The Copper, Lead, and Zinc, Distribution Order, 1951

1951 No. 981

Made - - - -	1*st June*, 1951
Laid before Parliament	2*nd June*, 1951
Coming into Operation	2*nd July*, 1951

The Minister of Supply in exercise of the powers conferred on him by Regulations 55 and 55AA 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**)), 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—

(*a*) material of the following descriptions in a quantity not exceeding thirteen tons in the aggregate of all those descriptions in any period of thirteen weeks—Descriptions 3 and 4 in Class I and Description 4 in Classes II and III in the Schedule to this Order ; or

(*b*) 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 acquiring under Exception (*a*) to paragraph (1) of this Article ; or

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

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

Treatment Use and Consumption

2. No person shall in the United Kingdom treat use or consume any controlled material: except—

(*a*) by cleaning crushing and sorting material acquired by him under Exception (*a*) to paragraph (1) of Article 1 of this Order ; or

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

Records and Information

3. Every person carrying on any undertaking which involves the production, treatment, keeping, storage, movement, transport, distribution, disposal, acquisition, use or consumption of any controlled material shall whenever so required by notice in writing given to him by or on behalf of the Minister of Supply—

(*a*) keep such books accounts and records relating to that undertaking as may be prescribed by that notice, and

(**a**) 9 & 10 Geo. 6. c. 10 ; and S.R. & O. 1945 (No. 1618) II, p. 48.
(**b**) 10 & 11 Geo. 6. c. 55. (**c**) 14 & 15 Geo. 6. c. 25.
(**d**) S.I. 1950 (No. 1769) III, p. 51.

(*b*) furnish, at such times, in such manner and in or on such form as may be prescribed by that notice, such estimates and returns or information relating to that undertaking as may be so prescribed.

Minister's transactions

4. 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.

Licences

5.—(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

6. 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) (*a*) references to offers to acquire or dispose of shall be construed respectively as including references to invitations of offers to dispose of or acquire; and

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

(i) ownership, or any proprietary interest; or

(ii) the right to possession; or

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

(3) 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

7. The Control of Non-Ferrous Metals (No. 35) (Copper, Lead, and Zinc) Order, 1949(a), is hereby revoked; but any licence which, immediately before the coming into operation of this Order, was in force under that Order 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.

(a) S.I. 1949 (No. 2087) II, p. 234.

Coming into Operation; Citation

8. This Order shall come into operation on the 2nd day of July, 1951; and may be cited as the Copper, Lead, and Zinc, Distribution Order, 1951.

Dated this 1st day of June, 1951.

G. R. Strauss,
Minister of Supply.

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.

3. Scrap or swarf of copper, or of copper alloys containing by weight not less than 40 per centum of copper.

4. Cupriferous slags or residues other than pyrites ash and other than any residues comprised in Description 4 of Class III below.

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 all other unwrought lead alloys 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.

3. Hard spelter.

4. Scrap of zinc, or of zinc alloys containing by weight not less than 95 per centum of zinc; zinc alloy diecasting scrap; zinc ashes; zinc dross; zinc flux skimmings; zinciferous slags; tailings and residues containing by weight not less than 60 per centum of zinc or of zinc oxide.

EXPLANATORY NOTE

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

The Order controls the acquisition, disposal, treatment, use and consumption of copper, lead, lead alloys, and zinc; and of any scrap, slag, residue etc. of those materials or of any alloys of them; and provides for records and information.