STATISTICS OF TRADE

1956 No. 1733

The Census of Distribution (1958) Order, 1956

Made - - - -	*5th November,* 1956
Laid before Parliament	*12th November,* 1956
Coming into Operation	*31st December,* 1956

The Board of Trade, in pursuance of the powers conferred upon them by Sections 2 and 11 of the Statistics of Trade Act, 1947(a) (hereinafter referred to as " the Act "), and all other powers in that behalf enabling them, hereby order as follows :—

Year of Census

1. The calendar year 1958 is hereby prescribed, for the purposes of subsection (1) of Section 2 of the Act, as a calendar year in which the Board of Trade shall take a census of distribution and other services (the census to be so taken is hereinafter referred to as " the census ").

Scope of the Census

2.—(1) The undertakings included in Part I of the First Schedule hereto are hereby prescribed as the undertakings in the field of distribution to which the census, insofar as it relates to distribution, is confined.

(2) The undertakings included in the Second Schedule hereto are hereby prescribed as the undertakings in the field of other services to which the census, insofar as it relates to other services, is confined.

Exempted persons

3.—(1) Any person carrying on an undertaking prescribed under Article 2 during any period in relation to which, but for the provisions of this paragraph, a return or returns in respect of that undertaking would be required to be furnished for the purposes of the census, shall be exempted from the obligation to furnish any such return to the extent to which information required to be included therein in respect of that undertaking is furnished, in respect of that undertaking,—

(*a*) to the Minister of Fuel and Power in pursuance of, and within such time as is specified in—

(i) a notice served upon that person before the 31st day of March, 1958, by the said Minister under Section 1 of the Act ; or

(ii) a requirement duly made of that person before the 31st day of March, 1958, by the said Minister under Section 5 of the Electricity Act, 1947(b), or Section 7 of the Gas Act, 1948(c) ; or

(*b*) to the Secretary of State in pursuance of, and within such time as is specified in, a requirement duly made of that person before the 31st day of March, 1958, by the Secretary of State under Section 23 of the Hydro-Electric Development (Scotland) Act, 1943(d), as amended by the Electricity Act, 1947, and adapted by the Electricity Reorganisation (Scotland) Act, 1954(e).

(a) 10 & 11 Geo. 6. c. 39. (b) 10 & 11 Geo. 6. c. 54. (c) 11 & 12 Geo. 6. c. 67.
(d) 6 & 7 Geo. 6. c. 32. (e) 2 & 3 Eliz. 2. c. 60.

(2) Any person carrying on an undertaking prescribed under paragraph (1) of Article 2 during any period in relation to which a return or returns may be required to be furnished for the purposes of that part of the census which relates to distribution shall, if that undertaking is one described in column 1 of Part II of the First Schedule hereto in the course of whose business any activity specified in relation thereto in column 2 of that Part is carried on, be exempted from any obligation to furnish any such return insofar as it relates to that activity.

Matters to which returns may relate

4. The matters about which a person may be required to furnish returns for the purposes of the census shall be all the matters set out in the Schedule to the Act.

Interpretation, citation and commencement

5.—(1) The Interpretation Act, 1889(**a**) shall apply to the interpretation of this Order in like manner as it applies to the interpretation of an Act of Parliament.

(2) This Order may be cited as the Census of Distribution (1958) Order, 1956, and shall come into operation on the 31st day of December, 1956.

Dated this 5th day of November, 1956.

Peter Thorneycroft,
President of the Board of Trade.

FIRST SCHEDULE

PART I

The undertakings referred to in paragraph (1) of Article 2 as the undertakings in the field of distribution to which the census, insofar as it relates to distribution, is confined are all undertakings in the field of distribution except:—

(*a*) any water supply undertaking in England and Wales carried on by statutory water undertakers within the meaning of Section 59 of the Water Act, 1945(**b**) as amended by the Water Act, 1948(**c**);

(*b*) any water supply undertaking in Scotland carried on by local water authorities within the meaning of the Water (Scotland) Act, 1946(**d**);

(*c*) any undertaking whose business in the field of distribution is confined to the supply of water through pipes and which, being in England or Wales, is not a statutory water undertaking or, being in Scotland, is not a local water authority;

(*d*) any undertaking whose business in the field of distribution is confined to distribution by wholesale;

(*e*) any undertaking whose business in the field of distribution is confined to distribution of—

coal and other solid fuels
timber
building materials other than wallpapers and paints
corn, seeds, fertilisers and other agricultural supplies
motor vehicles

or any combination of such items;

(*f*) any undertaking whose business in the field of distribution is confined to sales by auction;

(*g*) any public house undertaking.

(**a**) 52 & 53 Vict. c. 63.
(**b**) 8 & 9 Geo. 6. c. 42.
(**c**) 11 & 12 Geo. 6. c. 22.
(**d**) 9 & 10 Geo. 6. c. 42.

PART II

Column 1	Column 2
Description of undertaking.	Activities in respect of which a person carrying on the corresponding undertaking described in Column 1 is exempted from the obligation to furnish returns under that part of the census which relates to distribution.
1. Electricity supply undertakings carried on by the Central Electricity Authority or Area Boards established under the Electricity Act, 1947, or by the North of Scotland Hydro-Electric Board established under the Hydro-Electric Development (Scotland) Act, 1943, or by the South of Scotland Electricity Board established under the Electricity Reorganisation (Scotland) Act, 1954.	1. The supply of electricity.
2. Gas supply undertakings carried on by the Gas Council or Area Boards established under the Gas Act, 1948.	2. The supply of gas.
3. Any undertaking whose business in the field of distribution includes, but is not confined to, the supply of water through pipes.	3. The supply of water through pipes.

SECOND SCHEDULE

The undertakings referred to in paragraph (2) of Article 2 as the undertakings in the field of other services to which the census, insofar as it relates to other services, is confined are undertakings which provide any of the following services:—

1. Hairdressing, manicuring or beauty culture service not being any such service provided—
   (*a*) in an hotel, hostel, service flat, holiday camp or other similar residential establishment exclusively for the benefit of residents in such establishment; or
   (*b*) in any club exclusively for the benefit of members thereof.
2. Repairing footwear otherwise than for the trade.
3. Provision of finance in respect of the sale of goods under hire purchase or credit sale agreements.
4. Check trading, that is to say, trading carried on by any person in the course whereof financial facilities are provided in relation to the acquisition of goods from that or any other person, and in connection with the provision of those facilities checks, orders, vouchers, tallies, or similar documents or things issued to facilitate the acquisition of goods are supplied for a consideration payable in a lump sum, or by instalments, or in some other manner.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order prescribes the calendar year 1958 as a year in which the Board of Trade shall take a census of distribution and other services for the purposes of the Statistics of Trade Act, 1947.

The Order also describes the undertakings in the field of distribution and in the field of other services to which the census will relate.

The undertakings in the field of distribution which are excluded from the census are :—

Statutory water undertakings in England and Wales, local water authorities in Scotland and any undertaking whose sole distributive activity is that of supplying piped water ;

Undertakings whose distributive business is confined to wholesale distribution ;

Undertakings whose distributive business consists only of the distribution of coal and other solid fuels, timber, building materials other than wallpapers and paints, corn, seeds, fertilisers and other agricultural supplies, motor vehicles, or any combination of such items ;

Undertakings whose distributive business consists solely in selling by auction ;

Public houses.

In the field of other services the census will cover only the following services :—

Hairdressing, manicure and beauty culture ;

Repairing footwear for the general public ;

Provision of finance for the sale of goods under hire purchase or credit sale agreements ;

Check trading.

The census will relate to electricity and gas undertakings, but will not cover the supply by them of gas or electricity and they are therefore exempted from making returns in this census relating thereto. The census will relate to the supply of other articles by such undertakings, but if they furnish to the Ministry of Fuel and Power or the Secretary of State such information concerning those activities as is required of them by that Ministry or the Secretary of State they will not be required to furnish it again in a return to the Board of Trade.

Undertakings which, in addition to other distributive activities, supply piped water are exempted from the obligation to furnish returns in regard to their water supply activities.

The Order further provides that the returns to be furnished in the census may relate to all the matters set out in the Schedule to the Statistics of Trade Act, 1947.