

SCHEDULES

SCHEDULE 3

Regulation 32

Definitions used in Part 5 (Trade)

PART 1

General

Definitions

1.—(1) For the purposes of this Schedule—

- (a) a thing “falls within” a commodity code if it is, or would be, classified under that commodity code, as set out in the Goods Classification Table;
- (b) a thing “falls within” a chapter if it is, or would be, classified under that chapter, as set out in the Goods Classification Table;
- (c) where a commodity code or chapter is preceded by “ex”, the goods specified in this Schedule constitute only a part of the scope of the commodity code or chapter and must fall within both the description given to that code or chapter in this Schedule and the scope of the code or chapter in the Goods Classification Table.

(2) For the purposes of determining whether or not a thing is, or would be, “classified” in accordance with sub-paragraph (1), the rules of interpretation contained in the following have effect—

- (a) Part Two (Goods Classification Table Rules of Interpretation) of the Tariff of the United Kingdom;
- (b) notes to a section or chapter of the Goods Classification Table.

(3) For the purposes of this paragraph—

“commodity code” includes a code denoting a heading or sub-heading;

“the Goods Classification Table” means the table so named in Annex # in Part Three of the Tariff of the United Kingdom;

“the Tariff of the United Kingdom” means the document containing the legal classification and import rate for products being imported into the United Kingdom, entitled “The Tariff of the United Kingdom” as revised or reissued from time to time⁽¹⁾, including by any document published under regulations made under section 8(1) of the Taxation (Cross-border Trade) Act 2018⁽²⁾ replacing the same in whole or in part.

(1) The Tariff of the United Kingdom, Version 1.0 dated 8 December 2020 is available electronically from: <https://www.gov.uk/government/publications/reference-document-for-the-customs-tariff-establishment-eu-exit-regulations-2020>. A hard copy is available for inspection free of charge at the offices of HMRC at 100 Parliament Street, London, SW1A 2BQ.

(2) 2018 ch.22.

Status: This is the original version (as it was originally made).

PART 2

Goods which could be used for migrant smuggling and human trafficking subject to trade prohibitions

2. For the purposes of regulation 32, “goods which could be used for migrant smuggling and human trafficking” means any thing which falls within the following commodity codes—

- (a) 8407 21;
- (b) ex 8408 10, provided that it is an outboard motor for marine propulsion with a compression ignition;
- (c) ex 8501 31, provided that it is an electrical outboard motor for marine propulsion of an output not exceeding 750 W;
- (d) ex 8501 32, provided that it is an electrical outboard motor for marine propulsion of an output exceeding 750 W but not exceeding 75 kW;
- (e) ex 8903 10, provided that it is an inflatable vessel for pleasure or sports;
- (f) ex 8903 99, provided that it is an outboard motor boat.