(81) WILLOW RODS AND STICKS

The Control of Willow Rods and Willow Sticks Order, 1948

1948 No. 461

Made - - - - 8*th March*, 1948
Laid before Parliament 9*th March*, 1948
Coming into Operation 22*nd March*, 1948

The Board of Trade in pursuance of the powers conferred upon them by Regulations 55, 55AA, 55AB and 98 of the Defence (General) Regulations, 1939(a), as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(b), as extended by the Supplies and Services (Extended Purposes) Act, 1947(c), hereby order as follows:—

PART I.

Controlled Goods.

1. This Part of this Order shall relate to the supply and acquisition of controlled goods as hereinafter defined.

Control of Supply and Acquisition.

2.—(1) No person shall acquire any controlled goods from a grower except under the authority of a licence issued under this paragraph by the Board of Trade and in accordance with any conditions attaching thereto.

(2) No grower shall supply any controlled goods otherwise than to a person who is authorised to acquire controlled goods by a licence issued by the Board of Trade under paragraph (1) of this Article.

PART II.

Controlled Goods to which Part II applies.

3. This Part of this Order shall relate to controlled goods being cut willow rods or cut willow sticks.

Sale or Purchase.

4. No person shall sell or buy any controlled goods of a description mentioned in Table I of the Schedule hereto otherwise than by the sorted bundle or by weight and no person shall sell or buy any controlled goods of any description not so mentioned otherwise than by weight.

Maximum Price and Terms of Sale.

5.—(1) No person shall sell or buy controlled goods of any description mentioned in the Schedule hereto at a price exceeding the appropriate maximum price ascertained in accordance with the provisions of that Schedule, or upon terms which do not include the terms therein specified.

(2) No person shall make and no person shall pay in respect of the sale of any controlled goods any charge for any work done or expenses incurred in respect of those goods other than such charge as is provided in the Schedule hereto.

(a) *See* Note, p. 15 above.
(b) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611, 1618 and 1625) II, pp. 39, 48 and 56.
(c) 10 & 11 Geo. 6. c. 55.

Memorandum.

6.—(1) Any person who sells any controlled goods shall, on or before the delivery thereof, give to the buyer a memorandum in writing signed by the seller and containing:—

(*a*) the names and addresses of the buyer and the seller,

(*b*) the date of sale,

(*c*) the descriptions of the controlled goods sold,

(*d*) where the controlled goods are sold wholly or partly by the sorted bundle, the number of sorted bundles of each description sold,

(*e*) where the controlled goods are sold wholly or partly by weight. the weight of each description sold,

(*f*) the price of sale and how it is made up, and

(*g*) if any charge is made for transport, the place from and to which transport is or has been provided or paid for by the seller;

and shall at the time of making such memorandum make a copy thereof.

(2) Any person who buys any controlled goods shall, on or before taking delivery thereof, take from the seller a memorandum such as is required by paragraph (1) of this Article.

(3) The buyer shall keep any memorandum given to him by the seller relating to a sale of controlled goods (whether or not it complies with the provisions of paragraph (1) hereof) for a period of twelve months from the date of sale and the seller shall keep a copy of that memorandum for a like period.

Part III.

Commission.

7. No person shall give or take any commission in respect of or in connection with any supply of any controlled goods.

Licences.

8.—(1) Nothing in Articles 4, 5, 6 or 7 of this Order shall prohibit or require the doing of anything if the doing or the omission thereof is authorised by a licence issued by the Board of Trade hereunder.

(2) If any licence issued under this Order is revoked by the Board of Trade, the holder of the licence shall forthwith deliver it up to the Board of Trade.

Interpretation.

9. In this Order—

"controlled goods" means any willow rods or willow sticks cut from or growing on any willow situate in the United Kingdom (not being a willow of the variety known as *salix purpurea* or Dicky Meadow);

"bundle" means a package of willow rods made by packing the greatest possible number of willow rods of the same description and of uniform quality, with butt ends all pointing the same way and flush with one another, in a tie which both (*a*) is tied not less than 2 inches from the butt end of the package and (*b*) has when tied an internal circumference of not less than 37 inches;

"sorted bundle" means a bundle in which the difference in length between the longest and the shortest rod therein does not exceed 12 inches;

"grower" means a person carrying on the business of growing willows in the United Kingdom;

" supply " includes supply in pursuance of a contract of sale, work labour and materials, sale or return, barter or a contract of any other description; and " acquire " has a corresponding meaning.

Revocation.

10. The Control of Willow Rods and Willow Sticks (No. 5) Order, 1945(**a**), and the Control of Willow Rods and Willow Sticks (No. 6) Order, 1947(**b**), are hereby revoked.

Citation and commencement.

11. This Order may be cited as the Control of Willow Rods and Willow Sticks Order, 1948, and shall come into operation on the 22nd day of March, 1948.

Dated this 8th day of March, 1948.

John Belcher,
Parliamentary Secretary to the
Board of Trade.

SCHEDULE.

Provisions for ascertaining the Maximum Price.

Tables.

1. Where controlled goods are sold by the sorted bundle the appropriate Table is Table I hereof and where they are sold by weight the appropriate Table is Table II.

Maximum Price.

2.—(1) Except in the cases mentioned in sub-paragraph (2) of this paragraph, the appropriate maximum price of controlled goods of any description mentioned in the appropriate Table is the " maximum basis price ", being the price specified in column (3) of that Table in relation to that description.

(2) The maximum price includes, in addition to the maximum basis price,

(*a*) the amount so specified in column (4) in a case where the seller sells on the terms that he delivers free on rail in the district where the goods were grown or, in any other case, if the seller is selling controlled goods for which he has lawfully paid a price which includes that amount; so however that no maximum price may include more than one such amount, even if the willow rods or willow sticks have been delivered free on rail in the district where they were grown more than once;

(*b*) the amount so specified in column (5) in a case where the seller is a licensed willow merchant or, in any other case, if the seller is selling controlled goods for which he has lawfully paid a price which includes that amount; so however that no maximum price may include more than one such amount; and

(*c*) the amount so specified in column (6) in a case where the controlled goods are being taken from a certified city willow warehouse.

Terms.

3. The maximum price so provided is for a sale under a contract which includes the following terms:—

(*a*) that the seller shall load the controlled goods on to a vehicle (including railway wagon) for delivery or conveyance to the buyer; and

(*b*) that the seller shall do any work and bear any expenses in respect of cutting, preparing, storage, grading, sorting, packing, insurance of any kind or in any other respect up to the time when the goods have been loaded on to a vehicle as aforesaid.

(**a**) S.R. & O. 1945 (No. 747) II, p. 1476.
(**b**) S.R. & O. 1947 (No. 140) II, p. 1408.

Charges.

4.—(1) Where under the contract of sale the seller is required to provide or pay for transport beyond the " loading point " he may make a delivery charge not exceeding the reasonable cost of such transport. For this purpose the expression " loading point " means the place at which the controlled goods are loaded under the contract of sale on to a vehicle (including railway wagon) for delivery or conveyance to the buyer.

(2) Where controlled goods are taken from a certified city willow warehouse, the seller may (without prejudice to his right to make a delivery charge under sub-paragraph (1) of this paragraph) charge the costs reasonably incurred by him for transport to the certified city willow warehouse.

Interpretation.

5. In this Schedule—

" green willow rods " and " green willow sticks " mean respectively unpeeled willow rods and willow sticks before the skin or bark becomes set, but not including those cut from the variety *salix alba* and commonly known as " red and yellow tie rods ";

" licensed willow merchant " means a person so described in a licence issued under Article 2 (1) of the Order and for the time being in force;

" certified city willow warehouse " means a warehouse for the time being certified as a city willow warehouse by the Board of Trade.

TABLE I

Willow Rods sold by the Sorted Bundle

(Note that this Table has no application to Willow Sticks)

(1)	Description (2)	Maximum Basis Price for rods loaded on to a vehicle—per sorted bundle (3)	Authorised Additions—per sorted bundle		
			For delivery free on rail in the production locality (4)	For the seller being a licensed willow merchant (5)	For the rods being taken from a certified city willow warehouse (6)
		£ s. d.	s. d.	s. d.	s. d.
1	White or buff one yearling willow rods—any lengths.	1 1 3	2	1 0	1 6
2	Brown one yearling willow rods—any lengths.	9 9	2	1 0	1 6
3	Green one yearling willow rods—any lengths.	7 9	2	8	1 0

TABLE II

Willow Rods and Willow Sticks sold by Weight

(1)	Description (2)	Maximum basis price for rods or sticks loaded on to a vehicle—per cwt. (3)	Authorised Additions—per cwt.		
			For delivery free on rail in the production locality (4)	For the seller being a licensed willow merchant (5)	For the rods being taken from a certified city willow warehouse (6)
		£ s. d.	s. d.	s. d.	s. d.
	Section I White or buff one yearling willow rods in lengths—				
1	(*a*) all over 2 feet but not exceeding 3 feet.	8 10 0	1 0	8 0	12 0
2	(*b*) all over 3 feet but not exceeding 4 feet.	6 11 9	1 0	6 0	9 0
3	(*c*) all over 4 feet but not exceeding 5 feet.	5 6 3	1 0	5 0	7 6
4	(*d*) all over 5 feet but not exceeding 6 feet.	4 9 3	1 0	4 0	6 0
5	(*e*) all over 6 feet but not exceeding 7 feet.	3 19 9	1 0	3 6	5 3
6	(*f*) not specified in items (*a*)–(*e*) above.	3 9 0	1 0	3 0	4 6
	Section II White or buff—				
7	Two or more yearling willow rods and any white or buff willow sticks.	2 11 0	1 0	2 0	3 0

TABLE II—*continued.*

WILLOW RODS AND WILLOW STICKS SOLD BY WEIGHT—*continued.*

(1)	Description (2)	Maximum basis price for rods or sticks loaded on to a vehicle—per cwt. (3)	Authorised Additions—per cwt.		
			For delivery free on rail in the production locality (4)	For the seller being a licensed willow merchant (5)	For the rods being taken from a certified city willow warehouse (6)
		£ s. d.	s. d.	s. d.	s. d.
	Section III Brown one yearling willow rods in lengths—				
8	(*a*) all over 2 feet but not exceeding 3 feet.	3 5 0	1 0	6 6	9 9
9	(*b*) all over 3 feet but not exceeding 4 feet.	2 8 9	1 0	5 0	7 6
10	(*c*) all over 4 feet but not exceeding 5 feet.	1 19 0	1 0	4 0	6 0
11	(*d*) all over 5 feet but not exceeding 6 feet.	1 14 0	1 0	3 0	4 6
	Section IV				
12	Any willow rods or willow sticks not included in Section I, II, III, above and not being green willow rods or green willow sticks.	1 9 3	1 0	2 0	3 0
	Section V Green one yearling willow rods in lengths—				
13	(*a*) all over 2 feet but not exceeding 3 feet.	2 1 3	1 0	4 4	6 6

TABLE II—*continued.*

WILLOW RODS AND WILLOW STICKS SOLD BY WEIGHT—*continued.*

(1)	Description (2)	Maximum basis price for rods or sticks loaded on to a vehicle—per cwt. (3)	Authorised Additions—per cwt. For delivery free on rail in the production locality (4)	For the seller being a licensed willow merchant (5)	For the rods being taken from a certified city willow warehouse (6)
	Section V —cont.	£ s. d.	s. d.	s. d.	s. d.
14	(*b*) all over 3 feet but not exceeding 4 feet.	1 11 0	1 0	3 4	5 0
15	(*c*) all over 4 feet but not exceeding 5 feet.	1 4 9	1 0	2 8	4 0
16	(*d*) all over 5 feet but not exceeding 6 feet.	1 1 9	1 0	2 4	3 6
	Section VI				
17	Green willow sticks and any green willow rods not mentioned in Section V above.	18 6	1 0	2 0	3 0

EXPLANATORY NOTE

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

This Order replaces with amendments the Control of Willow Rods and Willow Sticks (No. 5) Order, 1945 (S.R. & O. 1945 (No. 747) II, p. 1476), as amended by the Control of Willow Rods and Willow Sticks (No. 6) Order, 1947 (S.R. & O. 1947 (No. 140) II, p. 1408).

The principal changes are that the supply by growers and the acquisition from growers of willow rods and willow sticks, whether cut or growing, are now controlled and the maximum prices of cut willow rods and willow sticks are increased.

3. CONTROL SCHEMES CHARGES

(1) *Cold Storage.*
(2) *Fish Sales*, p. 1049.
(3) *Leather*, p. 1051.

(1) COLD STORAGE

[*See* also FOOD CONTROL, p. 401 above.]

The Cold Storage (Control of Undertakings) (Charges) Order, 1948

1948 No. 1093

Made - - - -	*25th May*, 1948
Laid before the House of Commons	*27th May*, 1948
Coming into Operation	*29th May*, 1948

[This Order is omitted from this volume as being now spent.]

The Cold Storage (Control of Undertakings) (Charges) (No. 2) Order, 1948

1948 No. 1614

Made - - - -	*13th July*, 1948
Laid before the House of Commons	*13th July*, 1948
Coming into Operation	*17th July*, 1948

Whereas it is provided by Sub-section (1) of Section 2 of the Emergency Powers (Defence) Act, 1939, that the Treasury may by Order provide for imposing and recovering, in connection with any scheme of control contained in or authorised by Defence Regulations, such charge as may be specified in the Order: 2 & 3 Geo. 6 c. 62.

And Whereas the Cold Storage (Control of Undertakings) Order, 1948(a), made by the Minister of Food under Regulations 55 and 55AA of the Defence (General) Regulations, 1939(b), as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(c), as extended by the Supplies and Services (Extended Purposes) Act, 1947(d), contains a scheme of control of cold storage undertakings:

And whereas the Cold Storage (Control of Undertakings) (Charges) Order, 1948(e), provided for imposing and recovering in connection with that scheme, the charge therein specified:

(a) S.I. 1948 No. 1074, p. 401 above.
(b) *See* Note, p. 15 above.
(c) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.
(d) 10 & 11 Geo. 6. c. 55.
(e) S.I. 1948 No. 1093.