(2) FISH SALES

The Fish Sales (Charges) Order, 1948

1948 No. 2611

Made - - - - - - - -	*30th November,* 1948
Laid before the House of Commons	*1st December,* 1948
Coming into Operation - - -	*4th December,* 1948

Whereas by the Fish Sales (Charges) Order, 1947(**a**), provision was made for imposing and recovering certain charges in connection with a scheme of control of fish made by the Minister of Food under Regulation 55 of the Defence (General) Regulations, 1939:

And Whereas the Minister has substituted for the above mentioned scheme of control a new scheme of control of fish, and it is desired to revoke the said Fish Sales (Charges) Order, 1947, and to provide for imposing and recovering in connection with the said new scheme the charges hereinafter specified:

Now, therefore, the Lords Commissioners of His Majesty's Treasury, by virtue of the powers conferred upon Them by Section 2 (1) of the Emergency Powers (Defence) Act, 1939(**b**), Section 5 of the Supplies and Services (Transitional Powers) Act, 1945(**c**), and of all other powers enabling Them in that behalf, hereby make the following Order:—

1. In this Order the following expressions have the meanings hereby respectively assigned to them:—

(*a*) " The Prices Order " means the Fish (Maximum Prices) Order, 1948(**d**);

(*b*) " The Minister " means the Minister of Food;

(*c*) " Licensed wholesale merchant " means any person who holds a wholesale merchant's licence to sell fish otherwise than by retail which has been granted to him by or on behalf of the Minister under the Fish (Licensing of Dealers and Processors) Order, 1947(**e**), and is for the time being in force;

(*d*) The expressions " first hand sale ", " fish ", " headless ", " port ", " skinned " and " wing " have the meanings respectively assigned to them by the Prices Order;

(*e*) " Week " means a period of seven consecutive days ending at midnight on Saturday save that in the case of the first week it means the period of eight consecutive days beginning with the day on which this Order comes into force and ending at midnight on the succeeding Saturday.

(**a**) S.R. & O. 1947 (No. 2024) II, p. 1419. (**b**) 2 & 3 Geo. 6. c. 62.
(**c**) 9 & 10 Geo. 6. c. 10. (**d**) S.I. 1948 No. 2610, p. 569 above.
(**e**) S.R. & O. 1947 (No. 1332) II, p. 637.

2. There shall, in accordance with and subject to the provisions of this Order, be paid by every person who buys fish on first hand sale:—

(*a*) in respect of herrings, a charge at the rate of 6½d. per stone of fish so bought;

(*b*) in respect of headless fish, other than herrings, skinned headless dogfish and wings of ray or skate, a charge at the rate of 1s. 1d. per stone of fish so bought;

(*c*) in respect of all other fish, a charge at the rate of 10d. per stone of fish so bought.

Provided that, if fish is bought on first hand sale through a licensed wholesale merchant selling on commission at or from premises situate elsewhere than at the port of landing, the said charge shall be paid by the licensed wholesale merchant who shall be entitled to recover the amount of the charge paid in respect of fish so bought from the buyer thereof.

3.—(1) No charge shall be payable under this Order in respect of a first hand sale of fish

(*a*) being fish which has been smoked, salted or pickled in the United Kingdom, if a charge has already become payable under this Order or any Order made under Section 2 (1) of the Emergency Powers (Defence) Act, 1939, and now revoked, in respect of a first hand sale of the same fish before the smoking, salting or pickling took place, or

(*b*) being fish (other than herrings) which has been salted or pickled before importation into the United Kingdom, or

(*c*) being fish which the Minister is satisfied has been bought solely for purposes other than for human consumption, or

(*d*) being fish which is not subject to the Prices Order.

(2) Nothing in this Article shall relieve any person from liability to pay a charge in respect of fish bought for bait.

4.—(1) The amount of the charge payable under this Order shall be paid to the Minister or as he may direct within seven days after the end of the week during which the sale in respect of which the charge is payable took place.

(2) The amount of any charge due and payable under this Order to the Minister or as he may direct shall be recoverable as a debt due to the Crown and also in England shall be recoverable by the Minister 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 Minister in respect of any charge payable under this Order shall be paid into the Ministry of Food, Fish Division, Account.

6. The Fish Sales (Charges) Order, 1947(**b**), is hereby revoked.

(**a**) 42 & 43 Vict. c. 49. (**b**) S.R. & O. 1947 (No. 2024) II, p. 1419.

7. This Order may be cited as the Fish Sales (Charges) Order, 1948, and shall come into force on the 4th day of December, 1948.

Dated the 30th day of November, 1948.

Joseph Henderson,
J. W. Snow,

Two of the Lords Commissioners of His Majesty's Treasury.

EXPLANATORY NOTE

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

This Order replaces the Fish Sales (Charges) Order, 1947 (S.R. & O. 1947 (No. 2024) II, p. 1419) which imposed charges at the following rates to be paid by every person who bought fish on first hand sale :—

On fish other than herrings	10d. per stone
On herrings	6½d. per stone

This Order increases the rate of charge on headless fish, other than herrings, skinned headless dogfish and wings of ray or skate, by 3d. per stone.

The Fish (Maximum Prices) Order, 1948 (S.I. 1948 (No. 2610) p. 569 above) which comes into force simultaneously with this Order reduces the maximum first hand prices of such fish by the same amount.

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(3) LEATHER

The Leather (Charges) (No. 2) Order, 1948

1948 No. 550

Made - - - -	18*th March*, 1948
Laid before Parliament	19*th March*, 1948
Coming into Operation	31*st March*, 1948

Whereas under subsection (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**), the Treasury provided by the Leather (Charges) (No. 1) Order, 1947(**c**) (hereafter in this Order called the " Principal Order "), for imposing and recovering in connection with a scheme of control of leather established

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(**a**) 2 & 3 Geo. 6. c. 62.
(**b**) 9 & 10 Geo. 6. c. 10.
(**c**) S.R. & O. 1947 (No. 2800) II, p. 1421.