

## 1974 No. 2188

## CUSTOMS AND EXCISE

## The Import Duties (Quota Relief) (No. 9) Order 1974

*Made* - - - - - 23rd December 1974

*Laid before the  
House of Commons* - 24th December 1974

*Coming into Operation* 1st January 1975

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(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. 9) Order 1974 and shall come into operation on 1st January 1975.

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 any 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 or 4 of any of the Schedules 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.—(1) Up to and including 31st December 1975, no import duty shall be charged on goods which fall within a 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.

(2) Goods falling within subheading 48.01A or 48.01E shall not form part of the relevant quota unless the importer has been issued with a certificate by the Secretary of State authorising him to claim relief from import duty under the quota and any conditions attaching to such a certificate have been complied with.

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(a) 1958 c. 6.

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

(c) 1889 c. 63.

(3) Goods falling within subheading 78.01AI shall not form part of the relevant quota unless they are certified by the Secretary of State as forming part of the relevant quota and any conditions attaching to the certificate issued in respect of the goods are complied with.

(4) Any certificate issued by the Secretary of State may be revoked or modified at any time.

4.—(1) Up to and including 31st December 1975, no import duty shall be charged on goods which fall within a heading or subheading specified in column 2 of Schedules 2 or 4 hereto and are of a description specified in column 1 thereof if they form part of the relevant quota.

(2) Up to and including 31st December 1975, any import duty for the time being chargeable on goods which fall within a subheading specified in column 2 of Schedule 3 hereto and are of a description specified in column 1 thereof shall be charged at the rate specified in column 3 thereof in relation to the subheading, instead of any higher rate which would otherwise apply, if they form part of the relevant quota.

5.—(1) For the purposes of Article 4 and, subject to Article 3(2), Article 3(1) of this Order goods shall be treated as forming part of the relevant quota in the order in which the importer delivers an entry thereof for home use (within the meaning of Sections 28 and 86 of the Customs and Excise Act 1952(a)), containing a claim for relief from import duty under the quota in the United Kingdom on or after 1st January 1975, or in the case of goods of a description specified in Schedule 4 hereto, on or after 1st April 1975.

(2) For the purposes of Article 4 of this Order the following classes of goods shall not be treated as forming part of the relevant quota, namely—

- (a) goods on which, apart from this Order, import duty would not be chargeable or would not be chargeable at a higher rate than that applying within the quota (whether because the goods originate in a particular country or area or in a developing country or otherwise);
- (b) 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.

6.—(1) So long as relief is available in respect of any relevant quota of goods of a description specified in any Schedule to this Order—

- (a) no import duty shall be charged or,
- (b) if the goods are subject to a reduced rate of duty within the quota import duty shall be charged at that rate instead of 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(b) (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.

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(a) 1952 c. 44.

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

7. Any description of goods in column 1 of any of the Schedules 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.

*S. Clinton Davis,*  
Parliamentary Under Secretary of State  
for Companies, Aviation and Shipping,  
Department of Trade.

23rd December 1974.

SCHEDULE 1

1	2	3
Description of Goods	Tariff subheadings	Community Instrument
All goods of this subheading	48.01 A	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.  2660/74  (O.J. No. L285, 27.9.74, p. 4.)
Paper which satisfies the definition of newsprint contained in the Additional note to Chapter 48 of the Customs Tariff 1959 except that it need not be watermarked or if watermarked is not watermarked as specified in that definition	ex 48.01 E	
All goods of this subheading	78.01 AI	2421/74 (O.J. No. L261, 27.9.74, p. 10.)

## SCHEDULE 2

1	2	3
Description of Goods	Tariff headings or subheadings	Community Instrument
		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 AII	2659/74 (O.J. L285, 22.10.74, p. 1.)
Plywood of coniferous species, without the addition of other substances, of a thickness greater than 9mm., 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 18.5mm.	ex 44.15 AI	2661/74 (O.J. L285, 22.10.74, p. 7.)
All goods of this subheading	73.02 C	2423/74 (O.J. No. L261, 27.9.74, p. 16.)
Unwrought magnesium		
(a) containing not less than 99.95% by weight of pure magnesium, intended for the nuclear industry and under Customs control or the administrative equivalent	ex 77.01 AII	3174/74 (O.J. No. L339, 18.12.74.)
(b) containing not less than 99.8% but less than 99.95% by weight of pure magnesium	ex 77.01 AII	
(c) containing less than 99.8% by weight of pure magnesium	77.01 AI ex 77.01 AII	
All goods of this subheading	78.01 AII	2421/74 (O.J. No. L261, 27.9.74, p. 10.)
All goods of this subheading	79.01 A	2422/74 (O.J. No. L261, 27.9.74, p. 13.)

1	2	3
Description of Goods	Tariff headings or subheadings	Community Instrument
Goods as specified below which meet the requirements of Articles 4 and 5 of the Regulation specified in Column 3		
Handwoven fabrics of silk or of waste silk other than noil;	ex 50.09	} 3110/74 (O.J. No. L337, 16.12.74.)
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 (other than terry products of cotton falling within heading No. 55.08 and fabrics falling within heading No. 58.05)	ex 58.04	
<i>Handicrafts</i>		
Goods as specified below which meet the requirements of Article 1(2) of the Regulation specified in Column 3:—		} approved by the Council of the European Communities on 19th December 1974
goods of these headings and subheadings;	ex 42.02 B ex 42.03 C ex 44.24 ex 44.27 ex 48.21 C	
cotton fabrics dyed or printed by hand by the "batik" process;	ex 55.09	
carpets and rugs;	ex 59.02 B	
ponchoes of wool;	ex 61.01 A ex 61.01 B ex 61.01 CII	
goods of these subheadings printed or dyed by hand by the "batik" process;	ex 61.02 AI ex 61.02 AII ex 61.02 AIII a) ex 61.02 AIII b) ex 61.02 BI ex 61.02 BII ex 61.02 BIII a) ex 61.02 BIII b)	
capoes, skirts and skirt lengths of wool;	ex 61.02 BI ex 61.02 BII ex 61.02 BIII b)	

1	2	3
Description of Goods	Tariff headings or subheadings	Community Instrument
goods of this heading (including of cotton fabric dyed by the "batik" process);	ex 61.06	
goods of wool;	ex 62.01 BII a) ex 62.01 BII b)2	
double curtains of wool;	ex 62.02 BI ex 62.02 BII b)2	
of cotton fabric dyed or printed by hand by the "batik" process;	ex 62.02 BI ex 62.02 BII a) ex 62.02 BII b)1 ex 62.02 BII b)2	
of cotton fabric dyed or printed by hand by the "batik" process;	ex 62.05 CI ex 62.05 CII a) ex 62.05 CII b)	
goods of this heading;	ex 64.05	
woollen berets;	ex 65.05	
goods of these headings and subheadings;	ex 66.02 ex 68.02 AIV 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 CII ex 95.06 B ex 95.07 B	
dolls in folk costume typical of the country of origin;	ex 97.02 A	
goods of this subheading	ex 97.03 A	

## SCHEDULE 3

1	2	3	4
Description of Goods	Tariff subheadings	Rates of duty	Community Instrument
All goods of these subheadings	08.04 BI a)	<i>Full</i> £0.0600 per cwt plus 0.4%	} 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 be- low.  2912/74 (O.J. No. L313, 25.11.74, p. 53.)
	08.04 BI b)	<i>C'wealth</i> £0.1200 per cwt plus 0.4%	
Yarn of this sub- heading wholly of silk	ex 50.04 B	2.5%	2419/74 (O.J. No. L261, 27.9.74, p. 4.)
Yarn of this sub- heading spun wholly of silk waste			
Dyed	ex 50.05 B	1.0%	} 2420/74 (O.J. No. L261, 27.9.74, p. 7.)
Not dyed	ex 50.05 B	0.6%	

## SCHEDULE 4

1	2	3
Description of Goods	Tariff headings or subheadings	Community Instrument
<i>Handicrafts</i>		
Goods as specified below which meet the requirements of Article 1(2) of the Regulation specified in Column 3:—		
goods of these subheadings;	ex 58.01 BI a) ex 58.01 BI b) ex 58.01 CI a) ex 58.01 CI b)	} 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, approved by the Council of the European Communities on 19th December, 1974
goods of this heading;	ex 58.10	
ponchoes of wool;	ex 61.02 BI ex 61.02 BII ex 61.02 BIII b)	
goods of these subheadings;	ex 61.05 AI ex 61.05 AII ex 61.05 AIII a) ex 61.05 AIII b)	
goods of this heading;	ex 61.07	
goods of this heading;	ex 61.08	
goods of this heading;	ex 61.11	
goods of these subheadings;	ex 62.01 AI ex 62.01 AII a) ex 62.01 AII b) ex 62.01 BI a) ex 62.01 BI b)1 ex 62.01 BI b)2	
goods of these subheadings excluding those of wool;	ex 62.01 BII a) ex 62.01 BII b)1 ex 62.01 BII b)2	
goods of these subheadings;	ex 62.05 AI ex 62.05 AII a) ex 62.05 AII b) ex 62.05 BI ex 62.05 BII a) ex 62.05 BII b)	
goods of these subheadings excluding articles of cotton fabric dyed or printed by hand by the "batik" process	ex 62.05 CI ex 62.05 CII a) ex 62.05 CII b)	



## EXPLANATORY NOTE

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

This Order, which comes into operation on 1st January 1975, 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 from third countries under the provisions of Community Instruments specified in the Schedules.

The Order provides for exemption from, or reduced rates specified in Schedule 3 of, duty applicable up to and including 31st December 1975 to imports of the relevant goods within the United Kingdom's shares of the quotas and that any goods which constitute part of each quota do so either under a certificate issued by the Secretary of State or in the order in which an entry for home use is made containing a claim for relief from import duty on or after 1st January 1975, or in the case of goods of a description specified in Schedule 4, on or after 1st April 1975.

The Order also provides that goods shall not constitute part of any quota if duty apart from this Order would not be chargeable, or would be chargeable at the quota rate, and that no duty shall be chargeable, or duty shall be chargeable only at the quota rate on goods satisfying the requisite conditions to benefit from the eventual abolition of customs duties between the United Kingdom and other member States of the Communities until after the relevant quota has been exhausted.

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