" manufactured fuel " includes any manufactured fuel of which coal or anthracite is the principal constituent but does not include household coal briquettes.

Commencement and citation.

**4.**—(1) This Order shall come into force on the first day of November, 1951.

(2) This Order may be cited as the Coal Distribution (Restriction) (Northern Ireland) Order, 1951.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this twenty-fifth day of October, 1951, in the presence of

(L.S.) *W. Crone*,
Assistant Secretary.

## Coal Supply

THE COAL SUPPLY (NORTHERN IRELAND) ORDER, 1951.

1951. No. 158

In exercise of the powers under Regulations 55 and 55AA (1) 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 continued in force by the Supplies and Services (Continuance) Order, 1950, (**c**) ) delegated to it by instruments of delegation made respectively by the Board of Trade on 26th May, 1941, and the Minister of Fuel and Power on 16th October, 1943, under the said Regulations, as having effect as aforesaid, and of all other powers it enabling, the Ministry of Commerce for Northern Ireland (hereafter in this Order referred to as " the Ministry ") hereby makes the following Order :—

General restriction on import of coal.

**1.** (1) No person shall import coal into Northern Ireland unless authorised so to do by a licence granted under this paragraph by the Ministry.

(2) If, immediately before the commencement of this Order, a person —

(*a*) was carrying on a business which included the importation of coal into Northern Ireland ; and

(*b*) was registered in the Coal Importers' Register maintained by the Ministry under the Coal Supply (Northern Ireland) Order, 1942, (**d**) (in this Order referred to as the " 1942 Order ") ;

a licence shall be granted to him under the preceding paragraph.

(a) 9 & 10 Geo. 6 c.10 & S. R. & O. 1945 No. 1618. (b) 10 & 11 Geo. 6 c.55.
(c) S.I. 1950 No. 1769. (d) S. R. & O. (N.I.) 1942 No. 125.

General Restriction on supply of coal.

2. (1) No person shall supply, or offer or agree to supply, coal retail unless authorised so to do by a licence granted under this paragraph by the Ministry.

(2) No person shall supply, or offer or agree to supply coal retail otherwise than to an occupier of premises to which his licence relates (as defined in the next succeeding paragraph).

(3) A licence granted under paragraph (1) of this Article shall not be deemed to authorise the supply of coal retail to any person other than an occupier of premises for the time being specified with respect to that licence by the Ministry; and in this Order, in relation to any person to whom any such licence is granted, a reference to the premises to which his licence relates shall be construed as a reference to the several premises specified as aforesaid with respect to that licence.

(4) The Ministry shall maintain a register for the purposes of this Order (in this Order referred to as the " Coal Distribution Register ") and shall record therein —

(*a*) the name and address of every person for the time being authorised under paragraph (1) to supply coal retail; and

(*b*) in relation to each such person, the premises to which his licence relates.

(5) Any occupier of premises who is or becomes aware that those premises have been specified as aforesaid with respect to more than one licence current at any one time shall, within fourteen days of each such specification other than the first, or (if later in the case of any such specification) of the date on which he became aware of it, give notice in writing thereof to the Ministry at Chichester House, Chichester Street, Belfast, and shall specify which of the said licences he desires to be related to the premises occupied by him:

Provided that where the Ministry gives notice in writing to the occupier of any premises that those premises may for the purposes of this Order be specified with respect to more than one licence, nothing in this paragraph shall apply in relation to any licence mentioned in that notice.

Special provisions as to certain supplies.

3. (1) If, immediately before the commencement of this Order, a person was carrying on a business which included the supply of coal retail, and was then —

(*a*) a coal merchant registered in the Coal Merchants' Register maintained by the Ministry under the 1942 Order; or

(*b*) a bellman who had furnished a list of customers to the Ministry in pursuance of the 1942 Order, or who had been authorised under that Order to supply coal retail to the occupier of any premises;

a licence to supply coal retail shall be granted to him under paragraph (1) of the last preceding Article.

(2) The following premises shall be specified with respect to the licence of any person to whom the preceding paragraph applies, that is to say —

(*a*) in the case of a coal merchant, all premises to the occupiers of which he was, immediately before the commencement of this Order, authorised in pursuance of the 1942 Order to supply coal retail ;

(*b*) in the case of a bellman, all premises to the occupiers of which he was, immediately before such commencement, retail supplier of coal in the ordinary course of his business by virtue of —

(i) those premises having been mentioned in a list of customers furnished to the Ministry in pursuance of Article 3 of the 1942 Order by him or by a person whose successor in title he is for the purposes of the supply of coal retail ; or

(ii) an authorisation to that effect having been granted by the Ministry in connection with an application for registration under the 1942 Order by the occupier of those premises.

General restriction on acquisition of coal.

**4.** (1) No person shall acquire, or offer or agree to acquire, coal retail unless he is the occupier of premises recorded in the Coal Distribution Register.

(2) No person shall acquire, or offer or agree to acquire, coal retail otherwise than from the person whose licence relates to the premises occupied by such first-mentioned person.

Change of supplier.

**5.** Where the occupier of any premises specified with respect to any licence desires that that specification shall cease to have effect and that those premises shall be specified with respect to some other licence, and —

(*a*) the holders of those licences agree to the making of the change ; or

(*b*) failing such agreement, the Ministry, on application being made to it for the purpose, authorises the making of the change ;

the relevant specifications shall be so altered as to give effect to the agreement or, as the case may be, authorisation.

Exceptions.

**6.** Nothing in the foregoing provisions of this Order shall prohibit or restrict —

(*a*) the supply or acquisition of coal in a quantity of not more than twenty-eight pounds at any one time ;

(*b*) the supply of coal for the purposes of the undertaking to any person carrying on a gas, electricity, railway or other industrial undertaking in which the yearly consumption of

coal exceeds one hundred tons, or the acquisition of coal for the purposes of such an undertaking by any such person ;

(*c*) the acquisition of coal authorised by a licence granted by the Ministry for the purposes of this Article.

Inspection of vehicles and taking samples.

**7.** (1) Any inspector appointed in pursuance of paragraph (2) of Regulation 55AA of the Defence (General) Regulations, 1939, may, with a view to securing compliance with this Order inspect any vehicle wherever found (not being a vehicle found on premises used for the purposes of a private dwelling) in which he has reason to believe that any coal is being carried.

(2) Any person, and the servants and agents of any person, in possession of any coal shall, on demand, give samples thereof to any such inspector as aforesaid, for the purpose of enabling that inspector to ascertain whether or not this Order has been or is being complied with.

Furnishing of information.

**8.** Every person who makes any application to the Ministry (whether for a licence or for any other purpose) in pursuance of this Order shall furnish all such information as may be prescribed in any direction given by the Ministry, or be required with respect to the said application by the Ministry.

Licences etc.

**9.** (1) Any licence or direction granted or made under the provisions of this Order may relate to persons, areas, types of coal or other matters either generally, or in particular, or by reference to any class or description of any of them.

(2) The Ministry may vary or revoke any licence granted under this Order ; and, if any such licence is revoked, the holder thereof shall forthwith deliver it up as directed by the Ministry.

Keeping of records.

**10.** (1) Every importer of coal into Northern Ireland shall keep full and consecutive records of all coal supplied by him.

(2) Every person supplying coal retail, whether by virtue of a licence granted under paragraph (1) of Article 2 of this Order or otherwise, shall keep full and consecutive records of all coal so supplied by him.

(3) Every person required to keep any such record as aforesaid shall, unless it has been delivered up to the Ministry and not returned to him, or unless the Ministry shall otherwise direct, preserve that record for a period of three years from the date of the latest entry made therein.

(4) The provisions of this Article shall be in addition to and not in derogation of the provisions of the Coal (Records and Information) (Northern Ireland) Order, 1941 (a).

(a) S. R. & O. (N.I.) 1941 No. 215.

Amendment of the Retail Coal Prices (Northern Ireland) Order, 1945.

**11.** For the definition of " registered merchant " contained in paragraph (1) of Article 10 of the Retail Coal Prices (Northern Ireland) Order, 1945, (**a**), there shall be substituted the following definition :—

" " registered merchant " means a person —

(*a*) authorised under paragraph (1) of Article 1 of the Coal Supply (Northern Ireland) Order, 1951, to import coal into Northern Ireland ; or

(*b*) authorised under paragraph (1) of Article 2 of the said Order to supply coal retail."

Interpretation.

**12.** (1) In this Order unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

" coal " means —

(*a*) bituminous coal,

(*b*) cannel coal,

(*c*) anthracite, and

(*d*) manufactured fuel (other than coke) which is carbonised to any extent in the process of manufacture and of which anyone of the foregoing is the principal constituent ;

" Coal Distribution Register " has the meaning assigned to it by paragraph (4) of Article 2 of this Order ;

" to supply " or " to acquire ", in relation to any coal, means to transfer or to receive, as the case may be, ownership or possession or the right to possession thereof ;

" supply retail " means supply otherwise than for resale and the expression " retail supplier " shall be construed accordingly.

(2) References in this Order to any other Order shall be construed as references to that other Order as amended by any subsequent Order.

Revocation.

**13.** The following provisions are hereby revoked :—

the Coal Supply (Northern Ireland) Order, 1941 (**b**) ;

the Coal Supply (Northern Ireland) Order, 1942 (**c**) ;

the Coal Supply (Northern Ireland) Amendment (No. 1) Order, 1943 (**d**) ;

the Coal Supply (Northern Ireland) Amendment (No. 2) Order, 1943 (**e**) ;

the Coal Supply (Temporary Provisions) (Northern Ireland) Order, 1944 (**f**) ;

paragraph (1) of Article 1 of the Retail Coal Prices (Northern Ireland) Order, 1945 (**g**) ;

Commencement and citation.

**14.** (1) This Order shall come into force on the 1st October, 1951, and references in this Order to the commencement thereof shall be construed as references to that date.

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(a) S. R. & O. (N.I.) 1945 No. 9.
(b) S. R. & O. (N.I.) 1941 No. 189.
(c) S. R. & O. (N.I.) 1942 No. 125.
(d) S. R. & O. (N.I.) 1943 No. 53.
(e) S. R. & O. (N.I.) 1943 No. 64.
(f) S. R. & O. (N.I.) 1944 No. 17.
(g) S. R. & O. (N.I.) 1945 No. 9.

(2) This Order may be cited as the Coal Supply (Northern Ireland) Order, 1951.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this thirty-first day of August, nineteen hundred and fifty-one in the presence of

(L.S.) *W. Crone*,
Assistant Secretary.

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THE COAL SUPPLY (NORTHERN IRELAND) (AMENDMENT) (No. 1) ORDER, 1951.

1951. No. 190

In exercise of the powers under Regulations 55 and 55AA (1) 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**)) delegated to it by instruments of delegation made respectively by the Board of Trade on 26th May, 1941, and the Minister of Fuel and Power on 16th October, 1943, under the said Regulations, as having effect as aforesaid, and of all other powers it enabling, the Ministry of Commerce for Northern Ireland (hereafter in this Order referred to as "the Ministry") hereby makes the following Order :—

**1.** The Coal Supply (Northern Ireland) Order, 1951, (**e**), (hereafter in this Order referred to as "the principal Order") shall have effect subject to the modifications specified in this order.

**2.** The following paragraph shall be substituted for paragraph (*a*) of Article 6 of the principal Order :—

(*a*) the supply or acquisition of coal in a quantity not exceeding at any one time in the case of :—

(i) coke, fifty six pounds
(ii) any other class or description of coal, twenty-eight pounds.

**3.** In paragraph (i) of Article 12 of the principal Order (which relates to the interpretation of that Order) the following sub-paragraphs shall be substituted for sub-paragraphs (*c*) and (*d*) :—

(*c*) coke
(*d*) anthracite and
(*e*) manufactured fuel (other than coke) which is carbonised to any extent in the process of manufacture and of which any one of the foregoing is the principal constituent.

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(a) 9 and 10 Geo. 6., c.10 and S. R. & O. 1945 No. 1618. (b) 10 and 11 Geo. 6., c.25.
(c) 14 and 15 Geo. 6., c.25. (d) S.I. 1950, No. 1769.
(e) S. R. & O. (N.I.) 1951, No. 158.