operation, interpretation*

1.—(1) This Order may be cited as the Import Duties (Temporary Reductions and Exemptions) (No. 9) Order 1974 and shall come into operation on 18th June 1974.

(2) In this Order references to a heading are references to a heading of the Customs Tariff 1959.

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

*Intra-Community trade*

2. Up to and including 14th February 1975 no import duty shall be charged on goods of the heading specified in column 1 of the Schedule hereto which are of a description specified in column 2 thereof if they satisfy the requisite conditions to benefit from Regulation (EEC) 385/73(e) (relating to goods entitled to benefit from the eventual abolition of customs duties in trade between member States and the European Communities).

*The full rate*

3.—(1) Up to and including 14th February 1975, in the case of goods which fall within the heading specified in column 1 of the Schedule hereto which are of a description specified in column 2 thereof, import duty shall be charged

(a) 1958 c. 6.

(b) See section 5(5) of, and paragraph 1 of Schedule 4 to, the European Communities Act 1972 (c. 68).

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

(d) 1889 c. 63.

(e) O.J. No. L 42, 14.2.1973, p. 1.

at the rate shown in column 3 thereof instead of any higher rate which would otherwise apply.

(2) Paragraph (1) above shall operate without prejudice to the exemption provided for by Article 2 above or to the exemption or any greater reduction provided for by Articles 4 and 5 below in the case of goods originating in Morocco or Turkey or goods qualifying for Commonwealth preference.

*Morocco and Turkey*

4.—(1) Up to and including 14th February 1975, no import duty shall be charged on goods of the heading specified in column 1 of the Schedule hereto which are of a description specified in column 2 thereof if the goods originate in Morocco.

(2) Up to and including 14th February 1975, any import duty for the time being chargeable on goods of the heading specified in column 1 of the Schedule hereto which are of a description specified in column 2 thereof shall be charged at the rate shown in column 4 thereof if the goods originate in Turkey.

(3) For the purposes of this Article goods shall be regarded as originating:

- (a) in Morocco if they are to be so regarded under the Protocol, signed on 2nd March 1973, to the Agreement between the European Economic Community and Morocco<sup>(a)</sup> and
- (b) in Turkey if they are to be so regarded, or are to be regarded as in free circulation in Turkey, under the provisions of the Additional Protocol to the Agreement establishing an Association between the Community and Turkey<sup>(b)</sup> or the Decision of the Association Council No. 4/72 of 29th September 1972 annexed to Regulation (EEC) 428/73<sup>(c)</sup>.

(4) This Article shall operate without prejudice to any greater reduction in, or to any exemption from, import duties, which may be available apart from this Order in the case of goods herein referred to by virtue of their being goods of a developing country.

*Goods Qualifying for Commonwealth Preference*

5. Up to and including 14th February 1975, any import duty for the time being chargeable on goods of the heading specified in column 1 of the Schedule hereto which are of a description specified in column 2 thereof and which qualify for Commonwealth preference shall be charged at the rate shown in column 5 of the Schedule instead of any higher rate which would otherwise apply.

6. For the purposes of classification under the Customs Tariff 1959, insofar as that depends on the rate of duty, any goods to which this Order applies shall be treated as chargeable with the same duty as if this Order had not been made.

*James Hamilton,  
Donald R. Coleman,*

Two of the Lords Commissioners  
of Her Majesty's Treasury.

17th June 1974.

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(a) The Protocol is annexed to Regulation (EEC) 2285/73 (O.J. No. L 239 27.8.1972, p. 1).  
(b) The Protocol is annexed to Regulation (EEC) 2760/72 (O.J. No. L 293 29.12.72 p. 1).  
(c) O.J. No. L 59 5.3.1973, p. 73.

## SCHEDULE

GOODS SUBJECT TO TEMPORARY REDUCTION IN OR  
EXEMPTION FROM DUTY

| <i>Tariff<br/>Heading</i><br>(1) | <i>Description</i><br>(2)   | Rates of Duty %    |                      |                                  |
|----------------------------------|---|--------------------|----------------------|----------------------------------|
|                                  |   | <i>Full</i><br>(3) | <i>Turkey</i><br>(4) | <i>Common-<br/>wealth</i><br>(5) |
| ex 03.01 BI m)2                  | Mackerel, fresh, chilled or frozen,<br>whole, headless or in pieces,<br>intended for the processing<br>industry | 5                  | 2                    | 2                                |

## EXPLANATORY NOTE

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

This Order provides for exemption from or reduction in import duty in the case of goods specified in the Schedule to the Order from 18th June 1974 until 14th February 1975.

There is exemption from import duties in the case of goods specified in the Schedule to the Order if the goods satisfy the requisite conditions to benefit from the eventual abolition of customs duties in trade between member States of the European Communities.

In the case of other goods duty is reduced to the rate shown in column 3 of the Schedule instead of any higher rate which would otherwise apply.

In the case of goods originating in Turkey or qualifying for Commonwealth Preference duty is reduced to the rate shown in columns 4 and 5 of the Schedule. In the case of goods originating in Morocco there is exemption from duty.

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