(13) COPPER, LEAD, AND ZINC

The Control of Non-Ferrous Metals (No. 35) (Copper, Lead, and Zinc) Order, 1949*

1949 No. 2087

Made - - - -	10*th November*, 1949
Laid before Parliament	12*th November*, 1949
Coming into Operation	15*th November*, 1949

The Minister of Supply in exercise of the powers conferred on him by Regulations 55, 55AB, and 98, 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), hereby orders as follows:—

Acquisition and disposal of copper, lead, and zinc

1.—(1) No person shall acquire or agree or offer to acquire any controlled material: except under the authority of and in accordance with a licence granted by or on behalf of the Minister of Supply.

(2) No person shall dispose of or agree or offer to dispose of any controlled material: except—

(*a*) to a person who is authorised to acquire that material from him by virtue of a licence granted by or on behalf of the Minister of Supply; or

(*b*) under the authority of and in accordance with a licence granted by or on behalf of the Minister of Supply.

(3) It shall be a defence for any person accused in any proceedings—

(*a*) of having acquired or agreed or offered to acquire any controlled material of description 4 in Class II in the Schedule to this Order, in contravention of paragraph (1) of this Article—to prove that he did not intend to nor did he in fact subject that material to any process other than cleaning or crushing or sorting; or

(*b*) of having disposed or agreed or offered to dispose of any controlled material of such a description in contravention of paragraph (2) of this Article—to prove that he believed on reasonable grounds that the acquirer or proposed acquirer was not intending to subject the material to any process other than cleaning or crushing or sorting.

Minister's transactions

2. Nothing in this Order shall prohibit or restrict the entering into and carrying out of any transaction between the Minister of Supply and any other person upon such terms and conditions as may be agreed between the Minister of Supply and that person.

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* The Control of Non-Ferrous Metals Orders, Nos. 1–34, were made in 1939–48.

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.

(b) 10 & 11 Geo. 6. c. 55.

Licences

3.—(1) The holder of any licence granted under this Order shall comply with any conditions contained or incorporated in that licence.

(2) If any licence granted under this Order ceases to be in force the holder of that licence shall forthwith deliver up that licence to or as directed by or on behalf of the Minister of Supply.

Interpretation

4. In and for the purpose of this Order—

(1) the expression—

"controlled material" means material of any of the descriptions set out in the Schedule to this Order:

(2) references to offers to acquire or dispose of shall be construed respectively as including references to invitations of offers to dispose of or acquire:

(3) the expression "acquire" includes the acquisition, and the expression "dispose of" includes the disposal, of—

(*a*) ownership or any proprietary interest, or

(*b*) the right to possession, or

(*c*) possession, whether or not accompanied by any acquisition or disposal of ownership or of any proprietary interest or of the right to possession: and

(4) where any material is acquired by or disposed of to a carrier or warehouseman or servant acting in the ordinary course of his business or employment as such, that material shall be deemed to be acquired by or disposed of to the person on whose behalf or to whose order the carrier or warehouseman or servant so acquires that material and not by or to the carrier or warehouseman or servant; and where any material is acquired from or disposed of by a carrier or warehouseman or servant acting as aforesaid, that material shall be deemed to be acquired from or disposed of by the person on whose behalf or by whose order the carrier or warehouseman or servant so disposes of that material and not from or by the carrier or warehouseman or servant.

Revocations

5. The Control of Non-Ferrous Metals (Nos. 22, 29, and 33-4) (Copper, Lead, and Zinc) Orders, 1946-8(**a**), are hereby revoked; but any licence which, immediately before the coming into force of this Order, was in force under any of those Orders in respect of a matter for which a licence is required under this Order, shall, to the extent to which it was so in force, have effect as if it were a licence granted under this Order and shall be deemed to have been so granted.

Coming into operation; Citation

6. This Order shall come into operation on the 15th day of November, 1949; and may be cited as the Control of Non-Ferrous Metals (No. 35) (Copper, Lead, and Zinc) Order, 1949.

Dated this 10th day of November, 1949.

G. R. Strauss,
Minister of Supply.

(a) (i) S.R. & O. 1946 (No. 494) II, p. 438.
(ii) S.R. & O. 1947 (No. 1447) II, p. 330.
(iii) S.I. 1948 (No. 2592) II, p. 380.
(iv) S.I. 1948 (No. 2830) II, p. 382.

THE SCHEDULE

CLASS I.—COPPER

Description—

1. Copper ores ; copper concentrates.

2. Unwrought copper—whether refined or rough or blister, and whether virgin or secondary or re-melted—in the form of cathodes, wirebars, ingots, ingot bars, billets, or cakes, or in any other unwrought form.

CLASS II.—LEAD

Description—

1. Lead ores ; lead concentrates.

2. Unwrought lead (whether virgin, secondary, or re-melted) in pigs or in any other unwrought form.

3. Unwrought antimonial lead of all grades, and other unwrought lead alloys when containing by weight not less than 97 per centum of lead—whether virgin or secondary or re-melted and whether in pigs or in any other unwrought form.

4. Scrap of lead, or of lead alloys containing by weight not less than 10 per centum of lead ; scrap battery plates ; printing metal scrap, and dross ; solder scrap containing not less than 10 per centum by weight of lead ; lead residues.

CLASS III.—ZINC

Description—

1. Zinc ores ; zinc concentrates.

2. Unwrought zinc or spelter (whether virgin or secondary or re-melted) in slabs or plates or in any other unwrought form.

EXPLANATORY NOTE

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

The Order—

(1) consolidates all previously subsisting Control of Non-Ferrous Metals (Copper, Lead, and Zinc) Orders ;

(2) removes copper, lead and zinc from price control ; and

(3) frees the acquisition and disposal of copper and zinc scrap from control.

(14) COTTON INDUSTRY

The Control of the Cotton Industry (Revocation) Order, 1949

1949 No. 463

Made - - - -	17*th March*, 1949
Laid before Parliament	18*th March*, 1949
Coming into Operation	1*st April*, 1949

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 Supplies and Services (Transitional Powers) Act, 1945(a),

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (No. 1618) II, p. 48.