STATUTORY INSTRUMENTS

1973 No. 2172

CONTROL OF FUEL AND ELECTRICITY

The Electricity (Industrial and Commercial Use) (Control) (No. 2) Order 1973

Made - - - -	21*st December* 1973
Laid before Parliament	21*st December* 1973
Coming into Operation	31*st December* 1973

The Secretary of State, in exercise of his powers under Section 2(1) of the Fuel and Electricity (Control) Act 1973**(a)** and Section 7 of the Emergency Laws (Re-enactments and Repeals) Act 1964**(b)** as having effect by virtue of Section 5(1) of the Fuel and Electricity (Control) Act 1973, hereby orders as follows:—

1. This Order may be cited as the Electricity (Industrial and Commercial Use) (Control) (No. 2) Order 1973 and shall come into operation on 31st December 1973.

2. (1) In this Order—

"Area" means the area of an Electricity Board;

"commercial premises" means premises used wholly or mainly for the purposes of—

(*a*) an office (including a drawing office and a licensed betting office) or showroom; or

(*b*) a shop or bank; or

(*c*) an exhibition hall or other public hall;

"designated area" means an area designated by a letter and number in a plan prepared by an Electricity Board (other than the Central Electricity Generating Board and the Midlands Electricity Board) or in a schedule prepared by the Midlands Electricity Board, being a plan or schedule for the purpose of ensuring that load shedding is shared fairly between users of electricity in that Board's Area or part thereof, being a plan or schedule identified by being signed by or on behalf of the Secretary of State prior to the making of this Order;

"electricity" means electricity supplied by an Electricity Board;

"Electricity Board" has the same meaning as in the Electricity Act 1947**(c)**;

"food" includes drink and articles and substances used as ingredients in the preparation of food or drink but does not include—

(*a*) water, live animals or birds,

(*b*) fodder or feeding stuffs for animals, birds or fish, or

(*c*) articles or substances used only as drugs;

"industrial premises" means premises used in the course of a trade or business wholly or mainly for the purposes of—

(*a*) the manufacture, storage or distribution of goods or materials or the subjection of goods or materials to any process, or

(a) 1973 c. 67. (b) 1964 c. 60. (c) 1947 c. 54.

(*b*) the working of any mine, oil well or other source of mineral deposits;

"shop" includes any premises where any wholesale or retail trade or business is carried on and any premises to which members of the public are invited to resort for the purpose of delivering there goods for repair or other treatment or of themselves there carrying out repairs to or other treatment of goods;

"retail trade or business" includes the provision for hire of any goods and the provision of any service, when carried on for purposes of gain, the taking of orders for the provision of such a service, and retail sales by auction.

(2) Any reference in this Order to any enactment shall be construed as a reference thereto as amended or extended.

3. This Order shall apply in relation to all premises and places situated within a designated area.

4. (1) Subject to Article 6 of this Order, and except under a licence granted by the Secretary of State under this Order, no person shall, for the purposes of his trade or business, use or permit the use of electricity on any industrial premises or commercial premises in relation to which this Order applies (other than premises used wholly or mainly for the purposes of a shop), or in connection with the carrying out of any building or engineering operations (including such operations when carried out by a local authority) in, on, over or under land at any place in relation to which this Order applies, on any day, other than a day specified in column (2) of Table 'A' below in relation to the designated area in which those premises or that place are situated.

TABLE 'A'

(1) *Designated Area*			(2) *Permitted Days*
V2	W1	W2	Monday Tuesday Wednesday
X1	X2	Y1	
Y2	Z1	Z2	
R1	R2	S1	Thursday Friday Saturday
S2	T1	T2	
U1	U2	V1	

(2) On any day on which the use of electricity is not prohibited under the foregoing provisions of this Article, no person shall use or permit the use of electricity for such a purpose (other than for a purpose permitted under Article 6) on such premises for more than the greatest number of hours during which electricity was used for such purposes on any day in the week commencing 10th December 1973.

(3) In this Article, "building operations", "engineering operations", and "land" have the same meaning as in the Town and Country Planning Act 1971**(a)**.

(4) For the purpose of the application of this Article in relation to the use of electricity on industrial premises, each day of the week shall be deemed to begin at 0600 hours on the morning of that day and to end at 0600 hours on the morning of the following day, and "day" shall be construed accordingly.

5. (1) Subject to the provisions of this Article and Article 6 of this Order, and except under a licence granted by the Secretary of State under this Order, no person shall, during any period specified in Table 'B' below, use or permit the use of electricity on any premises used wholly or mainly for the purposes

(a) 1971 c. 78.

of a shop at any times other than the times specified for that period in column (2) of the said Table in relation to the designated area in which those premises are situated.

TABLE 'B'

(1) *Designated Area*	(2) *Permitted Times Monday to Friday*	
	During Period A	*During Period B*
R1 S1 T1 U1 V1 W1 X1 Y1 Z1	0930 to 1230	1430 to 1700
R2 S2 T2 U2 V2 W2 X2 Y2 Z2	1430 to 1700	0930 to 1230
	Saturday	
All Designated Areas	0930 to 1230 and 1430 to 1700	

(2) For the purposes of the above Table, "Period A" and "Period B" shall be successive alternate periods, each of seven days commencing on a Monday, the first Period A commencing on the day on which this Order comes into operation and the first Period B commencing on the expiry of the first Period A, with subsequent periods alternating accordingly.

(3) Where any shop has, before the making of this Order, been regularly open on Sundays for the serving of customers, nothing in paragraph (1) of this Article shall prohibit the use of electricity on the premises of that shop when it is lawfully open for that purpose, on any Sunday between the hours of 0930 and 1230 and between the hours of 1430 and 1700.

6. Nothing in Article 4 or 5 of this Order shall have effect so as to prohibit the use of electricity—

(*a*) for any of the purposes specified in Part I of the Schedule to this Order;

(*b*) on any part of any premises or place used for any of the purposes specified in Part II of the Schedule to this Order, to the extent that such use of electricity is essential for those purposes;

(*c*) on any premises of a kind specified in Part III of that Schedule;

(*d*) on any premises in relation to which directions have been given by the Secretary of State under Section 2(2)(c) of the Fuel and Electricity (Control) Act 1973 and are still in force as to the use of electricity on those premises; or

(*e*) in Scotland, on any day during the week commencing 31st December 1973 on which the use of electricity is permitted under Article 3(1) of the Electricity (Industrial and Commercial Use) (Control) Order 1973**(a)** as amended by the Electricity (Industrial and Commercial Use) (Control) (Amendment) Order 1973**(b)**.

7. (1) Any licence granted by the Secretary of State under the Electricity (Industrial and Commercial Use) (Control) Order 1973, as amended**(c)**, which could have been granted under this Order shall continue to have effect as if it had been granted under this Order.

(2) Any licence granted or having effect as if granted under this Order may be subject to conditions and may be revoked without prior notice.

8. This Order shall not extend to Northern Ireland.

Tom Boardman,
Minister for Industry,
21st December 1973. Department for Trade and Industry.

(a) S.I. 1973/2120 (1973 III, p. 7291). (b) S.I. 1973/2137 (1973 III, p. 7396).
(c) S.I. 1973/2137, 2146 (1973 III, pp. 7396, 7407).

SCHEDULE

PART I

1. Dealing with any outbreak of fire, any accident or any other emergency.

2. Preventing damage to any central heating plant.

3. Ensuring that any plant which is normally in continuous operation will continue in operation only for so long and to such extent as may be necessary in order to avoid damage thereto.

4. Operating apparatus for heating, cooling or air-conditioning to the extent necessary to prevent damage or deterioration to food, goods or material or to prevent damage to or impairment of the functioning of any apparatus or equipment which is sensitive to changes in temperature or humidity.

5. Operating apparatus which has been continuously in use for purposes of research until such time as the operation of the said apparatus can be discontinued without causing loss or damage.

6. Preserving the health of livestock.

7. Operating communications equipment (including teleprinters and apparatus for broadcast reception).

8. Operating any computer and any other equipment necessary for the proper functioning thereof and such lighting as may be necessary in relation to such operation.

9. Operating any fan, circulating pump or controlling mechanism installed in any central plant used for heating premises by means of solid fuel, gas or oil.

10. Continuing work on any product which is in the course of manufacture at the time when this Order comes into operation, to the extent necessary to prevent damage to that product.

11. Operating apparatus for the preparation of a payroll, cheque sorting equipment and other office machinery.

12. Operating any cash register or cash dispenser.

13. Displaying any article or structure which is a traffic sign within the meaning of section 54 (1) of the Road Traffic Regulation Act 1967**(a)** or a lamp provided or maintained by any authority authorised or required to light any street, road, bridge or other public place.

14. Operating any lift, escalator or tower crane.

15. Displaying any sign indicating the nature of the premises at any of the following—

(*a*) ambulance stations;
(*b*) fire stations;
(*c*) first aid stations;
(*d*) police stations;
(*e*) hospitals;
(*f*) the premises of a registered dentist;
(*g*) the premises of a fully registered medical practitioner;
(*h*) a registered pharmacy or the premises of a registered pharmacist;
(*i*) the premises of a registered optician;
(*j*) the premises of a registered veterinary surgeon or registered veterinary practitioner;
(*k*) the premises of a registered dispenser of hearing aids;
(*l*) the premises of any person registered as a chiropodist or physiotherapist under the Professions Supplementary to Medicine Act 1960**(b)**.

(a) 1967 c. 76. **(b)** 1960 c. 66.

16. Illuminating any telephone which is intended for public use.

17. Operating any apparatus or equipment or lighting any part of any premises or place to such extent as may be necessary for securing the safety of any persons thereon, or the security thereof or of any article thereon.

18. Operating any aid to air navigation.

19. Converting gas fittings and appliances to operate on natural gas.

20. Operating any apparatus or equipment for loading or unloading goods in course of distribution.

21. Operating—

(*a*) any fan or other form of blower used in connection with a furnace or kiln fired by solid fuel, gas or oil;
(*b*) any controlling mechanism for any such fan or other form of blower, or for the burners of any such furnace or kiln; or
(*c*) any other mechanism necessary for the operation of such burners.

22. Carrying out the routine maintenance or emergency repair of plant or equipment (other than motor vehicles), if such work is being carried out by persons normally engaged in such work.

23. Operating any apparatus for the purpose of maintaining the temperature of liquid fuel (being petroleum or petroleum products) in any storage tank or pipe-line at the minimum level required to enable such fuel to be available for use.

24. Heating any material to such extent as may be necessary to enable that material to be subjected, on a day on which the use of electricity for that purpose is permitted under this Order, to any process of manufacture.

25. The payment of unemployment and other social security benefits on behalf of the Secretary of State.

26. Such lighting or heating as may be necessary for the purposes of carrying out any medical examination, first aid or other necessary medical or dental treatment.

27. Operating or protecting from damage any equipment, apparatus or other installation for the protection or preservation of supplies of human blood, or lighting any part of any premises being used for the purpose of acquiring supplies of such blood.

28. Heating any commercial premises during any period not exceeding eight hours falling between 2230 hours and 0730 hours on the following day.

PART II

1. Agricultural purposes within the meaning of the Agriculture Act 1947**(a)**.

2. The purposes of—

(*a*) any undertaking for the supply of water (including any statutory water undertaker, regional water board, water development board or river authority) or for the supply of gas or electricity;
(*b*) any railway, light railway, tramway, air, road or water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking;
(*c*) any sewerage or sewage disposal undertaking, or of any undertaking for the collection or disposal of refuse (including toxic waste), or of any drainage authority;
(*d*) any aerodrome within the meaning of the Civil Aviation Act 1968**(b)**.

(a) 1947 c. 48. **(b)** 1968 c. 61.

3. The getting, dressing, manufacture, preparation for sale, distribution or sale of solid fuel.

4. Telecommunication.

5. The purposes of the Post Office, the British Broadcasting Corporation, the Independent Broadcasting Authority or any programme contractor within the meaning of the Independent Broadcasting Authority Act 1973**(a)**.

6. The purposes of a mortuary or crematorium.

7. The printing, distribution or sale of daily, weekly or evening newspapers or newspapers normally published on Sundays, the primary purpose of which is in each case the dissemination of news.

8. The production, treatment, packing, storage, distribution or sale of liquid fuel, being petroleum or petroleum products.

9. The sale of food or animal feeding stuffs.

10. The manufacture, preparation, processing, preservation, treatment, storage, packaging or distribution of food or of animal feeding stuffs or of substances used in their production.

11. The manufacture, distribution or sale of ice for use in the food trades or hospital services.

12. (*a*) The slaughtering of animals (including poultry).

(*b*) The confinement of animals awaiting slaughter, or the keeping or subjecting to any treatment or process of the products of the slaughtering of animals.

13. The manufacture or distribution of salt.

14. The storage, processing, packing or distribution of seeds for agricultural purposes within the meaning of the Agriculture Act 1947, including seed potatoes but not including seeds for flowers.

15. The manufacture, distribution, packaging or sale of fertilisers, and of plant-growth regulators and anti-sprouting agents, weedkillers, fungicides, insecticides, nematicides, molluscicides, rodenticides and other preparations used as pesticides.

16. The manufacture or distribution of candles.

17. The manufacture or distribution of packaging material or containers for food or animal feeding stuffs.

18. The purposes of a laundry, laundrette or dry cleaner.

19. The refuelling, maintenance or repair of motor transport vehicles, if carried out on premises occupied in association with other premises used wholly or mainly for a purpose specified elsewhere in this Schedule and in relation to vehicles used for or in connection with the purpose for which those other premises are used.

20. The maintenance or repair of vehicles used for the maintenance of the highway (including the clearance of ice and snow), if carried out on premises used by a local authority wholly or mainly for the purpose of the maintenance or repair of such vehicles.

21. The purposes of a restaurant, canteen or catering establishment (whether or not licensed for the sale of intoxicating liquor), including the preparation of meals for distribution by local social service authorities or voluntary bodies.

(a) 1973 c. 19.

22. The manufacture or distribution of newsprint or printing ink.

23. The supply of stores to ships.

24. The manufacture of coffins.

25. The repair of ships and aircraft.

PART III

1. Premises used as a registered pharmacy or for the purpose of his practice or business by a registered medical practitioner, a registered dentist, a registered pharmacist, a registered optician, a registered veterinary surgeon, a registered veterinary practitioner, a registered dispenser of hearing aids or any person registered as a chiropodist or physiotherapist under the Professions Supplementary to Medicine Act 1960.

2. Hospitals, local authority health centres and clinics and premises used by public health laboratories or the National Radiological Protection Board.

3. Premises used by the police or any fire service or ambulance service.

4. Courts of law.

5. Local authority day centres and premises used by local social services authorities, or voluntary bodies providing a similar service, for the care of persons who are ill, disabled, infirm, pregnant, under the age of 5 years or over the age of 60 years, while such persons are on those premises.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order prohibits the use of electricity supplied by an Electricity Board, except under a licence granted by the Secretary of State, on any industrial or commercial premises, as defined in Article 2 of the Order (other than a shop), or for building or engineering operations, on any day other than the three days (Monday to Wednesday or Thursday to Saturday) specified in relation to those premises in Article 4.

The days applicable in relation to any particular premises depend on the situation of those premises in relation to certain designated areas into which the Area of each Electricity Board has been divided. Those areas are shown on the load shedding plans prepared by each Board, or, in the case of the Area of the Midlands Electricity Board, by a schedule prepared by that Board. A full set of these plans and the schedule has been deposited at the Department of Trade and Industry, Thames House South, Millbank, London SW1P 4QJ. A set of the plans (or the schedule) applicable to the Area of the Board has been deposited at the principal office of each Electricity Board. These are—

Board	*Principal Office*
London Electricity Board	46/47 New Broad Street, London EC2M 1LS
South Eastern Electricity Board	10 Queen's Gardens, Hove, Sussex BN3 2LS
Southern Electricity Board	Southern Electricity House, Littlewick Green, Maidenhead, Berks SL6 3QB
South Western Electricity Board	Electricity House, Colston Avenue, Bristol BS1 4TS
Eastern Electricity Board	Wherstead, Ipswich, Suffolk IP9 2AQ
East Midlands Electricity Board	P.O. Box 4, North PDO, 398 Coppice Road, Arnold, Nottingham NG5 7HX

Board	*Principal Office*
Midlands Electricity Board	P.O. Box 8, Mucklow Hill, Halesowen, Worcestershire
South Wales Electricity Board	St. Mellons, Cardiff CF3 9WM
Merseyside and North Wales Electricity Board	Head Office, Sealand Road, Chester CH1 4LR
Yorkshire Electricity Board	Wetherby Road, Scarcroft, Leeds LS14 3HS
North Eastern Electricity Board	P.O. Box 1 SE, Carliol House, Newcastle-upon-Tyne NE99 1SE
North Western Electricity Board	Cheetwood Road, Manchester M8 8BA
South of Scotland Electricity Board	Cathcart House, Inverlair Avenue, Glasgow G44 4BE
North of Scotland Hydro-Electric Board	16 Rothesay Terrace, Edinburgh EH3 7SE

These plans (or the schedule) are available for inspection on application within normal working hours at the appropriate principal office. Detailed information about the designated areas in the localities which they serve is available at local offices and showrooms of the Electricity Boards.

So far as industrial premises are concerned, a "day" begins at 0600 hours on the morning of that day and runs on until 0600 hours on the morning of the following day—Article 4(4). In other cases a day begins and ends at midnight.

Shops are subject to different rules. They are permitted the use of electricity at specified times in the morning or afternoon according to the designated area in which they are situated. These times alternate every seven days. On Saturday the use of electricity is permitted at the specified times in both the morning and afternoon and also on Sunday for shops normally open on that day—Article 5.

Special provision is made for premises in Scotland during the week commencing 31st December 1973, when the Electricity (Industrial and Commercial Use) (Control) Order 1973, as amended, will continue to apply there. Thereafter this Order will apply.

Exceptions are made for certain purposes and premises specified in the Schedule to the Order, and for premises in relation to which directions have been given.

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