

1974 No. 2189

CUSTOMS AND EXCISE

The Export of Goods (Control) (Amendment No. 5) Order 1974

<i>Made</i> - - - -	<i>23rd December 1974</i>
<i>Coming into Operation</i>	
for the purposes of Article 2(a), (d), (f), and (g) - - - -	<i>1st January 1975</i>
for all other purposes	<i>13th January 1975</i>

The Secretary of State, in exercise of the powers conferred by section 1 of the Import, Export and Customs Powers (Defence) Act 1939(a) and now vested in him (b), hereby orders as follows:—

1.—(1) This Order may be cited as the Export of Goods (Control) (Amendment No. 5) Order 1974 and shall come into operation for the purposes of Article 2(a), (d), (f) and (g) on 1st January 1975 and for all other purposes on 13th January 1975.

(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.

2. The Export of Goods (Control) Order 1970(d), as amended (e), shall have effect as if:

(a) in Article 3(1)—

at the end of the definition of “goods” there were inserted the following:

“and, except where the context otherwise requires, includes ships;

“import certificate” means a certificate issued by the Secretary of State for the purposes of this Order certifying that an importer has undertaken with the Secretary of State to import into the United Kingdom the goods specified in the certificate:

Provided that any import certificate within the meaning of the Control of Goods (Import Certificates) Order 1951(f), as amended (g), and in force immediately before the coming into operation of this Order shall have effect in like manner as if it had been granted under the corresponding provisions of this Order;

(a) 1939 c. 69.

(c) 1889 c. 63.

(e) The amending orders are not relevant to the subject matter of this Order.

(f) S.I. 1951/1016 (1951 III, p. 548).

(b) See S.I. 1970/1537 (1970 III, p. 5293).

(d) S.I. 1970/1288 (1970 III, p. 4270).

(g) S.I. 1957/142 (1957 II, p. 2384).

“importation” and “exportation” in relation to a ship includes the taking of the ship into or out of the United Kingdom notwithstanding that the ship is conveying goods or passengers, and whether or not it is moving under its own power, and cognate expressions shall be construed accordingly;

“ship” includes the hull or part of the hull of a ship;”;

(b) in Article 4, at the end of paragraph (i) there were inserted the following:

“and goods of a description included in Group 7 of the said Schedule and therein indicated by the letter S are prohibited to be exported from the United Kingdom to any port or destination after delivery, or for the purpose of delivery, directly or indirectly, to a person in Albania, Bulgaria, China, Czechoslovakia, the German Democratic Republic, Hungary, North Korea, North Vietnam, Poland, Romania and the Union of Soviet Socialist Republics;”;

(c) in Article 4(ii), after “A” there were inserted “or S”;

(d) in Article 4 at the end of paragraph (iii) there were inserted the following:

“(iv) all goods in relation to the export of which from any country an import certificate has been issued (whether before or after the coming into operation of this Order) and which have been imported into the United Kingdom are prohibited to be exported from the United Kingdom or shipped as ships’ stores.”;

(e) at the end of Article 5(1) (certain exceptions to export control) there were inserted the following:—

“Ships

(n) any ship registered, or constructed, outside the United Kingdom which is being re-exported after temporary importation into the United Kingdom.

(o) any ship which is departing from the United Kingdom on trials.”

(f) Article 5(1)(i) were ~~deleted~~;

(g) in Article 10(1) before “licence” there were inserted the following:

“import certificate or” and for “Article 5(1)(a)” there shall be substituted “Articles 4(iv) or 5(1)(a)”;

(h) in Schedule 1, Group 1, there were included the following entry:

“Ships of war, designed for offensive or defensive action (surface or underwater) whether or not converted to non-military use ... A”;

(i) in Schedule 1, Group 7, there were included the following entry:

“Ships, the following:—

- | | | | | | | |
|--|-----|-----|-----|-----|-----|---|
| (1) Hydrofoil vessels; | ... | ... | ... | ... | ... | S |
| (2) Ships, sea going, including sea going fishing vessels and coasters designed for speeds of over 26 knots when fully loaded; | ... | ... | ... | ... | ... | S |

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- (3) Ships with hulls and propulsion machinery made wholly or primarily of non-magnetic materials; S
- (4) Ships with decks and platforms specially strengthened to receive weapons; S
- (5) Ships fitted with any of the following:—
- (a) Apparatus and equipment specified in Group 1 of this Schedule; S
- (b) Apparatus and equipment specified in the entries in Group 3 of this Schedule relating to—
- (i) apparatus of a kind used for detecting or locating objects under water;
- (ii) communication, detection and tracking equipment;
- (iii) communication, navigation, direction finding and radar equipment and
- (iv) compasses and gyroscopic apparatus S
- (c) Degaussing equipment... .. S".

D. N. Royce,
An Under Secretary,
Department of Trade.

23rd December 1974.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Export of Goods (Control) Order 1970 by including certain classes of ships, and imported goods in respect of which an import certificate has been issued by the Secretary of State, among the goods of which the export is controlled. Import Certificates are saved which were granted under an Order having effect as if made under section 3 of the Emergency Laws (Re-enactments and Repeals) Act 1964 (c. 60) which expires on 31st December 1974.

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