3. MAXIMUM PRICES AND CHARGES

(1) *Apparel and Textiles.*
(2) *Carpets*, p. 2108.
(3) *Clocks and Watches*, p. 2123.
(4) *Cloth and Household Textiles, (Utility)*, p. 2125.
(5) *Domestic Pottery*, p. 2136.
(6) *Footwear*, p. 2137.
(7) *Furniture*, p. 2162.
(8) *Glass Tumblers*, p. 2170.
(9) *Handkerchiefs (Utility)*, p. 2170.
(10) *Hardware and Ironmongery*, p. 2176.
(11) *Hemming*, p. 2176.
(12) *Hollow-Ware*, p. 2176.
(13) *Knitting Pins*, p. 2194.
(14) *Knives, Spoons and Forks*, p. 2194.
(15) *Laundry Charges*, p. 2194.
(16) *Leather (Skiver and Chamois)*, p. 2209.
(17) *Pencils*, p. 2209.
(18) *Photographic Film*, p. 2209.
(19) *P.V.C. Sheeting*, p. 2210.
(20) *Second-Hand Goods*, p. 2210.
(21) *Storage*, p. 2213.
(22) *Toys and Indoor Games*, p. 2213.
(23) *Wedding Rings*, p. 2214.
(24) *Wiping Rags*, p. 2215.
(25) *Yarn and Cloth (Wool and Animal Fibre)*, p. 2216.
(26) *Miscellaneous Goods*, p. 2217.
(27) *Miscellaneous Orders Revoked*, p. 2223.

(1) APPAREL AND TEXTILES

(i) *General Apparel and Textiles.*
(ii) *Utility Apparel*, p. 2095.
(iii) *Women's and Maids' Nylon Hose*, p. 2106.

(i) GENERAL APPAREL AND TEXTILES

The General Apparel and Textiles (Distributors' Maximum Prices) Order, 1949

1949 No. 1703

Made - - - -	13*th September*, 1949
Laid before Parliament	14*th September*, 1949
Coming into Operation	26*th September*, 1949

The Board of Trade, in pursuance of the powers conferred upon them by Sections 1, 13 and 18 of the Goods and Services (Price Control) Act, 1941(**a**), as amended by the Defence (Price Control) Regulations, 1945(**b**), hereby order as follows :—

PART I

MAXIMUM PRICES

1. The maximum prices to be charged in the course of the business of an importer, wholesaler or retailer, in respect of goods to which this Order applies being those specified or referred to in the First Schedule hereto (hereinafter called " goods ") shall be computed in accordance with the following provisions of this Order.

Imported goods. Importer and Wholesaler

2. The maximum price to be charged in the course of the business of an importer, in respect of goods imported into the United Kingdom in the

(**a**) 4 & 5 Geo. 6. c. 31. (**b**) S.R. & O. 1945 (No. 1613) II, p. 81.

course of that business, or a wholesaler, in respect of such goods, shall be—

(*a*) on a sale otherwise than to a retail customer, the landed cost and the appropriate percentage thereof specified in column 4 of the Second Schedule hereto ;

(*b*) on a sale to a retail customer, the landed cost, the appropriate percentage thereof specified in column 5 of the said Second Schedule and the amount of purchase tax (if any) paid or payable in respect thereof.

Other goods. Wholesaler

3.—(1) The maximum price to be charged on a sale of goods to which Article 2 does not apply in the course of the business of a wholesaler who, in respect of those goods, conducts a regular selling organisation for supplying the retail trade or the making-up trade and who carries, in a warehouse or other storage premises, stocks of such goods which are substantial in relation to his turnover, shall be—

(*a*) on a sale otherwise than to a retail customer, the purchase price paid or agreed to be paid to the manufacturer by the first purchaser and the appropriate percentage thereof specified in column 2 of the Second Schedule hereto ;

(*b*) on a sale to a retail customer, computed in accordance with the provisions of Article 4 as if such wholesaler were a retailer.

(2) The maximum price to be charged on a sale of goods to which Article 2 does not apply in the course of the business of any other wholesaler shall be—

(*a*) on a sale otherwise than to a retail customer, the purchase price paid or agreed to be paid to the manufacturer by the first purchaser and 5 per cent. thereof ;

(*b*) on a sale to a retail customer, computed in accordance with the provisions of Article 4 as if such wholesaler were a retailer.

(3) In computing the maximum price to be charged in the course of the business of a wholesaler in respect of fabrics in the piece to which the process known as "London shrinking" has been carried out for him and at his request and cost, he may add such cost to the amount taken into account by him in respect of the purchase price paid or agreed to be paid to the manufacturer by the first purchaser ; so, however, that the amount of the cost so added shall not exceed 4¾d. per yard.

Retailer

4. The maximum price to be charged in the course of the business of a retailer in respect of goods shall be the purchase price paid or agreed to be paid to the manufacturer, importer or wholesaler by the first purchaser (being a retailer), the appropriate percentage thereof specified in column 3 of the Second Schedule hereto and the amount of purchase tax (if any) paid or payable in respect of those goods.

Composite Businesses

5.—(1) In relation to a business which, in respect of goods, consists of at least two of the following, a manufacturing branch, a wholesale branch and a retail branch, in relation to which the prescribed conditions are fulfilled, each such branch may be treated as a wholly separate business and—

(i) the maximum price to be charged in respect of goods sold by the wholesale branch shall be computed by adding to the wholesale cost an amount which is either the appropriate percentage of such cost specified in column 2 of the Second Schedule hereto, or the prescribed percentage of such cost;

(ii) the maximum price to be charged in respect of goods sold by the retail branch shall be computed in accordance with the provisions of Article 4; provided that for the reference to the purchase price paid or agreed to be paid by the first purchaser there shall be substituted a reference to the retail cost.

(2) In this Article:—

(i) "prescribed conditions" means

(*a*) that separate records and books of account are kept in respect of the manufacturing branch, the wholesale branch and the retail branch of the business (as the case may be), including records showing the transfer of goods from one branch to another branch, and the amount at which such goods were transferred; and

(*b*) that where there is a wholesale branch of the business there is maintained in connection with that branch a warehouse or other storage premises used for carrying stocks of the business which are substantial in relation to the turnover of that branch, and there is conducted in connection with that branch either a regular selling organisation for supplying the retail trade, or a central warehouse; and

(*c*) that a notice in writing in duplicate, signed by a person competent to do so, stating that the conditions set out in sub-paragraph (i) (*a*) and (where applicable) sub-paragraph (i) (*b*) of this paragraph have been fulfilled, is forwarded to, and the duplicate of such notice has been returned by, the Secretary of the Central Price Regulation Committee; provided that if, in respect of goods, a notice with respect to conditions similar to those set out was so forwarded and returned before the date of this Order, then such notice shall be deemed a compliance with the provisions of this sub-paragraph;

(ii) "wholesale cost" means in relation to the wholesale branch—

(*a*) in respect of goods purchased from a manufacturer, importer or wholesaler, the purchase price paid or agreed to be paid to the manufacturer or importer by the first purchaser;

(*b*) in respect of goods transferred from the manufacturing branch to the wholesale branch, the purchase price at which such goods were so transferred;

(iii) " retail cost " means in relation to the retail branch—

(*a*) in respect of goods purchased from a manufacturer, importer or wholesaler, the purchase price paid or agreed to be paid to the manufacturer, importer or wholesaler, by the first purchaser, being a retailer;

(*b*) in respect of goods transferred to the retail branch by the manufacturing branch, the purchase price at which such goods were so transferred;

(*c*) in respect of goods transferred to the retail branch by the wholesale branch (being a branch in which the maximum price chargeable in respect of every sale of goods by that branch is computed by adding an amount which is the prescribed percentage thereof to the wholesale cost), the wholesale cost of the wholesale branch together with an amount which is the prescribed percentage thereof;

(*d*) in respect of goods transferred to the retail branch by the wholesale branch (not being a branch referred to in the preceding sub-head), the wholesale cost of the wholesale branch; provided that in the case of goods of descriptions mentioned in Part I of the Second Schedule which are despatched from a central warehouse of such wholesale branch, the wholesale cost may be increased by an amount equal to 5 per cent. thereof;

(iv) " central warehouse " means a warehouse of a wholesale branch from which warehouse not less than 10 retail branches are being supplied or were being supplied on a date when one or more of such branches was closed down as a direct result of having sustained war damage, and such remaining branches continued to be so supplied;

(v) " prescribed percentage " means the percentage which bears to the appropriate percentage specified in column 2 of the Second Schedule the same ratio as the aggregate of:—

(*a*) the wholesale cost of goods sold to retailers, and

(*b*) in respect of goods of the descriptions specified in Part I of the Second Schedule which are despatched from a central warehouse of the wholesale branch to the retail branch of the same business, one fifth of the wholesale cost of such goods transferred, bears to the aggregate of the wholesale cost of—

(*c*) goods sold to retailers, and

(*d*) goods transferred to the retail branch, during the six monthly accounting period immediately preceding the day on which such goods were so sold or transferred;

(vi) " war damage " has the meaning assigned in sub-sections (1) and (3) of Section 2 of the War Damage Act, 1943(a).

Rounding and Discount

6. Notwithstanding anything contained in this Order

(1) on a sale by a wholesaler of goods, the maximum price of which computed in accordance with the provisions of this Order, is or exceeds the sum of 3s. the maximum price shall be rounded to the nearest penny;

(a) 6 & 7 Geo. 6. c. 21.

(2) on a sale of goods to a retail customer the maximum price computed in accordance with the appropriate foregoing provisions of this Order shall be rounded to the nearest half penny if that price does not exceed 5s. and to the nearest penny if that price exceeds 5s.;

(3) On sale of goods (otherwise than to a retail customer) the maximum price computed in accordance with the foregoing provisions of this Order shall be reduced by an amount not less than 2½ per cent. thereof in any case in which payment for those goods is made or tendered before the tenth day of the month immediately succeeding that in which they were consigned by the seller to or to the order of the buyer.

Invoices

7. In relation to imported goods sold in the course of the business of an importer or a wholesaler and bought in the course of the business of a wholesaler the Price-Controlled Goods (Invoices) Order, 1943(a), shall have effect as if in the invoice to be furnished, the seller were required (in addition to the particulars referred to in Article 2 of that Order) to include statements that the goods were imported, and of the landed cost thereof.

PART II

GENERAL

Interpretation

8. In this Order—

"landed cost" means, in relation to the sale of imported goods, an amount equal to the aggregate of:—

(*a*) the price (after all deductions by way of discount other than cash or settlement discounts not exceeding 5 per cent.) paid or agreed to be paid by the importer, and

(*b*) all sums (in so far as they are not included under (*a*) above) paid or payable by the importer in respect of packing, insurance, freight to the port of entry, import duties and customs clearance charges;

"manufacturer" includes "maker-up" and means any person who carries out a process of manufacture or making-up, in relation to goods, or who procures or permits materials belonging to him to be subjected to any process, other than "London shrinking", whereby goods are produced;

"maximum price" means the price payable before any deduction by way of discount and on a sale to a retail customer but not otherwise inclusive of purchase tax; and delivery charges shall be included in the said price except that

(i) in calculating the maximum price to be charged on a sale of any goods to a retail customer, the cost actually paid or incurred of delivering those goods to that retail customer may be excluded, and

(a) S.R. & O. 1943 (No. 604) I, p. 309.

(ii) in calculating the maximum price to be charged on a sale of any goods otherwise than to a retail customer, the cost actually paid or incurred of delivering those goods may be excluded, where the price of those goods, or, if the goods are included in a parcel comprising other articles, the price of the parcel (exclusive of purchase tax and such cost of delivering) does not exceed £10(a);

"purchase price" means the price after all deduction by way of discount other than cash or settlement discount not exceeding 5 per cent. and exclusive of purchase tax; and delivery charges may be included in the calculation of the purchase price of any goods except where the price of the goods purchased, or if the goods were included in a parcel comprising other articles, the price of the parcel (exclusive of purchase tax and delivery charges) did not exceed £10(a);

"retail customer" means a person to whom goods are offered for sale by retail;

"women's and maids' outerwear" does not include such articles of a kind suitable for young children's wear as are exempt from purchase tax.

Revocation

9. The General Apparel, Furnishings and Textiles (Distributors' Maximum Prices and Charges) Order, 1948(b), the General Apparel, Furnishings and Textiles (Distributors' Maximum Prices and Charges) (Amendment) Order, 1948(c), and the General Apparel, Furnishings and Textiles (Distributors' Maximum Prices and Charges) (Amendment No. 2) Order, 1949(d), are hereby revoked.

Citation and Commencement

10. This Order may be cited as the General Apparel and Textiles (Distributors' Maximum Prices) Order, 1949, and shall come into operation on the 26th day of September, 1949.

Dated this 13th day of September, 1949.

Harold Wilson,

President of the Board of Trade.

FIRST SCHEDULE

Goods to which the Order applies

Goods of the descriptions mentioned in the Second Schedule to this Order not being—

(1) utility goods, that is to say, goods to which the utility mark shown in the Second Schedule to the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947(e), has been applied in pursuance of that or any other Order; or

---

(a) "£2" substituted, *see* p. 2088 below.
(b) S.I. 1948 (No. 2220) I, p. 1390.
(c) S.I. 1948 (No. 2525) I, p. 1402.
(d) S.I. 1949 No. 90.
(e) S.R. & O. 1947 (No. 2642) II, p. 160.

(2) goods of a description for which maximum prices have been fixed (in relation to the business of an importer, a wholesaler or a retailer) by Orders for the time being in force made by the Board of Trade under Section 1 of the Goods and Services (Price Control) Act, 1941 (other than this Order) or by a competent authority under the Defence (General) Regulations, 1939; or

(3) goods purchased by or on behalf of a Government Department, in respect of which the seller shall have notice in writing at or before the time of supply that they were being so purchased; or

(4) second-hand goods; or

(5) fabrics purchased by a maker-up for the purpose of being made up by him into apparel intended for export, being fabrics in respect of which the seller shall have notice in writing at or before the time of supply that they were being so purchased; or

(6) goods sold pursuant to an Order placed in the United States of America or the Dominion of Canada, and upon terms that payment is made in United States or Canadian dollars and that the goods are supplied to a person resident in the United Kingdom; or

(7) narrow fabrics, that is to say, fabrics of a width not exceeding 18 inches made wholly or mainly from any textile and produced (otherwise than by knitting) with two self edges or braided or plaited; or

(8) hand-woven cloth; or

(9) women's and maids' outerwear; or

(10) household and industrial overalls.

SECOND SCHEDULE

PART I

1. Description of goods	2. Wholesaler's percentage figure of price paid	3. Retailer's percentage figure of price paid	4. Importer's and wholesaler's percentage figure of landed cost on a sale otherwise than to a retail customer	5. Importer's and wholesaler's percentage figure of landed cost on a sale to a retail customer
	Per cent.	Per cent.	Per cent.	Per cent.
1. Outer clothing (other than headwear or footwear or goods made wholly or mainly of fur skin)	25	50	30	55
2. Men's, youths' and boys' underwear and nightwear ...	21·22	42·86	26·22	47·86
3. Men's, youths' and boys' shirts and boys' blouses ...	21·22	50	26·22	55
4. Women's and maids' underwear and nightwear (other than corsets and brassieres)	25	42·86	30	47·86

PART I—*cont.*

1.	2.	3.	4.	5.
	Per cent.	Per cent.	Per cent.	Per cent.
5. Infants', children's and girls' underwear and nightwear ...	25	42·86	30	47·86
6. Corsets and brassieres ...	25	50	30	55
7. Stockings and socks	21·22	42·86	26·22	47·86
8. Gloves and other handwear	25	50	30	55
9. All articles of apparel (other than headwear, braces, handkerchiefs or goods made wholly or mainly of fur skin) not specified in this Schedule	25	50	30	55

PART II

1. Fabrics (whether woven or knitted, whether in the piece, shaped or partly made up and whether or not subjected to any process of finishing) the textile content of which comprises more than 15 per cent. by weight of fibre from the coat or fleece of alpaca, camel, goat, hare, lamb, llama, rabbit, sheep, vicuna or yak or of horsehair.				
(*a*) Fabric bought in the piece not less than 45 yards in length and being sold in a length not exceeding 7 yards	42·86	42·86	47·86	47·86
(*b*) Pile fabric bought in the piece less than 45 yards but not less than 30 yards in length and being sold in a length not exceeding 7 yards	42·86	42·86	47·86	47·86
(*c*) Fabric bought in the piece not less than 45 yards in length and being sold in a length exceeding 7 yards but not exceeding 30 yards ...	33⅓	42·86	38⅓	47·86
(*d*) Pile fabric bought in the piece less than 45 yards but not less than 30 yards in length and being sold in a length exceeding 7 yards but not exceeding 15 yards ...	33⅓	42·86	38⅓	47·86
(*e*) Any fabric bought and being sold otherwise than as specified in sub-head (*a*), (*b*), (*c*) and (*d*)	21·22	42·86	26·22	47·86
2. Hand-knitting yarn	21·22	42·86	26·22	47·86

NOTE.—The percentage figures specified in Columns 2 and 3 are expressed as percentages of the price paid, and in Columns 4 and 5 as percentages of the landed

cost. The equivalent percentage figures expressed as percentages of the selling price exclusive of Purchase Tax are as follows:—

Percentage figure of price paid or landed cost	Equivalent percentage figure of selling price
55	35·48
50	33⅓
47·86	32·38
42·86	30
38⅓	27·77
34·04	25·4
33⅓	25
30	23
29·04	22½
26·22	20·8
25	20
21·22	17½

EXPLANATORY NOTE

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

This Order supersedes the General Apparel, Furnishings and Textiles (Distributors' Maximum Prices and Charges) Order, 1948, and amending Orders.

The following are the principal changes:—

The Order no longer applies to:—

(*a*) Cotton, linen, rayon, silk and jute cloths and handwoven cloth of any description.

(*b*) Household textiles.

(*c*) Soft furnishings of plastic, leather or rubber.

(*d*) Bedding, blankets, pram rugs and travelling rugs.

(*e*) Garments (other than handwear), made wholly or mainly of furskin.

(*f*) Women's and maids' outerwear.

(*g*) Headwear.

(*h*) Braces.

(*i*) Handkerchiefs.

(*j*) Haberdashery.

(*k*) Accessories for apparel.

(*l*) Household and industrial overalls.

There are new definitions of manufacturer, maximum price and purchase price and new provisions in relation to delivery charges.