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STATUTORY INSTRUMENTS

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**1987 No. 2184**

**CUSTOMS AND EXCISE**

**The Customs Duties (ECSC) Order 1987**

*Approved by the House of Commons*

<i>Made</i>	-	-	-	-	<i>17th December 1987</i>
<i>Laid before the House of</i>					
<i>Commons</i>	-	-	-	-	<i>18th December 1987</i>
<i>Coming into force</i>	-	-			<i>1st January 1988</i>

The Treasury, by virtue of the powers conferred on them by section 5(1) and (3) of the European Communities Act 1972<sup>(1)</sup> and of all other powers enabling them in that behalf, on the recommendation of the Secretary of State, hereby make the following Order:

1. This Order may be cited as the Customs Duties (ECSC) Order 1987<sup>(2)</sup> and shall come into force on 1st January 1988.

2. This Order shall apply to goods covered by the ECSC Treaty included, for information purposes, in the Schedule of customs duties to the Combined Nomenclature, (hereinafter called “the Combined Nomenclature Schedule”), forming part of the common customs tariff of the European Economic Community<sup>(2)</sup>.

3.—(1) The nomenclature for the goods to which this Order applies shall be that set out in the Combined Nomenclature Schedule where the goods are of a description followed by the letters “ECSC” in column 2 in relation to any heading or subheading of Chapter 26, 27, 72 or 73 of the Combined Nomenclature Schedule and shall with the footnotes thereto be used in classifying such goods for the purposes of duties charged under this Order.

(2) The nomenclature so set out shall be interpreted and applied in accordance with Rules 1—6 in Part A of the General Rules preceding the Combined Nomenclature Schedule.

(3) The Rules in Part C of the said general Rules shall be applied both to the said nomenclature and to the customs duties charged under this Order.

4.—(1) Where in relation to any goods which are of a heading or subheading of Chapter 26, 27, 72 or 73 of the Combined Nomenclature Schedule and are of a description referred to in Article 3(1) hereto a rate of customs duty is shown in column 4 of the Combined Nomenclature Schedule and the duty does not solely relate to goods imported into another member State of the European

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(1) 1972 c. 68; section 5(3) was amended by the Customs and Excise Duties (General Reliefs) Act 1979 (c. 3), section 19(1) and Schedule 2, paragraph 3.

(2) See, Council Regulation (EEC) No. 2658/87, (OJ No. L256 7.9.1987, p.1).

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Communities, then, on the importation into the United Kingdom of goods classified in that heading or subheading, other than goods imported from another member State which originate in or are in free circulation in that State, there shall be charged a duty of customs at the rate so shown, unless the goods are exempt from duty by virtue of the provisions of article 5 or 6 below.

(2) Paragraph (1) above shall not apply in relation to any goods on which any customs duty is charged by the Customs Duties (Spain and Portugal) Order 1987<sup>(3)</sup>.

(3) Any question under this article whether goods at any time originate in or are in free circulation in a member State shall be determined in accordance with the Treaties.

5. No customs duty shall be charged on goods to which this Order applies intended for incorporation in the ships, boats or other vessels listed in Part A of the Special Provisions preceding the Combined Nomenclature Schedule for the purpose of their construction, repair, maintenance or conversion, or intended for fitting to or equipping such ships, boats or other vessels.

6.—(1) No customs duty shall be charged in the case of goods to which this Order applies originating in a country named in Part I or II of Schedule 1 hereto.

(2) For the purposes of this article goods shall be regarded as originating in any such country—

- (a) named in Part I if they are regarded as originating in that country by applying the provisions of the Protocol to the Agreements;
- (b) named in Part II if they are regarded as originating in that country by virtue of the application of the provisions relating to origin of goods in Council and Commission Decision No. 86/125/EEC, ECSC<sup>(4)</sup> or Council Decision 86/283/EEC<sup>(5)</sup>.

(3) In this article—

- (i) “country” includes territory and references to a country include references to any area consisting of two or more countries;
- (ii) “the Agreements” means the Agreements made between the European Economic Community and the countries specified in column 1 of Schedule 2 hereto and signed on the dates specified in column 2.

7. Any reference to a rate of duty expressed as a percentage is a reference to that percentage of the value of the goods.

8. The Customs Duties (ECSC) (No. 2) Order 1985<sup>(6)</sup> is hereby revoked.

17th December 1987

*Michael Neubert*  
*David Lightbown*  
 Two of the Lords Commissioners of Her  
 Majesty’s Treasury

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(3) S.I. 1987/2183.

(4) OJ No. L86, 31.3.1986, p.1.

(5) OJ No. L175, 1.7.1986, p.1.

(6) S.I. 1985/1630, amended by S.I. 1985/2020, 1986/348, 813, 1352, 2179, 1987/973, 1053, 1125, 1218, 1804, 1902.

## SCHEDULE 1

Article 6

### PART I

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Algeria  
Austria  
Egypt  
Finland  
Israel  
Jordan  
Lebanon  
Morocco  
Norway  
Sweden  
Switzerland  
Syria  
Tunisia  
Yugoslavia

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### PART II

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African, Caribbean and Pacific States

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Antigua and Barbuda  
Bahamas  
Barbados  
Belize  
Benin  
Botswana  
Burkina, People's Democratic Republic of  
Burundi  
Cameroon  
Cape Verde  
Central African Republic  
Chad  
Comoros  
Congo, People's Republic of

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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African, Caribbean and Pacific States

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Djibouti  
Dominica  
Equatorial Guinea  
Ethiopia  
Fiji  
Gabon  
Gambia  
Ghana  
Grenada  
Guinea  
Guinea Bissau  
Guyana  
Ivory Coast  
Jamaica  
Kenya  
Kiribati  
Lesotho  
Liberia  
Madagascar  
Malawi  
Mali  
Mauritania  
Mauritius  
Mozambique  
Niger  
Nigeria  
Papua New Guinea  
Rwanda  
St. Christopher and Nevis, Federation of  
St. Lucia  
St. Vincent  
São Tomé and Príncipe  
Senegal  
Seychelles

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African, Caribbean and Pacific States

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Sierra Leone  
Solomon Islands  
Somalia  
Sudan  
Surinam  
Swaziland  
Tanzania  
Togo  
Tonga  
Trinidad and Tobago  
Tuvalu  
Uganda  
Vanuatu  
Western Samoa, Independent State of  
Zaire  
Zambia  
Zimbabwe

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Overseas Countries and Territories

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Anguilla  
British Antarctic Territory  
British Indian Ocean Territory  
British Virgin Islands  
Cayman Islands  
Falkland Islands  
Falkland Island Dependencies  
French Polynesia  
French Southern and Antarctic Territories  
Greenland  
Mayotte  
Montserrat  
Netherlands Antilles (Aruba, Bonaire, Curaçao, St. Martin, St. Eustatius)  
New Caledonia and Dependencies  
Pitcairn  
St. Helena

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Overseas Countries and Territories

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St. Helena Dependencies

Turks and Caicos Islands

Wallis and Futuna Islands

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SCHEDULE 2

Article 6(3)

AGREEMENTS BETWEEN THE EUROPEAN  
ECONOMIC COMMUNITY AND THIRD COUNTRIES

(1) Third Country	(2) Date	(3) Council Regulation (EEC)	(4) Footnote
Austria	22nd July 1972	2836/72	(7)
Sweden	22nd July 1972	2838/72	(8)
Switzerland	22nd July 1972	2840/72	(9)
Norway	14th May 1973	1691/73	(10)
Finland	5th October 1973	3177/73	(11)
Israel	11th May 1975	1274/75	(12)
Tunisia	25th April 1976	1289/76	(13)
Algeria	26th April 1976	1287/76	(14)
Morocco	27th April 1976	1288/76	(15)
Egypt	18th January 1977	1030/77	(16)
Jordan	18th January 1977	1032/77	(17)
Syria	18th January 1977	1031/77	(18)
Lebanon	3rd May 1977	1109/77	(19)
Yugoslavia	2nd April 1980	314/83	(20)

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- (7) OJ No. L300, 31.12.1972, p.1. (OJ/SE 1972 (31 Dec) p.3).  
 (8) OJ No. L300, 31.12.1972, p.96. (OJ/SE 1972 (31 Dec) p.98).  
 (9) OJ No. L300, 31.12.1972, p.188. (OJ/SE 1972 (31 Dec) p.190).  
 (10) OJ No. L171, 27.6.1973, p.1.  
 (11) OJ No. L328, 28.11.1973, p.1.  
 (12) OJ No. L136, 28.5.1975, p.1.  
 (13) OJ No. L141, 28.5.1976, p.194.  
 (14) OJ No. L141, 28.5.1976, p.1.  
 (15) OJ No. L141, 28.5.1976, p.97.  
 (16) OJ No. L126, 23.5.1977, p.1.  
 (17) OJ No. L126, 23.5.1977, p.166.  
 (18) OJ No. L126, 23.5.1977, p.89.  
 (19) OJ No. L133, 27.5.1977, p.1.  
 (20) OJ No. L41, 14.2.1983, p.1.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, which comes into force on 1st January 1988, revokes and replaces the provisions formerly contained in the Customs Duties (ECSC) (No. 2) Order 1985. The remaking of the Order has been necessitated by the introduction of the Harmonised System of goods nomenclature into the Community from 1st January 1988. The Order charges customs duties in accordance with the unified ECSC tariff on certain ECSC products imported into the United Kingdom, except from other member States of the European Coal and Steel Community (ECSC), (other than Spain, for which duties are charged in accordance with the Treaty of Accession), and from certain other countries named in Schedule 1.