(32) FUEL

The Control of Fuel Order, 1948

1948 No. 1078

Made - - - -	*25th May*, 1948
Laid before Parliament	*25th May*, 1948
Coming into Operation	*1st June*, 1948

[This Order was revoked and replaced (April 2, 1949) by the Electric Lighting (Restriction) Order, 1949 (S.I. 1949 No. 633), and is therefore omitted from this volume.]

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(33) FURNITURE

[*See* also p. 1000 below (SALES BY AUCTION AND TENDER), and Index to Vol. I (GOODS AND SERVICES (Maximum Prices, &c.)).]

(i) *Records and Miscellaneous Provisions.*
(ii) *Utility Furniture (Buying Permits)*, p. 815.
(iii) *Utility Mark*, p. 816.

(i) RECORDS AND MISCELLANEOUS PROVISIONS

The Furniture (Records and Miscellaneous Provisions) Order, 1948

1948 No. 2625

Made - - - -	*3rd December*, 1948
Laid before Parliament	*3rd December*, 1948
Coming into Operation	*20th December*, 1948

ARRANGEMENT

1. Requirements as to Furniture Stock Record.
2. Requirement to attach tickets.
3. Requirement to furnish statement in writing as to price.
4. Requirement as to Furniture Repair Register.
5. Invoices relating to repairs.
6. Preservation of records.
7. Preservation of invoices.
8. Prohibition of advertisements not containing certain particulars.
9. Definitions.
10. Revocations and savings.
11. Citation and commencement.

The Board of Trade, in pursuance of the powers conferred upon them by Regulations 55, 55AA and 55AB of the Defence (General) Regulations, 1939(a), 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(c), hereby order as follows:—

Requirements as to Furniture Stock Record.

1.—(1) A distributor in the course of whose business second-hand furniture is sold shall keep at each of the premises at which such furniture is so sold a record (the pages of which are consecutively numbered) designated the Furniture Stock Record containing the particulars set out in the First Schedule hereto.

(2) No distributor required to keep a Furniture Stock Record shall sell, agree to sell or offer or expose for sale any second-hand furniture if any entry in that record relating to the acquisition of the furniture by him and any relevant entry relating to the repair thereof has not been completed.

(3) Without prejudice to the provisions of the last preceding paragraph a distributor required to keep a Furniture Stock Record shall complete the particulars required to be entered therein in relation to any furniture within fourteen days of the requisite information becoming available to him.

(4) Nothing in this Article shall require the making of any entry in the Furniture Stock Record in respect of furniture of which the retail selling price is less than £6 10s. inclusive of any purchase tax paid or payable.

Requirement to attach tickets.

2.—(1) No distributor shall sell, agree to sell or offer or expose for sale any furniture, unless there is attached to each article of such furniture or to each set of articles of such furniture in a position in which it can be easily read by any customer a ticket setting out in legible characters—

(*a*) the price at which that article or set of articles may be purchased for cash, and

(*b*) in the case of an article of second-hand furniture (not being an article of furniture referred to in paragraph (4) of the preceding Article), the item number in the Furniture Stock Record under which the article is entered, and

(*c*) in respect of all second-hand furniture, the word "second-hand."

(2) Without prejudice to the provisions of the last preceding paragraph a distributor thereby required to attach a ticket to any furniture before offering it for sale shall attach the ticket within fourteen days of the information requisite to enable him to ascertain the maximum price of the furniture becoming available to him.

(3) In the case of a number of similar articles of furniture the retail selling price of each of which is the same and less than £6 10s. (inclusive of any purchase tax paid or payable), it shall be a sufficient compliance with the provisions of this Article if one such ticket is so attached that it can be easily read by any customer and clearly relates to all those articles.

(a) *See* Note, p. 15 above.

(b) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1618) II, pp. 39 and 48.

(c) 10 & 11 Geo. 6. c. 55.

Requirement to furnish statement in writing as to price.

3. No distributor shall sell to or buy from another distributor any furniture unless, prior to the completion of the sale, there has been furnished to the buyer by the seller a statement in writing (whether on an invoice or otherwise) setting out—

(1) in the case of new furniture—

(*a*) where that furniture has been manufactured in the United Kingdom, the purchase price paid or agreed to be paid for that furniture by the first purchaser thereof (other than a manufacturer buying in the course of his business), and

(*b*) where that furniture (being utility furniture) has been manufactured outside the United Kingdom and imported into Great Britain, that it is imported furniture;

(2) in the case of second-hand furniture—

(*a*) the purchase price paid or agreed to be paid for the furniture by the first purchaser thereof from a person not being a manufacturer or distributor (or if more than one of such persons have owned that furniture the last such person, not being a person who it is established was the owner for less than twelve months), being a price exclusive of any commission or other consideration payable to an agent in respect of that purchase, and

(*b*) the cost of any repair to that furniture which is permitted by paragraph (1) of Article 7 of the Furniture (Maximum Prices and Charges) Order, 1948(a), to be included in the maximum price to be charged by the seller.

Requirement as to Furniture Repair Register.

4.—(1) Any person who in the course of his business carries out or procures the carrying out of repairs, or any process other than a process of production, reconstruction or conversion, to any furniture shall at each of the premises used for those purposes keep a register designated the Furniture Repair Register containing the appropriate particulars set out in the Second Schedule hereto.

(2) No person required to keep a Furniture Repair Register shall make a request for or accept any payment in respect of any repair, or any process other than a process of production, reconstruction or conversion, carried out or procured to be carried out to any furniture unless he has completed the entries in that register in relation to that furniture.

Invoices relating to repairs.

5. A person required to keep a Furniture Repair Register shall, in respect of any repair, or any process other than a process of production, reconstruction or conversion, to any furniture carried out by him for a distributor, within fourteen days of the delivery by him of such furniture after completion of the work, furnish to that distributor an invoice containing the following particulars:—

(i) his name and address,
(ii) the name and address of the distributor,
(iii) a description of the work sufficient to enable such work to be identified by reference to the entries in the Furniture Repair Register kept by him,
(iv) the amount of the charge to be made for the work,
(v) the date on which such invoice is furnished.

(a) S.I. 1948 (No. 2624) I, p. 1455.

Preservation of records.

6. The entries contained in the Furniture Stock Record and the Furniture Repair Register respectively shall, in relation to any furniture, be preserved by the person required to keep any such record for a period of three years from the date on which all such entries were completed in respect of that furniture.

Preservation of invoices.

7. Where there has been furnished a statement in writing (made otherwise than on an invoice) as required by Article 3 of this Order or an invoice as required by Article 5 of this Order—

(1) the person required to furnish that statement or that invoice as the case may be, shall preserve a duplicate thereof for a period of 12 months after the date on which it was furnished, and

(2) the person to whom that statement or that invoice is required to be furnished shall preserve the said statement or the said invoice, as the case may be, for a similar period after its receipt by him.

Prohibition of advertisements not containing certain particulars.

8.—(1) Except under the authority of a licence granted by the Board of Trade and subject to any limitation or condition attaching thereto, no person carrying on a business which includes the publication or exhibition of advertisements shall publish or exhibit any advertisement for the supply of any furniture, unless such advertisement contains the name, firm name or style of the owner of such furniture and the address where such furniture can be inspected.

(2) This Article shall not apply to an advertisement of a sale by auction by a person to whom the provisions of the Sale by Auction and Tender (Control) Order, 1947(a), apply, or to an advertisement effected by means of a publication issued, or to an advertisement exhibited by a person on his own premises, in relation to furniture which is the stock-in-trade of that person.

Definitions.

9. In this Order—

" distributor " means a person carrying on a business of disposing of furniture whether as a principal or agent;

" furniture " means furniture to which the Furniture (Maximum Prices and Charges) Order, 1948, applies;

" new furniture " means furniture which has not subsequently to production, reconstruction or conversion, or the latest of them, been used but does not include any Government surplus furniture;

" retail customer " means a person to whom furniture is offered for sale by retail;

" second-hand furniture " means furniture which has subsequently to production, reconstruction or conversion, or the latest of them, been used and includes Government surplus furniture;

" utility furniture " means furniture to which the utility mark (shown in the Second Schedule to the Furniture (Utility Mark) Order, 1948(b), has been applied in pursuance of that or any other Order.

Revocations and savings.

10.—(1) The Furniture (Records and Miscellaneous Provisions) Order, 1947(c), and the Furniture (Records and Miscellaneous Provisions) (Amendment) Order, 1948(d), are hereby revoked.

(a) S.R. & O. 1947 (No. 1469) II, p. 1247.
(b) S.I. 1948 No. 2507 p. 816 below.
(c) S.R. & O. 1947 (No. 1191) II, p. 1083.
(d) S.I. 1948 No. 1141.

(2) The provisions of this Order shall apply to any Furniture Stock Record or Furniture Repair Register kept for the purposes of the Furniture (Records and Miscellaneous Provisions) Order, 1947, or any Order revoked thereby, and to the preservation of any statement in writing or invoice or duplicate thereof furnished or kept for the purpose of those Orders, and any entry duly made in such registers in relation to a thing done before the commencement of this Order shall be a sufficient compliance with the provisions of this Order in relation to that thing.

11. This Order may be cited as the Furniture (Records and Miscellaneous Provisions) Order, 1948, and shall come into operation on the 20th day of December, 1948. Citation and commencement.

Dated this 3rd day of December, 1948.

Harold Wilson,
President of the Board of Trade.

FIRST SCHEDULE

Particulars to be inserted in Furniture Stock Record

The particulars in the undermentioned paragraphs shall be recorded in a separate column in relation to each paragraph

Acquisition

1. Item number.

2. Description of article (in sufficient detail to enable it to be readily identified) and the appropriate item number in any Related Schedule (issued for the purposes of the Furniture (Maximum Prices and Charges) Order, 1948) relevant to the determination of the maximum price to be charged for that furniture and the number of that Schedule.

3. Date of receipt or repossession.

4. Name and address of person from whom received or repossessed and, in the case of a distributor, sufficient particulars of his invoice (and of any separate statement in writing furnished in pursuance of Article 3 of this Order) to enable it to be readily identified.

5. Identification particulars—

(1) in the case of furniture comprised in a hire-purchase or credit sale agreement and which has been repossessed or returned, the letter " R ";

(2) in the case of furniture acquired at auction, the letter " A ".

6. Price—

(1) in the case of furniture in relation to which " R " is entered under column 5 the maximum price at which it could lawfully have been sold at the date of the hire-purchase or credit sale agreement, or

(2) in the case of any other second-hand furniture the purchase price paid or agreed to be paid for that furniture by the first purchaser thereof from a person other than a manufacturer or distributor (or, if more than one of such persons have owned that furniture, the last such person not being a person who it is established was the owner for less than twelve months) being a price exclusive of any commission or other consideration payable to an agent in respect of that purchase, and if that purchase price was the single consideration for a number of articles of furniture the apportioned part of that price reasonably appropriate to each article.

Repairs

7. The cost of any repair permitted by paragraph (1) of Article 7 of the Furniture (Maximum Prices and Charges) Order, 1948, to be included in the maximum price to be charged in the course of the business of a distributor, and

(1) serial number of job and reference in Furniture Repair Register; or

(2) the date or other identification of the statement furnished in accordance with Article 3 of this Order.

Disposal

8. Date of disposal, or number of later folio to which transferred.

9. Name and address of person to whom supplied, being, in the case of a person acting as an agent, his name and address.

10. Total sum paid or to be paid and if supplied under a hire-purchase or credit sale agreement the letters " HP " or " CS ".

SECOND SCHEDULE

PARTICULARS TO BE INSERTED IN FURNITURE REPAIR REGISTER

1. Serial number of job.

2. General description of furniture.

3. Name and address of customer.

Repair or process carried out by person keeping Register

4. Description of work in sufficient detail to enable it to be reconciled with the charge made.

5. Description, quantity (unless insignificant) and cost (including purchase tax) of materials used.

6. Direct labour—

(1) in respect of each operative employed on job and of employer if he has personally performed any part of the work—

(i) name or number;

(ii) wage cost of work done by him on job, and equivalent for direct labour of employer (if any);

(iii) actual time taken on work done by him (whether he is paid at a time rate or at a piece rate) and

(2) aggregate wage cost of work done on job by all operatives employed thereon and equivalent for direct labour of employer (if any), and total of actual time taken by them on such work.

Repair or process carried out by another person in course of his business

7. Name and address of that other person.

8. Date and reference number of that other person's invoice.

9. Amount charged by that other person.

All repairs or processes

10. The amount charged to the customer and the reference number of the invoice (if any), or the amount transferred to the appropriate column in the Furniture Stock Record and the relevant Furniture Stock Record folio number.

EXPLANATORY NOTE

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

This Order re-enacts with amendments the Furniture (Records and Miscellaneous Provisions) Order, 1947, as amended.

The principal changes are:—

(i) Stock records need now be kept only in respect of second-hand furniture.

(ii) The maximum price for a suite containing both scheduled and unscheduled furniture is no longer fixed at the maximum price for the scheduled furniture.

(iii) The restrictions on letting out furniture on hire are removed.

(iv) On a sale of imported utility furniture between distributors the seller must furnish to the buyer a statement in writing that it is imported furniture.

(ii) UTILITY FURNITURE (BUYING PERMITS)

The Utility Furniture (Buying Permits) Order, 1948

1948 No. 1287

Made - - - - -	16*th June*, 1948
Laid before Parliament	16*th June*, 1948
Coming into Operation	23*rd June*, 1948

The Utility Furniture (Buying Permits) (Amendment) Order, 1948

1948 No. 1971

Made - - - -	26*th August*, 1948
Laid before Parliament	27*th August*, 1948
Coming into Operation	1*st September*, 1948

[The two Orders above were revoked (March 1, 1949) by the Utility Furniture (Buying Permits) (Revocation) Order, 1949 (S.I. 1949 No. 258) and are therefore omitted from this volume.]