EXPLANATORY NOTE

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

It is essential, in order that the new Gold Coast constitution should be brought into force early next year, that provision for elections to the new legislature should be made by local legislation very shortly. It would not, however, be constitutionally proper that such legislation should be enacted by the existing Gold Coast legislature in advance of the new constitutional instruments without special enabling provision made by Order in Council. This Order makes the necessary provision and gives the required powers to the existing legislature.

GOODS AND SERVICES (PRICE CONTROL)

APPAREL AND TEXTILES

The General Apparel (Distributors' Maximum Prices) Order, 1950

1950 No. 621

Made - - - -	17*th April*, 1950
Laid before Parliament	18*th April*, 1950
Coming into Operation	1*st May*, 1950

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 the following classes, namely, importer, wholesaler and 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 course of that business, or a wholesaler, in respect of such goods, shall be—

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

(*b*) on a sale by retail, 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

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

the retail 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 by retail, 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 by retail, 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 by retail, 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 by retail, computed in accordance with the provisions of Article 4 as if such wholesaler were a retailer.

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, namely, 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 either the prescribed percentage thereof or an amount equal to the appropriate percentage of such cost specified in column 2 of the Second Schedule hereto;

(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, except 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 head (*a*) and (where applicable) head (*b*) of this definition 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 relation to goods, a notice in respect of the conditions so set out was so forwarded and the duplicate thereof returned before the date of this Order, then such notice shall be deemed a compliance with the provisions of this head;

(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, and

(*b*) in respect of goods transferred to the wholesale branch by the manufacturing 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 the prescribed percentage thereof to the wholesale cost), the wholesale cost of the wholesale branch together with 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 head (*c*) of this definition), the wholesale cost of the wholesale branch: provided that, in the case of goods of descriptions mentioned in 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 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 in this Order—

(i) 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;

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

(iii) on a sale of goods (otherwise than by retail) the maximum price computed in accordance with the foregoing provisions of this Order shall be reduced by an amount equal to 2½ per cent. thereof in any case in which payment for those goods is made or tendered before the tenth day of the month next following 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(b), 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, whereby goods are produced;

"maximum price" means the price payable before any deduction by way of discount and on a sale by retail 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 by retail, the cost actually paid or incurred of delivering those goods to the customer may be excluded, and

(a) 6 & 7 Geo. 6. c. 21. (b) 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 by retail, 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 £2;

"purchase price" means the price after all deduction by way of discount other than cash or settlement discounts 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 £2;

"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 and Textiles (Distributors' Maximum Prices) Order, 1949(a), and the General Apparel and Textiles (Distributors' Maximum Prices) (Amendment) Order, 1949(b), are hereby revoked.

Citation and Commencement

10. This Order may be cited as the General Apparel (Distributors' Maximum Prices) Order, 1950, and shall come into operation on the 1st day of May, 1950.

Dated this 17th day of April, 1950.

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(c), has been applied in pursuance of that or any other Order; or

(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) second-hand goods; or

(4) 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

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

(6) household and industrial overalls; or

(7) haberdashery.

(a) S.I. 1949 (No. 1703) I, p. 2079. (b) S.I. 1949 (No. 1782) I, p. 2088.
(c) S.R. & O. 1947 (No. 2642) II, p. 160.

SECOND SCHEDULE

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 by retail	5. Importer's and wholesaler's percentage figure of landed cost on a sale by retail
	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
5. Infants', children's and girls' underwear and nightwear (other than infants' napkins) ...	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. Infants' napkins ...	16·28	25	21·22	30
10. 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

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
30	23
26.22	20.8
25	20
21.22	17½
16.28	14

EXPLANATORY NOTE

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

This Order supersedes the General Apparel and Textiles (Distributors' Maximum Prices) Order, 1949, as amended.

The following are the principal changes :—

1. The Order no longer applies to fabrics and hand-knitting yarn.
2. The importers', wholesalers' and retailers' permitted margins for infants' napkins are reduced.
3. The Order now applies to goods purchased by or on behalf of a Government Department.

The General Apparel (Distributors' Maximum Prices) (Amendment) Order, 1950

1950 No. 2033

Made - - - -	13*th December*, 1950
Laid before Parliament	15*th December*, 1950
Coming into Operation	2*nd January*, 1951

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**), (which are continued in force by virtue of the Supplies and Services (Continuance) Order, 1950(**c**),) hereby order as follows:—

1. The General Apparel (Distributors' Maximum Prices) Order, 1950(**d**), shall have effect subject to the following amendments:—

(i) in the First Schedule, for item (7) there shall be substituted the following item:—

" (7) haberdashery (other than hand-knitting yarn)." ;

(ii) to the Second Schedule there shall be added the particulars in the Schedule hereto.

2. This Order may be cited as the General Apparel (Distributors' Maximum Prices) (Amendment) Order, 1950, and shall come into operation on the 2nd day of January, 1951.

Dated this 13th day of December, 1950.

Harold Wilson,
President of the Board of Trade.

(a) 4 & 5 Geo. 6. c. 31.
(b) S.R. & O. 1945 (No. 1613) II, p. 81.
(c) S.I. 1950 No. 1769, *see* Vol. III, p. 51.
(d) S.I. 1950 No. 621, p. 864 above.