EXPLANATORY NOTE

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

This Order—

(1) increases manufacturers' and wholesalers' maximum prices and retailers' overriding maximum prices for price control group carpets;

(2) provides for the reduction on the 1st day of January, 1951, of the retailer's permitted margin from 36⅔ per cent. to 33⅓ per cent.

The Imported Carpets (Maximum Prices) (No. 4) Order, 1950

1950 No. 1707

Made - - - -	24*th October*, 1950
Laid before Parliament	25*th October*, 1950
Coming into Operation	30*th October*, 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:—

Scope of Order

1. The maximum prices to be charged in the course of businesses of the following classes, namely, importer, wholesaler and retailer, in respect of carpets imported into the United Kingdom shall be computed in such manner and by reference to such matters as are hereinafter provided.

Maximum Prices

Importer and Wholesaler

2. The maximum price to be charged in the course of the business of an importer in respect of carpets imported in the course of that business, or of a wholesaler in respect of such carpets, shall be computed—

(i) on a sale otherwise than by retail—

(*a*) of imported carpets manufactured in India or Pakistan, at the rate of 53s. 0d. per square yard (excluding any fringe),

(*b*) of other imported carpets by adding to the delivered cost an amount equal to 12½ per cent. thereof;

(ii) on a sale by retail of any imported carpets by adding to the delivered cost thereof—

(*a*) in the case of a sale before the 1st day of January, 1951, 36⅔ per cent. thereof,

(*b*) in the case of a sale on or after the 1st day of January, 1951, 33⅓ per cent. thereof:

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

Provided that the maximum price to be charged on a sale otherwise than by retail of imported carpets (not being carpets manufactured in India or Pakistan) or on a sale by retail of any imported carpets shall not exceed an amount computed—

in the case of broadloom carpets and seamless squares, at the rate of 70s. 8d. per square yard (excluding any fringe), and

in any other case, at the rate of 69s. 8d. per square yard (excluding any fringe).

Retailer

3. The maximum price to be charged in the course of the business of a retailer in respect of imported carpets shall be computed by adding to the purchase price paid or agreed to be paid to the importer or wholesaler by the first purchaser (being a retailer)—

on a sale before the 1st day of January, 1951, an amount equal to 36⅔ per cent. thereof,

on a sale on or after the 1st day of January, 1951, an amount equal to 33⅓ per cent. thereof:

Provided that the maximum price shall not exceed an amount computed—

in the case of broadloom carpets and seamless squares, at the rate of 70s. 8d. per square yard (excluding any fringe), and

in any other case, at the rate of 69s. 8d. per square yard (excluding any fringe).

Composite Businesses

4.—(1) In relation to a business which, in respect of carpets, consists of a wholesale 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 on a sale of imported carpets by such a wholesale branch shall be computed—

(*a*) in respect of carpets manufactured in India or Pakistan either by adding to the wholesale cost the prescribed percentage thereof or at the rate of 53s. 0d. per square yard (excluding any fringe),

(*b*) in respect of other imported carpets, by adding to the wholesale cost either the prescribed percentage thereof or an amount equal to 12½ per cent. of such cost:

Provided that the maximum price shall not exceed an amount computed—

in the case of broadloom carpets and seamless squares, at the rate of 70s. 8d. per square yard (excluding any fringe), and

in any other case, at the rate of 69s. 8d. per square yard (excluding any fringe);

(ii) the maximum price to be charged in respect of imported carpets sold by such a retail branch shall be computed in accordance with the provisions of Article 3, except that for the purchase price paid or agreed to be paid there shall be substituted the retail cost.

(2) In this Article—

" prescribed conditions " means—

(*a*) that separate records and books of account are being kept in relation to the wholesale branch and the retail branch of the business, including records showing the transfer of imported carpets from one branch to another branch and the price at which such carpets are transferred, and

(*b*) that there is maintained in connection with the wholesale 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 a regular selling organisation for supplying the retail trade, and

(*c*) that a notice in writing, in duplicate, signed by a person competent to do so, stating that the conditions set out in heads (*a*) and (*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 ;

" wholesale cost " means, in relation to a wholesale branch—

(*a*) in respect of imported carpets purchased from an importer or a wholesaler, the purchase price paid or agreed to be paid to the importer by the first purchaser, and

(*b*) in respect of carpets imported by the wholesale branch into the United Kingdom, the delivered cost thereof ;

" retail cost " means, in relation to the retail branch—

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

(*b*) in respect of imported carpets transferred to the retail branch by the wholesale branch (being a branch in which the maximum price chargeable on a sale of carpets by that branch is computed by adding the prescribed percentage to the wholesale cost) the wholesale cost of the wholesale branch together with the prescribed percentage thereof,

(*c*) in respect of imported carpets transferred to the retail branch by the wholesale branch (not being a branch referred to in head (*b*) of this definition) the wholesale cost of the wholesale branch ;

" prescribed percentage " means the percentage which bears to 12½ per cent. the same ratio as the wholesale cost of imported carpets sold to retailers bears to the aggregate of the wholesale cost of

(*a*) imported carpets sold to retailers, and

(*b*) imported carpets transferred to the retail branches,

during the six-monthly accounting period immediately preceding the day on which such carpets were sold or transferred.

General Provisions

Discounts

5. On a sale of an imported carpet (otherwise than by retail) the appropriate maximum price shall be reduced by 2½ per cent. thereof in any case in which payment therefor is made or tendered before the 20th day of the calendar month immediately succeeding that in which the carpet was consigned by the seller to or to the order of the buyer.

Delivery charges

6.—(1) If, on the sale of an imported carpet, the seller refuses to deliver it at the premises of or nominated by the buyer (being, in the case of a sale by retail, premises not more than 15 miles from the premises at which the contract was made), the appropriate maximum price shall be reduced by the amount of any delivery charges which would be reasonably incurred in the delivery of the carpet to the premises of or nominated by the buyer.

(2) If, on the sale of an imported carpet by retail, the carpet is under the contract delivered at the premises of or nominated by the customer more than 15 miles from the premises at which the contract was made, the appropriate maximum price shall be increased by the amount of any charges or costs reasonably incurred in the delivery thereof.

Invoices

7. In relation to imported carpets sold in the course of the business of an importer or a wholesaler and bought in the course of the business of a wholesaler or a retailer, 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 a statement that the carpets were imported and of the country in which they were manufactured.

Interpretation and Revocation

8.—(1) In this Order—

" carpets " means new carpets, rugs, mats, runners, sofa rugs and similar articles, including articles the upper surface of which is made wholly or mainly of wool, mohair, cotton, rayon or jute or a mixture of any of them, but excluding articles the upper surface of which is made wholly or mainly of coco, coir, rubber, cork, linoleum, printed felt base, plastic material or the skin of any animal; and

" imported carpets " means carpets (not being price control group carpets as defined in the Carpets (Maximum Prices) Order, 1950(**b**), or carpets referred to in Article 6 of that Order) which have been imported into the United Kingdom;

(a) S.R. & O. 1943 (No. 604) I, p. 309.
(b) S.I. 1950 No. 97, p. 889 above.

" delivered cost " means in relation to imported carpets an amount equivalent to the aggregate of—

(*a*) the price (after all deductions by way of discount other than cash or settlement discounts not exceeding 2½ 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, customs clearance charges and charges for delivery to the warehouse of the importer of those carpets;

" maximum price " means the price, exclusive of purchase tax but inclusive of any charges in respect of delivery to the premises of or nominated by the customer, payable before any deduction by way of discount;

" purchase price " means the price, exclusive of purchase tax but inclusive of delivery charges, payable after all deductions by way of discount other than cash or settlement discounts not exceeding 5 per cent.

(2) The Imported Carpets (Maximum Prices) (No. 3) Order, 1950(**a**), and the Imported Carpets (Maximum Prices) (No. 3) (Amendment) Order, 1950(**b**), are hereby revoked.

Citation and commencement

9. This Order may be cited as the Imported Carpets (Maximum Prices) (No. 4) Order, 1950, and shall come into operation on the 30th day of October, 1950.

Dated this 24th day of October, 1950.

Harold Wilson,
President of the Board of Trade.

EXPLANATORY NOTE

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

This Order supersedes the Imported Carpets (Maximum Prices) (No. 3) Order, 1950, and its amending Order.

The principal changes are as follows:—

(1) The importer's and wholesaler's maximum prices for carpets manufactured in India or Pakistan are increased.

(2) The overriding maximum prices for all imported carpets are increased.

(3) The Order provides for the reduction on the 1st day of January, 1951, of the permitted margin on a sale by retail from 36⅔ per cent. to 33⅓ per cent.

(**a**) S.I. 1950 No. 917. (**b**) S.I. 1950 No. 989.