STATUTORY INSTRUMENTS

2020 No. 1436

The Customs (Origin of Chargeable Goods: Trade Preference Scheme) (EU Exit) Regulations 2020

Derogation in respect of use of non-originating materials

9.—(1) Non-originating materials which, according to the conditions set out in the table in Part 2 of Schedule 1, are not to be used in the manufacture of the goods, may nevertheless be used provided that—

(a) in relation to goods falling within any of Chapters 2 and 4 to 24 except processed fishery goods mentioned in Chapter 16, the net weight of the non-originating materials does not exceed 15% of the net weight of the goods;

(b) in relation to goods to which sub-paragraph (a) does not apply except goods falling within any of Chapters 50 to 63, for which the allowances mentioned in Notes 4 and 5 of Part 1 of Schedule 1 apply, the total value of the non-originating materials does not exceed 15% of the ex-works price of the goods; and

(c) the percentage for the maximum content of non-originating materials in relation to the goods as specified in the table in Part 2 of Schedule 1 is not exceeded.

(2) But paragraph (1) does not apply to goods which are to be regarded as wholly obtained in a beneficiary country under regulation 6.

(3) The allowance under the derogation in paragraph (1) applies to the sum of all the materials used in the manufacture of the goods where the condition in respect of those goods as set out in the table in Part 2 of Schedule 1 is that such materials be wholly obtained in the beneficiary country but this does not affect the application of regulations 7(2) and 10(1).