2. This Order shall come into operation on the 12th day of July, 1951; and may be cited as the Board of Trade Raw Materials (Charges) (Revocations) Order, 1951.

Dated this 11th day of July, 1951.

*W. A. Wilkins,*
*Wm. Hannan,*
Two of the Lords Commissioners of His Majesty's Treasury.

THE SCHEDULE

REVOKED ORDERS

| *Title* | *S.R. & O. or S.I. Number* | *Page in Volume II of Annual Edition* |
|---|---|---|
| (1) | (2) | (3) |
| Sulphate of Ammonia (Charges) (No. 1) Order, 1940... ... | 1177 | 1544 |
| Sulphate of Ammonia (Charges) (No. 2) (Board of Trade) Order, 1946 ... ... ... ... ... ... ... | 452 | 1517 |
| Sulphuric Acid (Charges) (No. 1) Order, 1941 ... ... ... | 274 | 1833 |
| Sulphuric Acid (Charges) (No. 2) (Termination) Order, 1946... | 453 | 1519 |
| Timber (Charges) (No. 5) Order, 1942* ... ... ... | 3 | 2456 |
| Timber (Charges) (No. 6) Order, 1944 ... ... ... ... | 365 | 1721 |
| Timber (Charges) (No. 7) Order, 1944 ... ... ... ... | 1030 | 1722 |
| Timber (Charges) (No. 8) (Termination) Order, 1946 ... ... | 454 | 1520 |
| Timber (Charges) (No. 9) Order, 1947 ... ... ... ... | 748 | 1467 |
| Timber (Charges) (No. 10) Order, 1949 ... ... ... | 1080 | 713 |

## The Fertilisers (Charges) Order, 1951

## 1951 No. 1133

| | |
|---|---|
| *Made - - - -* | *27th June,* 1951 |
| *Laid before the House of Commons* | *28th June,* 1951 |
| *Coming into Operation* | *1st July,* 1951 |

Whereas it is provided by Sub-section (1) of Section 2 of the Emergency Powers (Defence) Act, 1939(a), and Section 5 of the Supplies and Services (Transitional Powers) Act, 1945(b), as continued in force by the Supplies and Services (Continuance) Order, 1950(c), that the Treasury may by order provide for imposing and recovering, in connexion with any scheme of control contained in or authorized by any Defence Regulations having effect by virtue of the latter Act, such charges as may be specified in the Order:

* This Order revoked the Timber (Charges) (Nos. 1–4) Orders, 1940–41.

(a) 2 & 3 Geo. 6. c. 62. (b) 9 & 10 Geo. 6. c. 10. (c) S.I. 1950 (No. 1769) III, p. 51.

And Whereas under Regulations 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), and the Supplies and Services (Defence Purposes) Act, 1951(c), and continued in force by the Supplies and Services (Continuance) Order, 1950(d)), a scheme of control of fertilisers has been established and that scheme is administered by the Board of Trade:

And Whereas it is desired to provide for imposing and recovering, in connexion with that scheme, the charges hereinafter specified:

Now, therefore, the Lords Commissioners of His Majesty's Treasury in exercise of the powers conferred upon Them by Sub-section (1) of Section 2 of the Emergency Powers (Defence) Act, 1939(e), and Section 5 of the Supplies and Services (Transitional Powers) Act, 1945(a), as continued in force by the Supplies and Services (Continuance) Order, 1950(d), and of all other powers enabling Them in that behalf, hereby make the following Order:—

**1.** In and for the purpose of this Order, the following expressions have the meanings hereby respectively assigned to them—

(1) (A) " manufacturing " includes compounding;

(B) " compounding " means both (i) mixing two or more fertilisers together, whether with or without other substances, and (ii) mixing one fertiliser with one or more other substances;

(C) any expression which is a name specified in the First Column of Part I of the Fourth Schedule to the Fertilisers and Feeding Stuffs Act, 1926(f), shall mean the article defined for that name in the Second Column of Part I of that Fourth Schedule;

(D) " ordinary superphosphate of lime " means any superphosphate of lime not containing more than 30 per centum by weight of phosphoric acid ($P_2O_5$);

(E) " triple superphosphate of lime " means any superphosphate of lime containing more than 30 per centum by weight of phosphoric acid ($P_2O_5$); and

(F) " spent oxide " means that material which is produced in gas purifiers through the interaction of bog-iron ore or of oxide of iron with the sulphuretted hydrogen contained in any coal gas or in any coke oven gas: and

(2) (A) " fertiliser manufacturer " means any person who on or at any time after the 1st day of July, 1950, is carrying on the trade or business of manufacturing any fertiliser named in Column (2) of the First or the Second Schedule to this Order;

(B) " subsidized fertiliser material " means in relation to any fertiliser manufacturer, any pyrites, sulphur, spent oxide, and sulphuric acid, held by him immediately before the 1st day of July, 1951, (whether in the case of the first three of those materials all or any of those three be held in the form stated or in the form of sulphuric acid derived therefrom), being material in respect of which any claim by him on account of excess fertiliser material costs is admitted by the Board of Trade at any time before or after the beginning of that day;

(a) 9 & 10 Geo. 6. c. 10. (b) 10 & 11 Geo. 6. c. 55. (c) 14 & 15 Geo. 6. c. 25.
(d) S.I. 1950 (No. 1769) III, p. 51. (e) 2 & 3 Geo. 6. c. 62. (f) 16 & 17 Geo. 5. c. 45.

(C) " fertiliser manufacturer's chargeable fertiliser stock " means, in relation to any fertiliser manufacturer—

(i) any fertiliser named in Column (2) of Part A of the First Schedule to this Order being fertiliser which that manufacturer, immediately before the 1st day of July, 1951, in the course of or for the purpose of either his trade or business as a fertiliser manufacturer or any trade or business of his as a seller of any such fertiliser either himself stores or has caused to be stored by another person (whether any such storage be effected on that manufacturer's own account or to his own order or on account of or to the order of some other person)—but does not include any sulphate of ammonia being sulphate of ammonia produced by him, and

(ii) any subsidized fertiliser material ;

Provided that nothing in this definition shall include as " fertiliser manufacturer's chargeable fertiliser stock " any material being " customer's chargeable fertiliser stock " ;

(D) " customer's chargeable fertiliser stock " means any fertiliser named in Column (2) of Part A of the First Schedule to this Order being fertiliser which any fertiliser manufacturer, immediately before the 1st day of July, 1951, either himself stores, or has caused to be stored by another person, on account of or to the order of some other person ;

(E) " fertiliser manufacturer's chargeable sales and compoundings " means, in relation to any fertiliser manufacturer—

(i) any sale effected by that manufacturer, on or after the 1st day of July, 1951, of any fertiliser manufactured by him being a fertiliser named in Column (2) of either Part of the Second Schedule to this Order, and

(ii) any compounding effected by that manufacturer, on or after the 1st day of July, 1951, with any fertiliser manufactured by him being a fertiliser named in Column (2) of Part A of the Second Schedule to this Order.

**2.**—(1) The Fertilisers (1951) (Stock) Charge is a charge computed on a fertiliser manufacturer's chargeable fertiliser stock, according to that classification in the First Schedule to this Order into which that fertiliser stock falls, at the Rate of Charge per ton specified in Column (3) of the said Schedule for fertiliser stock in that classification.

(2) The Fertilisers (1951) (Stock) Charge is hereby imposed—

(*a*) on every fertiliser manufacturer in respect of his fertiliser manufacturer's chargeable fertiliser stock, and

(*b*) on every person on whose account or to whose order any customer's chargeable fertiliser stock is stored, in respect of the stock so stored.

(3) (*a*) The Fertilisers (1951) (Stock) Charge imposed on a fertiliser manufacturer in respect of his fertiliser manufacturer's chargeable fertiliser stock shall be paid by that fertiliser manufacturer.

(*b*) The Fertilisers (1951) (Stock) Charge imposed in respect of a customer's chargeable fertiliser stock on the person or persons on whose account or to whose order that stock is stored shall in the first instance be payable by and recoverable from that fertiliser manufacturer by whose storing of that

fertiliser or causing of it to be stored that fertiliser falls within the definition of customer's chargeable fertiliser stock; and that fertiliser manufacturer is hereby empowered to recover the amount of that charge from the said person or persons jointly or severally.

(4) Every person liable to pay any Fertilisers (1951) (Stock) Charge in respect of any chargeable fertiliser stock shall pay that Charge within Seven days of the receipt of a demand by the Board of Trade for the payment of that Charge.

**3.**—(1) The Fertilisers (1951) (Production) Charge is a charge computed on a fertiliser manufacturer's chargeable sales and compoundings, according to the fertiliser in Column (2) of the Second Schedule to this Order with which each such sale or compounding is effected, at the Rate of Charge per ton specified in Column (3) of the said Schedule for a sale or compounding effected with that fertiliser.

(2) The Fertilisers (1951) (Production) Charge is hereby imposed on every fertiliser manufacturer in respect of such of his fertiliser manufacturer's chargeable sales and compoundings as are effected by him whilst this Article of this Order is in operation.

(3) Every person liable to pay any Fertilisers (1951) (Production) Charge in respect of any chargeable sale or compounding shall pay that Charge within Seven days of the receipt of a demand made by the Board of Trade not less than 30 days after the end of that month of the year being the month in which the chargeable sale or compounding was effected.

**4.** All Fertilisers (1951) (Stock) Charges and all Fertilisers (1951) (Production) Charges shall be paid to the Board of Trade or as the Board may direct, and shall be recoverable as debts due to the Crown, and also in every part of the United Kingdom except Scotland and Northern Ireland shall be recoverable by the Board of Trade in the same manner as a civil debt under Section 35 of the Summary Jurisdiction Act, 1879(**a**), is recoverable.

**5.** All moneys received by the Board of Trade in respect of any charge payable under this Order shall be paid into the Board of Trade Directorate of Fertiliser Supplies No. 2 Account.

**6.** This Order shall come into operation on the 1st day of July, 1951: and may be cited as the Fertilisers (Charges) Order, 1951.

Dated this 27th day of June, 1951.

*R. J. Taylor,*
*Wm. Hannan,*
Two of the Lords Commissioners of
His Majesty's Treasury.

(a) 42 & 43 Vict. c. 49.

## THE FIRST SCHEDULE

FERTILISERS (1951) (STOCK) CHARGE

| (1) | Chargeable fertiliser (2) | Rate of CHARGE (*amount per ton*) (3) |
|---|---|---|
| | PART A—FERTILISERS | |
| | CLASS 1—NOT INCORPORATED IN A COMPOUND FERTILISER | |
| | (A) *Not produced by the Fertiliser Manufacturer* | |
| 1 | Sulphate of ammonia ... ... | £2 13s. 6d. |
| 2 | Raw phosphate or phosphate rock—unground, and having, by weight, a tribasic lime content of— | |
| (i) | not less than 71 per centum | £2 9s. 10d. |
| (ii) | less than 71 per centum but not less than 61 per centum ... ... ... | £3 10s. 6d. |
| (iii) | less than 61 per centum ... | £3 0s. 2d. |
| | (B) *Whether or not Produced by the Fertiliser Manufacturer* | |
| 3 | Raw phosphate or phosphate rock—ground | £3 10s. 6d. *increased* or *reduced* by 1s. 8d. for each whole ½ of 1 per centum by which the percentage by weight of *phosphoric acid* ($P_2O_5$) in the material is, as the case may be, *more than* or *less than* 29 per centum. |
| 4 | Ordinary superphosphate of lime | £4 10s. 0d. *increased* or *reduced* by 2s. 6d. for each whole ½ of 1 per centum by which the percentage by weight of *soluble phosphoric acid* ($P_2O_5$) in the material is, as the case may be, *more than* or *less than* 18 per centum. |
| 5 | Triple superphosphate of lime... | £9 7s. 0d. *increased* or *reduced* by 2s. 0d. for each whole ½ of 1 per centum by which the percentage by weight of *soluble phosphoric acid* ($P_2O_5$) in the material is, as the case may be, *more than* or *less than* 45 per centum. |
| 6 | Potash in a form other than sulphate of potash | £2 7s. 6d. *increased* or *reduced* by 9½d. for each whole 1 per centum by which the percentage by weight of *potash* ($K_2O$) in the material is, as the case may be, *more than* or *less than* 60 per centum. |
| 7 | Sulphate of potash ... ... | £1 12s. 0d. *increased* or *reduced* by 8d. for each whole 1 per centum by which the percentage by weight of *potash* ($K_2O$) in the material is, as the case may be, *more than* or *less than* 48 per centum. |

| (1) | Chargeable fertiliser (2) | Rate of CHARGE (*amount per ton*) (3) |
|---|---|---|
| | CLASS II—COMPOUND FERTILISERS | |
| 8 | Any compound fertiliser ... | The aggregate of the following rates per centum (reckoned as specified) of the weight of that compound fertiliser which consists of a substance in respect of which the rate is specified, that is to say—<br>the *nitrogen* contained in any *sulphate of ammonia* therein not being sulphate of ammonia produced by the manufacturer of that compound fertiliser, reckoned for each whole 1 per centum ... ... ... 2s. 8d.<br>the *soluble phosphoric acid* ($P_2O_5$) contained in *any description of fertiliser material* therein, reckoned for each whole ½ of 1 per centum ... ... ... 2s. 6d.<br>the *insoluble phosphoric acid* ($P_2O_5$) contained in any *ground raw phosphate* or *ground phosphate rock* therein, reckoned for each whole ½ of 1 per centum... 1s. 2d.<br>the *potash* ($K_2O$) contained therein *otherwise than* in any sulphate of potash, reckoned for each whole 1 per centum ... ... 9½d.<br>the *potash* ($K_2O$) contained in any *sulphate of potash* therein, reckoned for each whole 1 per centum ... 8d. |
| | PART B—SUBSIDIZED FERTILISER MATERIALS | |
| 9 | Pyrites ... ... ... ... | A sum equal to so much of the sum (if any) per ton paid to the fertiliser manufacturer by the Board of Trade on account of excess fertiliser material costs in respect of that material, as has not been repaid by that manufacturer to the Board. |
| 10 | Sulphur ... ... ... | |
| 11 | Spent oxide ... ... ... | |
| 12 | Sulphuric acid ... ... ... | |

## THE SECOND SCHEDULE

FERTILISERS (1951) (PRODUCTION) CHARGE

| (1) | Fertiliser sold or compounded (2) | Rate of CHARGE (*amount per ton*) (3) |
|---|---|---|
| | **PART A—ORDINARY FERTILISERS** | |
| 1 | Basic slag—ground ... ... | For a percentage by weight (reckoned for each whole 1 per centum) of *phosphoric acid* ($P_2O_5$) in the basic slag attaining—<br>6 charge at 6d.<br>7 „ „ 1s. 0d.<br>8 „ „ 1s. 6d.<br>9 „ „ 3s. 0d.<br>10 „ „ 5s. 6d.<br>11 „ „ 9s. 0d.<br>12 „ „ 13s. 6d.<br>13 „ „ 19s. 6d.<br>14 „ „ 25s. 6d.<br>15 „ „ 31s. 6d.<br>16 „ „ 36s. 0d.<br>17 „ „ 42s. 6d.<br>18 „ „ 51s. 0d.<br>19 „ „ 59s. 6d. |
| 2 | Ordinary superphosphate of lime having by weight a *soluble phosphoric acid* ($P_2O_5$) content of— | |
| (i) | not more than 17 per centum and being fertiliser manufactured— | |
| (*a*) | in Northern Ireland ... | £1 3s. 3d. |
| (*b*) | elsewhere than in Northern Ireland ... | 16s. 0d. |
| (ii) | more than 17 per centum and being fertiliser manufactured— | |
| (*a*) | in Northern Ireland... | £1 4s. 3d. |
| (*b*) | elsewhere than in Northern Ireland ... | 17s. 0d. |
| 3 | Triple superphosphate of lime having by weight a *soluble phosphoric acid* ($P_2O_5$) content of— | |
| (i) | not more than 45 per centum ... ... ... | £2 2s. 6d. |
| (ii) | more than 45 per centum... | £2 5s. 0d. |
| | **PART B—COMPOUND FERTILISERS** | |
| | Fertiliser sold | Rate of CHARGE (*amount per ton*) |
| | Any fertiliser in which phosphoric acid ($P_2O_5$) is present in the form of *ammonium phosphate* | 11s. 0d. *increased* or *reduced* by 1s. 0d. for each whole 1 per centum by which the percentage by weight of *soluble phosphoric acid* ($P_2O_5$) in that fertiliser is, as the case may be, *more than* or *less than* 12 per centum. |

EXPLANATORY NOTE

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

The Order, which comes into operation at the same time (1st July, 1951) as the Fertilisers (Prices) Order, 1951, made by the Board of Trade (S.I. 1951 No. 1017) and increasing fertiliser prices in adjustment to subsidy changes, imposes—

(1) a Stock Charge, on stocks of fertilisers in manufacturers' hands (whether for their own or some one else's account) and of fertiliser making materials, corresponding to the subsidy element in the stock profit arising from the price increases ; and

(2) a Production Charge on the home production of phosphatic fertilisers so that these and the imports necessary to supplement them can be sold at an averaged price.

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## The Fertilisers (Charges) (1950-51) (Minister of Materials) Order, 1951

## 1951 No. 1248

| | |
|---|---|
| *Made* - - - - | 11*th July*, 1951 |
| *Laid before the House of Commons* | 11*th July*, 1951 |
| *Coming into Operation* | 12*th July*, 1951 |

Whereas under Sub-section (1) of Section 2 of the Emergency Powers (Defence) Act, 1939(**a**), and Section 5 of the Supplies and Services (Transitional Powers) Act, 1945(**b**), now continued in force by the Supplies and Services (Continuance) Order, 1950(**c**), the Treasury provided by the Fertilisers (Charges) Order, 1950(**d**), and the Fertilisers (Charges) Order, 1951(**e**) (which Orders are hereafter in this Order called the " Principal (1950) Order " and the " Principal (1951) Order " respectively), for imposing and recovering a Fertilisers (1950) Charge and a Fertilisers (1951) (Stock) Charge and a Fertilisers (1951) (Production) Charge in connexion with a scheme of control of fertilisers established under Regulations 55AB and 98 of the Defence (General) Regulations, 1939, 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(**f**), and the Supplies and Services (Defence Purposes) Act, 1951(**g**), and continued in force by the Supplies and Services (Continuance) Order, 1950(**c**)), and administered by the Board of Trade :

And Whereas for the purpose of the Principal (1951) Order the subsidized fertiliser material upon which the aforesaid Fertilisers (1951) (Stock) Charge is in part computed is defined, in part, by reference to claims on account of excess fertiliser material costs admitted by the Board of Trade :

And Whereas it is provided by the aforesaid Sub-section that any order made in exercise of the powers conferred by that Sub-section may be varied by a subsequent order made by the Treasury :

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(**a**) 2 & 3 Geo. 6. c. 62. (**b**) 9 & 10 Geo. 6. c. 10. (**c**) S.I. 1950 (No. 1769) III, p. 51.
(**d**) S.I. 1950 (No. 1039) III, p. 902. (**e**) S.I. 1951 No. 1133, p. 576 above.
(**f**) 10 & 11 Geo. 6. c. 55. (**g**) 14 & 15 Geo. 6. c. 25.