1960 No. 764

The Control of Hiring (Rebates) Order, 1960

Made - - - -	27*th April*, 1960
Laid before Parliament	28*th April*, 1960
Coming into Operation	29*th April*, 1960

The Board of Trade in pursuance of the powers conferred upon them by Regulation 55 of the Defence (General) Regulations, 1939, as having effect by virtue of the Emergency Laws (Repeal) Act, 1959(a), hereby order as follows:—

1.—(1) A person shall not dispose of any goods to which this Order applies in pursuance of an agreement to let those goods on hire entered into after the 28th day of April, 1960, if that agreement or any related agreement provides for a payment of a description specified in Article 2 hereof to be made by or to the person taking the goods on hire or by or to any other person.

(2) A person shall not be in possession of any goods to which this Order applies in pursuance of an agreement to let those goods on hire entered into after the said date if that agreement or any related agreement provides for such a payment to be made by or to him or by or to any other person.

(3) A person shall not cause or permit any goods to which this Order applies to be in possession of another person by virtue of an agreement to let those goods on hire if the possession of those goods by that other person contravenes the provisions of paragraph (2) of this Article.

2. The payment referred to in Article 1, in relation to any goods, is a payment (whether described as a rebate of rentals or in any other manner) which is to be ascertained wholly or partly by reference to the value or estimated value of the goods or any part of them or of goods of the same description or by reference to the price which the goods or any part of them will fetch at any time on a sale whether at auction or otherwise or by reference to the price that goods of the same description are fetching at any time on a sale whether at auction or otherwise.

3. Nothing in this Order—

(*a*) shall prohibit the doing of anything under the authority of a licence granted by the Board of Trade under this Article and in accordance with any condition attached thereto;

(*b*) shall apply to the possession by a person of goods by virtue of an agreement to let those goods on hire if the person letting those goods on hire has disposed of them to the hirer under the authority of a licence granted by the Board of Trade under this Article.

4.—(1) The goods to which this Order applies are goods to which the Hire-Purchase and Credit Sale Agreements (Control) Order, 1960(b), applies at the date of the operation of this Order.

(a) 7 & 8 Eliz. 2. c. 19. (b) S.I. 1960/762 (Pt. I, p. 1350, of this vol.).

(2) In this Order "related agreement" means, in relation to any agreement to let any goods on hire, any other agreement made or intended to be made between the parties in relation to those goods and any other agreement made or to be made in relation to those goods as a condition for entering into the agreement for the hire of those goods; but does not include any contract to the extent that it is a contract of insurance.

(3) Where any agreement to let goods on hire entered into on or before the 28th day of April, 1960, is varied after that date in such manner that that agreement comprises after such variation goods to which this Order applies not comprised therein before such variation, this Order shall have effect in relation to that agreement, as so varied, as if it had been entered into at the date of the variation.

5. This Order may be cited as The Control of Hiring (Rebates) Order, 1960, and shall come into operation on the 29th day of April, 1960.

Dated this 27th day of April, 1960.

Reginald Maudling,
President of the Board of Trade.

EXPLANATORY NOTE

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

The Order prohibits the disposal and possession of goods to which the Hire-Purchase and Credit Sale Agreements (Control) Order, 1960, applies, under hiring agreements entered into after the 28th April, 1960, which provide for the making of payments of the kind described in Article 2.