(4) Article fifty-five (which provides that any person aggrieved by any act, decision or omission of a Local Fuel Overseer, other than in respect of certain matters there specified, may appeal therefrom to the Regional Coal Officer) shall not apply to anything done in pursuance of this article."

3. In sub-paragraph (*a*) of paragraph (1) of article seventy-eight (which relates to interpretation) the following shall be substituted for the meaning assigned to the expression "licensed merchant":—

"'licensed merchant' means a person carrying on an undertaking in the course of which supplies of coal are furnished, being, in relation to the district of any Local Fuel Overseer, or to any controlled premises in any such district, a person whose name is entered in the Licensed Merchants Register for that district, and shall include the servant or agent, acting in the course of his employment, of any such person".

4. This order shall come into operation on the fifth day of March, nineteen hundred and fifty-one, and may be cited as the Coal Distribution (Amendment) Order, 1951.

Dated this second day of March, nineteen hundred and fifty-one.

Philip Noel-Baker,
Minister of Fuel and Power.

EXPLANATORY NOTE

(*This note is not part of this order, but is intended to indicate its general purport.*)

This order amends the Coal Distribution Order, 1943, so as to enable an occupier of controlled premises to change his licensed merchant without giving reasons, provided he has applied or applies to the Local Fuel Overseer during the month of March, 1951.

The Local Fuel Overseer is required to give effect to the change from 1st May, 1951, or, in the case of premises for which an allocation of coal has been made for a period which includes that date, from the day after the end of that period.

The order also substitutes a new definition for the expression "licensed merchant" in the Coal Distribution Order, 1943, to make it clear that registration in the Licensed Merchants Register for any district relates only to that district.

The Coal Distribution (Amendment) (No. 2) Order, 1951

1951 No. 1412

Made - - - -	3*rd August*, 1951
Laid before Parliament	4*th August*, 1951
Coming into Operation	13*th August*, 1951

The Minister of Fuel and Power, in pursuance of the powers conferred upon him by Regulations fifty-five, fifty-five AA and ninety-eight of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and

Services (Transitional Powers) Act, 1945(a) (as extended by the Supplies and Services (Extended Purposes) Act, 1947(b), and the Supplies and Services (Defence Purposes) Act, 1951(c), and continued in force by the Supplies and Services (Continuance) Order, 1950(d)), and of all other powers him enabling in that behalf, hereby orders as follows:—

Amendment of Coal Distribution Order, 1943

1. The Coal Distribution Order, 1943(e), as amended(f), shall have effect subject to the modifications specified in this order.

2. The following article shall be inserted after article thirty-four:—

"Separate registration for coke.

35.—(1) Notwithstanding that there is a licensed merchant appearing in the Controlled Premises Register as the licensed merchant for the time being authorised to furnish supplies of coal in relation to any controlled premises, a coke producer, being a licensed merchant, shall be entered in that register as the licensed merchant for the time being authorised to furnish supplies of coke in relation to those premises, if—

(*a*) his name appeared in the said register as such immediately before the ninth day of June, nineteen hundred and fifty; or

(*b*) the local fuel overseer consents to such entry on application made by the occupier of the premises:

Provided that no such entry shall be made (or, if such an entry has been made, it shall be cancelled) if, in a case to which, but for this proviso, sub-paragraph (*a*) would apply, the occupier of the premises notifies the local fuel overseer, before the thirty-first day of October, nineteen hundred and fifty-one, that he does not desire supplies of coke to be furnished by the coke producer concerned.

(2) Any application under sub-paragraph (*b*) of the foregoing paragraph shall be made to the local fuel overseer in writing, signed by the occupier concerned, and shall contain particulars of the address of the premises, the name of the licensed merchant for the time being authorised to furnish supplies of coal in relation to those premises, and the name and address of the coke producer.

(3) The local fuel overseer shall give notice of each separate registration for coke made in pursuance of paragraph (1) to the occupier of the premises concerned and to the coke producer and to the licensed merchant for the time being authorised to furnish supplies of coal in relation to those premises; and the provisions of this order shall have effect as if the coke producer were another licensed merchant authorised to furnish supplies of coal in relation to the premises.

(4) If notice is given in pursuance of the last foregoing paragraph of a separate registration for coke for any controlled premises, nothing in this order, or in any document issued, or register

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1618 and 1625) II, pp. 48 and 56.
(b) 10 & 11 Geo. 6. c. 55.
(c) 14 & 15 Geo. 6. c. 25.
(d) S.I. 1950 (No. 1769) III, p. 51.
(e) S.R. & O. 1943 (No. 1138) II, p. 378.
(f) The relevant amending orders are S.I. 1950 (No. 897) III, p. 391; and S.I. 1951 No. 347, p. 49 above.

entry made, under the provisions of this order, shall, while that separate registration is effective, be taken to authorise any licensed merchant other than the coke producer concerned to furnish a supply of coke for consumption in those premises, or to authorise the occupier to acquire coke for such consumption from any such other merchant:

Provided that the Minister or the local fuel overseer may by licence authorise a supply of coke being furnished by and acquired from such an other merchant for consumption in any controlled premises specified in the licence."

3. The following article shall be substituted for article sixty-five:—

Small quantities.

65. Nothing in this order shall restrict the furnishing or acquisition of coal in a quantity not exceeding at any one time, in the case of—

(*a*) coke, fifty-six pounds;

(*b*) any other class or description of coal, twenty-eight pounds."

4. In sub-paragraph (*a*) of paragraph (1) of article seventy-eight (which relates to interpretation)—

(*a*) there shall be inserted, in the meaning assigned to the expression "coal", after the word "anthracite" the word ", coke";

(*b*) the following meaning shall be assigned to the expression "coke producer"—

"coke producer" means a person who produces coke and who is a licensed merchant.

5. This order shall come into operation on the thirteenth day of August, nineteen hundred and fifty-one, and may be cited as the Coal Distribution (Amendment) (No. 2) Order, 1951.

Dated this third day of August, nineteen hundred and fifty-one.

Philip Noel-Baker,
Minister of Fuel and Power.

EXPLANATORY NOTE

(*This note is not part of this order, but is intended to indicate its general purport.*)

This order amends the Coal Distribution Order, 1943, so that it applies to coke.

Occupiers of controlled premises may obtain supplies of coke only from their registered merchants, who will be their coal merchants, unless they are separately registered with a coke producer. This separate registration will be made in the case of all occupiers who were so registered immediately before 9th June, 1950, when coke was freed from control (unless they state that they do not wish to be so registered now), and also, subject to the consent of the Local Fuel Overseer, in the case of those who apply for a separate registration after this order comes into operation.

The provision in the principal order under which supplies in small quantities are excluded from the restrictions is to apply in the case of coke with the substitution of 56 lbs. for 28 lbs.