STATUTORY INSTRUMENTS

1967 No. 1130

INDUSTRIAL ORGANISATION AND DEVELOPMENT

The Furniture Industry Development Council (Amendment No. 3) Order 1967

Laid before Parliament in draft

Made - - - *26th July* 1967

Coming into Operation *4th August* 1967

Whereas the Board of Trade have in pursuance of the powers conferred upon them by section 1 of the Industrial Organisation and Development Act 1947(a) made the Furniture Industry Development Council Order 1948(b) (hereinafter referred to as "the principal Order"):

And whereas by virtue of section 8 of the said Act the Board of Trade have previously amended the said Order(c), and may by virtue thereof further amend the said Order:

And whereas by virtue of section 14(2) of the said Act an Order amending the principal Order may provide that further activities are to be treated as included in the industry for which the Development Council is established:

And whereas the Board of Trade have consulted the Development Council and the organisations appearing to them to be representative of substantial numbers of persons carrying on business in the industry and the organisations representative of persons employed in the industry appearing to the Board of Trade to be appropriate:

And whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, the Board of Trade in pursuance of the powers conferred upon them by sections 8 and 14(2) of the Industrial Organisation and Development Act 1947 hereby order as follows:—

1. The principal Order, as amended, shall have effect subject to the amendments set out in the Schedule hereto:

Provided that the provisions of the principal Order as in force immediately before the commencement of this Order shall continue to apply in relation to the recovery of charges payable in respect of a period ending before 1st January 1967.

(a) 1947 c. 40
(b) S.I. 1948/2774 (Rev. X, p. 765: 1948 I, p. 1633).
(c) S.I. 1958/1126, 1964/1085 (1958 I, p. 1283; 1964 II, p. 2400).

2.—(1) The Interpretation Act 1889(a) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) This Order may be cited as the Furniture Industry Development Council (Amendment No. 3) Order 1967 and shall come into operation on 4th August 1967.

Douglas Jay,
President of the Board of Trade.

26th July 1967.

SCHEDULE

AMENDMENTS TO THE FURNITURE INDUSTRY DEVELOPMENT COUNCIL ORDER 1948, AS AMENDED

1.—(1) Article 4 shall be amended as follows.

(2) After paragraph (1) there shall be added the following paragraph:—
"(1A) Every person carrying on business in the industry, as extended by the provisions of the Furniture Industry Development Council (Amendment No. 3) Order 1967, on the date of operation of that Order and who was not carrying on business in the industry for the purposes of the principal Order as having effect immediately before that date, shall within one month thereof apply in writing to the Council to be registered.".

(3) In paragraphs (3) and (7), after the references to paragraph (1), there shall be added references to paragraph (1A).

2. For Article 6 there shall be substituted the following:—
"6.—(1) For the purpose of enabling the Council to meet their expenses in the exercise of their functions and their administrative expenses the Council may, with the approval of the Board of Trade, impose on persons carrying on business comprising any of the designated activities, a charge calculated in relation to each such person in accordance with the provisions of paragraph (2) of this Article, in respect of the year 1967 and each subsequent year:

Provided that no charge shall be imposed on a person in respect of a year if the value of the products which would, but for this proviso, have to be taken into account in calculating the liability of that person in respect of that year does not exceed £3,000.

(2) Any charge imposed on persons by the Council under the provisions of paragraph (1) of this Article shall be calculated, in relation to each such person, on the value of the products supplied by him in pursuance of a contract of sale (whether the buyer intended to resell the products or not) during the base year, being the products of the designated activities carried on by him, at a rate, not exceeding 10s. 0d., fixed by the Council in respect of each £1,000 or part thereof.

In this paragraph—
"value" means the aggregate of the prices paid or payable for such products, before any deduction by way of discount, commission or allowance but excluding delivery charges payable by the buyer and excluding any sum in respect of purchase tax;
"base year" means the year ending on 31st December next preceding the commencement of the year in respect of which the charge is imposed.

(3) As soon as may be after the Board of Trade have approved the imposition of any charge under this Article, the Council shall, by notice given in such manner as they think best adapted for informing the persons affected, specify—

(*a*) the year in respect of which the charge is imposed;

(*b*) the base year in respect of which the charge is to be calculated;

(*c*) the rate fixed by the Council at which the charge is to be calculated; and

(*d*) the date on which the charge becomes payable.

(a) 1889 c. 63.

(4) Every person on whom a charge is imposed under this Article shall pay to the Council, on or before the date specified in the notice given under paragraph (3) of this Article as the date on which the charge becomes payable, a sum calculated in relation to him and in respect of that charge in accordance with the provisions of this Article.

(5) The Council may by notice in writing require any person carrying on a business comprising any of the designated activities—

(*a*) to furnish such returns and other information;

(*b*) to keep such records; and

(*c*) to produce for examination on behalf of the Council such books and other documents and records in his custody or under his control

relating to the designated activities carried on by him as appear to the Council to be necessary for the purposes of the imposition or recovery under this Order of any charge.

(6) Any two or more persons jointly carrying on a business comprising any of the designated activities shall in so far as it is material for the purposes of this Article to ascertain the amount of any charge payable by them to the Council, be treated as constituting together a single person.

(7) The amount of any charge due and payable under this Order shall be recoverable by the Council as a debt.".

3. In paragraph 2 of Schedule 1, for the definition of "furniture" there shall be substituted the following:—

" 'furniture' means furniture made of any material, whether assembled or not, of a type commonly used for domestic purposes, whether or not designed, manufactured or supplied for those purposes, and whether designed to be free-standing or to be affixed to premises, but does not include—

(*a*) furniture designed to be affixed to premises and made (whether on the premises to which it is to be affixed or elsewhere) by any person—

(i) pursuant to a contract entered into by him to supply and affix such furniture, or

(ii) for installation on premises owned by him;

(*b*) pottery, musical instruments, music stands or music desks, mirrors, electrical appliances, hearth furniture and floor coverings;

(*c*) blinds, curtains, divans, upholstered bed-bases, mattresses, bolsters, pillows and any other household textiles whether or not containing stuffing.".

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Furniture Industry Development Council Order 1948, as amended.

The principal changes are:—

(*a*) the amount of the charges which may be imposed by the Council is to be limited by reference to a maximum rate, and not by reference to a maximum amount as hitherto;

(*b*) persons whose sales of furniture do not exceed £3,000 in the relevant year are exempt from levy; and

(*c*) the manufacture of various classes of built-in furniture is brought within the scope of the Order.