2. In this Order:—

" undertaker " means any person carrying on an undertaking (whether or not a public utility undertaking) involving the supply of gas to the public.

3. This Order shall come into operation on the twenty-third day of February, nineteen hundred and forty-eight, and may be cited as the Gas Charges Order, 1948.

Dated this nineteenth day of February, 1948.

Hugh Gaitskell,
Minister of Fuel and Power.

EXPLANATORY NOTE

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

This Order prohibits, with respect to supplies of gas, reductions in prices, introduction of new discounts or rebates and increases of existing discounts or rebates.

---

(35) GLASSWARE

The Glassware (Control of Manufacture and Supply) Order, 1948

1948 No. 2750

Made - - - -	*20th December,* 1948
Laid before Parliament	*20th December,* 1948
Coming into Operation	*1st January,* 1949

The Board of Trade in pursuance of the powers conferred upon them by Regulations 55 and 55AA 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:—

1. A person carrying on in the United Kingdom the business of manufacturing controlled goods shall not manufacture any such goods or supply any such goods manufactured by him except under the authority of a licence issued by the Board of Trade hereunder and in accordance with any condition attached thereto.

2.—(1) The provisions of this Article shall, in a case where a licence issued or having effect under Article 1 of this Order controls the quantity of controlled goods which may be supplied by reference to the value thereof, apply to the computation of such value, but subject to any condition in the licence inconsistent therewith.

(**a**) *See* Note, p. 15 above.
(**b**) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (No. 1618) II, p. 48.
(**c**) 10 & 11 Geo. 6. c. 55.

(2) In a case where the goods are supplied in pursuance of a contract of sale or for work and labour (with or without the provision of materials) and the supplier and the person supplied are not associated in business, the value shall, unless the Board of Trade otherwise direct, be taken to be the price at which the goods are invoiced to the person supplied after deduction of all discounts, commissions and allowances to be credited to him and any expenses incurred by the seller in or about the delivery of the goods, and excluding any sum payable in respect of purchase tax.

(3) In any other case the value shall be taken to be the price (excluding any sum payable in respect of purchase tax) which the goods would fetch on a sale in an open market at the date of the supply, being a sale where—

(*a*) the goods are delivered at the premises of the seller for payment in cash ;

(*b*) the price is the sole consideration for the sale ; and

(*c*) the buyer and the seller are not associated in business.

(4) For the purposes of this Article two persons shall be deemed to be associated in business with one another if, whether directly or indirectly, either of them has any interest in the business or property of the other, or both have a common interest in any business or property, or some third person has an interest in the business or property of both of them.

3. Where—

(*a*) a person to whom a licence has been issued under Article 1 of this Order, or the corresponding provisions of any previous Order made by the Board of Trade relating to the manufacture and supply of controlled goods, carries on two or more separate businesses under different names or styles or a business that comprises two or more separate departments, and

(*b*) any of those businesses or departments is a business or department (hereinafter referred to in this Article as " the said business " or " the said department," as the case may be) in which controlled goods are not manufactured, and

(*c*) separate accounts and records are kept for each of those businesses or departments, including records showing clearly the transfer of any controlled goods from one to another of them.

then, unless the Board of Trade otherwise determine,—

(i) that person in carrying on the said business or department, as the case may be, shall not be deemed for the purposes of this Order to be a person carrying on a business of manufacturing controlled goods ; and

(ii) any controlled goods, in the manufacture of which the aforesaid person has carried out a process, transferred by him to the said business from any other business carried on by him, or, as the case may be, allocated by him to the said department, shall be deemed to be supplied by him upon that transfer or allocation.

4.—(1) The provisions of this Order shall not apply to the manufacture of any controlled goods for the purpose of supply, or the supply of any controlled goods—

(*a*) to or to the order of a Government Department,

(*b*) to any persons against a declaration in writing, signed and dated by him, that they are required solely for the purpose of supplying them to or to the order of a Government Department in pursuance of a contract then subsisting, or of incorporating them in other goods to be so supplied,

(*c*) to any person against a declaration in writing, signed and dated by him, stating that a declaration in the terms aforesaid has been surrendered to him and that he requires those goods for the purpose of supplying them to the person who surrendered that declaration to him.

(2) A person who acquires controlled goods against a declaration in the terms set out in head (*b*) or (*c*) of paragraph (1) of this Article shall not use those goods otherwise than for the purpose of supplying them in accordance with the terms of the declaration surrendered by him except under the authority of a direction given to him by the Government Department concerned or under the authority of a licence issued by the Board of Trade hereunder and in accordance with any condition attached thereto.

(3) A person who supplies controlled goods under the authority of this Article against a declaration shall retain it for a period of eighteen months from the date on which he received it.

5. Where a licence issued, or having effect, under this Order authorises the supply of any controlled goods for supply to any person or in any manner or for use for any purpose or against a declaration that they are required for supply or use in any manner, a person acquiring those controlled goods from the licensee with knowledge of the terms of the licence or that the declaration was required for the purposes of this Order shall not otherwise supply or use them except with the approval in writing of the Board. Any person who supplies controlled goods against such a declaration shall keep the declaration for a period of eighteen months from the date on which he received it.

6.—(1) In this Order—

" controlled goods " means glassware of a kind commonly used for domestic purposes or any glass component of articles so used, being goods (other than illuminating glassware, mirrors or flat glass in any form) decorated by cutting (including intaglio cutting), engraving or etching ;

" manufacture " includes in relation to any controlled goods the carrying out of any process in the decoration thereof ; and

" supply " means supply in pursuance of a contract of sale, work and labour (with or without the provision of materials), sale or return, hire, hire-purchase, barter or a contract of any other description, and supply as a gift.

(2) Where a person procures the subjection of materials belonging to him to any process of manufacture by another person whereof the products are controlled goods, both those persons shall be deemed to have carried out that process.

(3) A person disposing by way of liquidation of any assets of a business comprising the supply of controlled goods shall be deemed to be carrying on that business.

7.—(1) The Miscellaneous Goods (Prohibition of Manufacture and Supply) (No. 7) Order, 1945(a), the Miscellaneous Goods (Prohibition of Manufacture and Supply) (No. 10) Order, 1946(b), and the Miscellaneous Goods (Prohibition of Manufacture and Supply) (No. 11) Order, 1948(c), are hereby revoked.

(2) Any current licence issued or having effect under the Miscellaneous Goods (Prohibition of Manufacture and Supply) (No. 7) Order, 1945(a), as amended(b)(c), shall, in so far as it relates to controlled goods, have effect as if it were issued under the corresponding provisions of this Order;

Provided that for any reference in any such licence to exportation from the United Kingdom otherwise than to the Isle of Man there shall be substituted a reference to exportation from the United Kingdom otherwise than to the Isle of Man or the Channel Islands.

8. The Order may be cited as the Glassware (Control of Manufacture and Supply) Order, 1948, and shall come into operation on the 1st day of January, 1949.

Dated this 20th day of December, 1948.

Arthur G. Bottomley,
Parliamentary Secretary
to the Board of Trade.

EXPLANATORY NOTE

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

This Order revokes the Miscellaneous Goods (Prohibition of Manufacture and Supply) (No. 7) Order, 1945, which prohibited the manufacture and supply of glassware and a wide range of other miscellaneous goods, and re-enacts with appropriate modifications the provisions of that Order relating to the glassware which is controlled goods for the purposes of this Order.

---

(36) GLUE, GELATINE AND SIZE

For revocation of the Control of Glue, Gelatine and Size (No. 3) Order, 1946, *see* S.I. 1948 No. 2458, p. 974 below.

(a) S.R. & O. 1945 (No. 1176) II, p. 1108.
(b) S.R. & O. 1946 (No. 1994) II, p. 1287.
(c) S.I. 1948 No. 585.