
 STATUTORY INSTRUMENTS

1981 No. 199

AGRICULTURE

The Agricultural Levies (Export Control) Regulations 1981

<i>Made - - - -</i>	16th February 1981
<i>Laid before Parliament</i>	24th February 1981
<i>Coming into Operation</i>	17th March 1981

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated^(a) in that behalf under section 2(2) of the European Communities Act 1972^(b), in exercise of the powers conferred on them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation, operation, interpretation

1.—(1) These regulations may be cited as the Agricultural Levies (Export Control) Regulations 1981 and shall come into operation on 17th March 1981.

(2) In these regulations—

“agricultural levy” means any tax or charge, not being a customs duty, chargeable under Community arrangements on agricultural products or on products which are processed from agricultural products and are the subject of arrangements under Article 235 of the EEC Treaty;

“the Board” means the Intervention Board for Agricultural Produce;

“the Commissioners” means the Commissioners of Customs and Excise;

“specified commodity” means a commodity referred to in the Schedule to these regulations.

Entry outward of specified commodities

2.—(1) Subject to paragraph (2) below, every specified commodity shall be entered before exportation in manner provided in section 53 of the Customs and Excise Management Act 1979^(c), and the exportation of a specified commodity which has not been so entered is prohibited.

(2) Nothing in paragraph (1) above, or in the said section 53 as applied by that paragraph, shall be taken—

(a) to require entry to be made of any commodity to be shipped as stores for use on a voyage or flight to an eventual destination outside the United Kingdom and the Isle of Man (but without prejudice to the operation of any requirement of that section apart from these regulations), or

(b) to affect the powers of the Commissioners to relax, in relation to any commodity, all or any of the requirements imposed by or under subsection (1) or (2) of that section.

(a) S.I. 1976/897.

(b) 1972 c. 68.

(c) 1979 c. 2.

Security for levies

3.—(1) Where, on the exportation of a specified commodity, a payment will become due to the Board in respect of agricultural levy, then before the exportation takes place, security for the payment shall be given to the satisfaction of the Board or, if the Commissioners in their discretion so permit and subject to any conditions they may impose, to the satisfaction of the Commissioners.

(2) Where in respect of any goods security is required under this regulation, but has not been given, the exportation of the goods is prohibited.

Revocation

4. The Agricultural Levies (Export Control) Regulations 1977(a) are hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 12th February 1981.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

16th February 1981.

George Younger,
Secretary of State for Scotland.

SCHEDULE
SPECIFIED COMMODITIES

Regulation 1(2)

PART I
Agricultural products

Common Customs Tariff Heading Number	Description
Chapter 1	Live animals.
Chapter 2	Meat and edible meat offals.
Chapter 3	Fish, crustaceans and molluscs.
Chapter 4	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included.
05.04	Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof.
05.15	Animal products not elsewhere specified or included; dead animals of Chapter 1 or Chapter 3, unfit for human consumption.
Chapter 6	Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage.
Chapter 7	Edible vegetables and certain roots and tubers.
Chapter 8	Edible fruit and nuts; peel of melons or citrus fruit.
Chapter 9	Coffee, tea and spices, excluding maté (heading No. 09.03).
Chapter 10	Cereals.
Chapter 11	Products of the milling industry; malt and starches; gluten; inulin.
Chapter 12	Oil seeds and oleaginous fruit; miscellaneous grains, seeds and fruit; industrial and medical plants; straw and fodder.
ex 13.03	Pectin.
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted.
15.02	Fats of bovine cattle, sheep or goats, unrendered; rendered or solvent-extracted fats (including "premier jus") obtained from those unrendered fats.
15.03	Lard stearin, oleostearin and tallow stearin; lard oil, oleo-oil and tallow oil, not emulsified or mixed or prepared in any way.
15.04	Fats and oils, of fish and marine mammals, whether or not refined.
15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified.

SCHEDULE—*continued*

Common Customs Tariff Heading Number	Description
15.12	Animal or vegetable oils and fats, wholly or partly hydrogenated, or solidified or hardened by any other process, whether or not refined, but not further prepared.
15.13	Margarine, imitation lard and other prepared edible fats.
15.17	Degras; residues resulting from the treatment of fatty substances or animal or vegetable waxes.
Chapter 16	Preparations of meat, of fish, of crustaceans or molluscs.
17.01	Beet sugar and cane sugar, in solid form.
17.02	Other sugars in solid form; sugar syrups, not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel.
17.03	Molasses.
18.01	Cocoa beans, whole or broken, raw or roasted.
18.02	Cocoa shells, husks, skins and waste.
Chapter 20	Preparations of vegetables, fruit or other parts of plants.
21.07F	Flavoured or coloured sugar syrups.
22.04	Grape must, in fermentation or with fermentation arrested otherwise than by the addition of alcohol.
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol.
22.07	Other fermented beverages (for example, cider, perry and mead).
22.08	Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80° vol or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength.
22.09	Spirits (other than those of heading No. 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as "concentrated extracts") for the manufacture of beverages.
22.10	Vinegar and substitutes for vinegar.
Chapter 23	Residues and waste from the food industries; prepared animal fodder.
24.01	Unmanufactured tobacco, tobacco refuse.
45.01	Natural cork, unworked, crushed, granulated or ground; waste cork.

SCHEDULE—*continued*

Common Customs Tariff Heading Number	Description
54.01	Flax, raw or processed but not spun, flax tow and waste (including pulled or garnetted rags).
57.01	True hemp (<i>Cannabis Sativa</i>) raw or processed but not spun; tow and waste of true hemp (including pulled or garnetted rags or ropes).

PART II

Products processed from agricultural products and subject to arrangements under Article 235 of the EEC Treaty

Goods listed in Annexes B and C to Council Regulation (EEC) No. 3035/80(a).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations replace with amendments provisions previously made by the Agricultural Levies (Export Control) Regulations 1977 which are revoked. They require the agricultural and processed products mentioned in the Schedule to the Regulations to be entered before exportation in manner required by section 53 of the Customs and Excise Management Act 1979, and provide for security to be given to the Intervention Board for Agricultural Produce or, in certain cases, the Commissioners of Customs and Excise for the payment of agricultural export levy chargeable on those products. The exportation of a specified commodity which has not been entered before exportation is prohibited, as is any exportation of goods in respect of which security is required by the Regulations, but has not been given.

These measures are in implementation of the obligation to protect funds of the European Agricultural Guidance and Guarantee Fund contained in Article 8 of Council Regulation (EEC) No. 729/70 (O.J. No. L94, 28.4.70, p. 13; O.J./S.E. 1970 (I) p. 218) on the financing of the common agricultural policy.

The changes from the 1977 Regulations are as follows:—

- (1) the exportation of commodities which have not been entered is prohibited;
- (2) the exception with regard to commodities shipped as stores has been clarified;
- (3) the Commissioners of Customs and Excise may, if they think fit, take security for payments when there has been a failure to give security to the Intervention Board;
- (4) the list of specified commodities has been brought up to date;
- (5) references to repealed enactments in the Customs and Excise Act 1952 have been replaced by references to corresponding enactments in the Customs and Excise Management Act 1979.

Under section 68 of the 1979 Act the exportation or attempted exportation of any goods, contrary to the prohibition in these Regulations, renders them liable to forfeiture. It also renders the exporter or intending exporter, or any agent of his concerned in the exportation or intended exportation, liable to the penalties set out in that section.

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