PART II

GOODS (BEING GOODS INCLUDED IN THE DESCRIPTIONS OF GOODS IN PART I OF THIS SCHEDULE) TO WHICH THIS ORDER DOES NOT APPLY

1. Ambulances.
2. Invalid carriages.
3. Vehicles specially constructed or adapted for disabled people.
4. Wash boilers and wash coppers.

EXPLANATORY NOTE

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

This Order amends the Hire-Purchase and Credit Sale Agreements (Control) Order, 1952.

The changes are as follows:—

(1) the descriptions of goods relating to mechanically propelled road vehicles have been regrouped, so that now the minimum deposit and the maximum period for payment of the balance in respect of motor cycles and motor tricycles of an engine capacity exceeding 50 c.c. are 33⅓ per cent. and 18 months respectively; and

(2) paragraph (2) of Article 4, which prohibits certain variations of hire-purchase and credit sale agreements, and the definition of "hire-purchase agreement", have been redrafted.

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(21) IRON AND STEEL

1952 No. 172

The Iron and Steel Distribution (Amendment No. 1) Order, 1952

Made - - - -	31*st January*, 1952
Laid before Parliament	1*st February*, 1952
Coming into Operation	4*th February*, 1952

The Minister of Supply in exercise of the powers conferred on him by Regulations 55, 55AA, and 98, of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(**a**) (as extended by the Supplies and Services (Extended Purposes) Act, 1947(**b**), and the Supplies and Services (Defence Purposes) Act, 1951(**c**), and continued in force by the Supplies and Services (Continuance) Order, 1951(**d**)), hereby orders as follows:—

Amendment of Principal Order

1. The Iron and Steel Distribution Order, 1951(**e**), is hereby varied by making therein the amendments set out in the Schedule to this Order.

(**a**) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945/1618, 1611, 1625; 1945 II, pp. 45, 39, 56.
(**b**) 10 & 11 Geo. 6. c. 55. (**c**) 14 & 15 Geo. 6. c. 25.
(**d**) S.I. 1951/2116; 1951 III, p. 27. (**e**) S.I. 1951/2006; 1951 III, p. 459.

Revocation

2. The Iron and Steel Utilization (Information) Order, 1951(**a**), is hereby revoked.

Coming into Operation; Citation

3. This Order shall come into operation on the 4th day of February, 1952; and may be cited as the Iron and Steel Distribution (Amendment No. 1) Order, 1952; and the Iron and Steel Distribution Order, 1951(**b**), and this Order, may be cited together as the Iron and Steel Distribution (Nos. 1 and 2) Orders, 1951–2.

Dated this 31st day of January, 1952.

Duncan Sandys,
Minister of Supply.

THE SCHEDULE

AMENDMENTS TO IRON AND STEEL DISTRIBUTION ORDER, 1951

1. ARTICLES 4 and 5: *substitute*—

Holders of I.S. Authorizations "LSC" not to acquire, unless specially endorsed, under any other authorization or any sub-authorization or under "Form M" or "SQE"

4. A person who holds an I.S. Authorization bearing the Authorizing Symbol "LSC" shall not acquire or agree to acquire—

(i) under any other I.S. Authorization or any I.S. Sub-Authorization whatsoever, or

(ii) under any "Form M (Sheets)", or

(iii) under any Small Quantities Exemptions in Article 5 of this Order,

any iron or steel of a type and class comprised in the I.S. Authorization LSC which he holds: except under such authorization, sub-authorization, form, or small quantities exemptions, as the I.S. Authorization LSC which he holds may be specially endorsed for.

SQE (i.e. Small Quantities Exemptions) (3rd Schedule)

5. Subject to Article 4 of this Order, any material included in any category in Part I of the Third Schedule to this Order may, in any month of the year, be acquired and agreed to be acquired for use in the United Kingdom by any person who is able to certify and, by giving to the person disposing of it to him the certificate prescribed in Part II of that Schedule (but not by any other means), does thereby certify, for the purpose of this Order, that all the material in that category acquired and agreed to be acquired by him under the provisions of this Article in that month will not, together with the material then being certified, exceed the quantity specified in Part I of that Schedule against the category of that material: Provided that no such certificate shall be required if the price both to be paid and in fact paid for the material does not exceed Twenty Shillings.

2. ARTICLE 8: *re-number as* Article 8 (1); then, in 8 (1) (B) (2), *for* "the quantity" therein, *substitute* "the description and the quantity of that description"; and *for* the Proviso to 8 (1) *substitute*, and thereafter *add*, as follows—

But no class-conversion or 4th Schedule uses

Provided that nothing in any of the above Exceptions shall authorize, and accordingly no I.S. Authorization or I.S. Sub-Authorization or "Form M

(**a**) S.I. 1951/1345. (**b**) S.I. 1951/2006; 1951 III, p. 459.

(Sheets)" shall have effect to authorize (notwithstanding any appearance it may, by reason of the manner in which it is completed by the person issuing it, have or seem to have to the contrary), any person to effect any class-conversion of any material or to incorporate any material mentioned in the Fourth Schedule to this Order in any article prescribed in that Schedule as an article for which that material is prohibited.

Use of pre-Scheme stocks—otherwise than for class-conversion and 4th Schedule uses

(2) In any proceedings in respect of any treatment use or consumption of any material in alleged contravention of any of the provisions of paragraph (1) of this Article, it shall—in so far as those proceedings are not in respect of either (i) an alleged class-conversion of material, or (ii) an alleged incorporation of material mentioned in the Fourth Schedule to this Order in an article prescribed in that Schedule as an article for which that material is prohibited—be a defence if the defendant shall prove—

both (*a*) that the material was material which had at all times since immediately before the 4th day of February, 1952, been owned either (i) by him, or (ii) by an authorization-holder as defined in Article 9 of this Order for whom he was treating using or consuming that material as free-issue processor under a free-issue contract entered into by him with that authorization-holder,

and (*b*) that the treatment use or consumption alleged was for a purpose specified in an I.S. Authorization or an I.S. Sub-Authorization or a "Form M (Sheets)" held by him or, as the case may be, by his authorization-holder aforesaid, since before such treatment use or consumption began and valid therefor at all relevant times.

3. [PARTS III–VI: *re-number as* PARTS IV–VII]

ARTICLES 9–17: *re-number* as Articles 10–18.

4. *After* Article 8, *insert*—

PART III—FREE-ISSUE CONTRACTS

9. Notwithstanding anything in Articles 2–8 of this Order—

Free-Issue Contract between Authorization-Holder and Free-Issue Processor

(1) an authorization-holder (that is, for the purpose of this Article, the holder of any I.S. Authorization or I.S. Sub-Authorization or "Form M (Sheets)") may obtain the processing by another person of any material which that authorization-holder is permitted by or under the provisions of this Order to utilize in carrying out a purpose specified in the authorization or form which he holds, by making a "free-issue contract" (that is a contract complying with the requirements of paragraphs (2) and (3) of this Article) with that other person who may accordingly be a party to and perform such contract and, when so party, is for the purpose of this Order referred to as a "free-issue processor".

Requirements for a free-issue contract

(2) A free-issue contract shall be a contract in writing dated and signed by the authorization-holder; providing solely for the determinable loan, by the authorization-holder, of a specified quantity of specified

material to the free-issue processor for processing for and return to the authorization-holder; and identifying each I.S. Authorization and I.S. Sub-Authorization and "Form M (Sheets)" in virtue of which it is made.

No free-issue contract for class-conversion or 4th Schedule uses

(3) No free-issue contract shall be made for any class-conversion of any material, nor for the incorporation of any material mentioned in the Fourth Schedule to this Order in any article prescribed in that Schedule as an article for which that material is prohibited.

5. ARTICLE re-numbered 10: *for* "Articles 1–8" therein, *substitute* "Articles 1–9"; and at end of paragraph (3) thereof, immediately after the word "issued", insert the closing parenthesis.

6. ARTICLES re-numbered 12 and 13: *substitute*—

12. Notwithstanding anything contained in Articles 1–4 or in Article 7 of this Order: in any proceedings in respect of any acquisition or disposal or agreement to acquire or dispose of any material in alleged contravention of any provision of any of those Articles, it shall be a defence if the defendant shall prove either—

Material situate Abroad

(1) that at the time at which the acquisition or disposal (as the case may be) was made, the material either—

(*a*) was situate outside the United Kingdom, the Channel Islands, and the Isle of Man, or

(*b*) if in any one of those countries, had at all times remained on board the ship or aircraft in which it was brought into that country;

or, if the agreement did not relate exclusively to specific material, that no material landed or to be landed in the United Kingdom or the Channel Islands or the Isle of Man at the time of appropriation was or was intended to be appropriated to the agreement: or

Exports (other than Tinplate, etc.)

(2) that the material (i) was not material of the class Tinplate–Terneplate–Blackplate–Silver-finished plate, and (ii) was not delivered otherwise than for export, that is to say delivered—

(*a*) outside the United Kingdom, the Channel Islands, and the Isle of Man, or

(*b*) on board a ship or aircraft for exportation to some place outside those countries.

Direct Imports

13. Notwithstanding anything contained in Article 8 of this Order: in any proceedings in respect of any treatment use or consumption of any material in alleged contravention of any provision of that Article, it shall be a defence if the defendant shall prove that that material was either (i) his "direct import", that is to say, that it had uninterruptedly been in his ownership from a time not later than the instant at which it had ceased to be on board the ship or aircraft in which it was brought into the United Kingdom; or (ii) the direct import of an authorization-holder as defined in Article 9 of this Order for whom he was treating using or consuming that material as free-issue processor under a free-issue contract entered into by him with that authorization-holder.

7. ARTICLE re-numbered 14: *re-number* paragraph (3) *as* (3) (*a*), and *add* the following—

Effect on free-issue contracts

(*b*) An authorization-holder as defined in Article 9 of this Order who has any free-issue contract made in virtue of any authorization or form which is reduced or revoked under the immediately preceding sub-paragraph shall forthwith notify his free-issue processor under that contract of such reduction or revocation.

8. ARTICLE re-numbered 14 (1): second line, *for* "Article 9" therein *substitute* "Article 10".

9. ARTICLE re-numbered 15 (1): in the definition—of "intermediary transaction", *for* "Article 9 (3)" therein, *substitute* "Article 10 (3)"; of "export", *for* "Article 11" therein, *substitute* "Article 12"; of "direct import", *for* "Article 12" therein, *substitute* "Article 13".

10. ARTICLE re-numbered 16: in paragraph (1) thereof, *for* "Article 16" *and* "Article 13" therein, *respectively substitute* "Article 17" *and* "Article 14"; and in paragraph (2) thereof, *for* "Article 16" therein, *substitute* "Article 17".

11. FIRST SCHEDULE: *for* Class (12), *substitute*—

(12) Tyre, axle, disc centre, wheel, (not being castings)—
for vehicles running on rails or in channels;

and at end *substitute* a semi-colon for the full stop and *add* the following Class—

(19) Wire rod reinforcement fabric mesh, wire reinforcement fabric mesh.

12. SECOND SCHEDULE: *insert*, in their correct alphabetical places by symbol, the following Symbols with their accompanying Authorizing Departments—

BEX/.....	Board of Trade
SDO/.....	Ministry of Supply
SRO/.....	„ „ „

13. THIRD SCHEDULE, Part I: *re-number* Category (xii) *as* (xiv), and *for* Categories (x) and (xi) and their Descriptions and Quantities, *substitute*—

Category	*Description*	*Quantity*
(x)	Large Spring (that is, a laminated or volute or coil spring made either of round rod of not less than $\frac{5}{16}$ inches diameter or of other material of a corresponding cross-sectional area)	1 ton
(xi)	Wire (whether plain or barbed) (and whether coated or uncoated)	5 cwt
(xii)	Wire rope, wire strand	5 cwt
(xiii)	Wire rod reinforcement fabric mesh, wire reinforcement fabric mesh	5 cwt

EXPLANATORY NOTE

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

The Order amends the Iron and Steel Distribution Order, 1951, so that when that Order comes into operation on the 4th February, 1952, it will have the following further effects—

(1) Wire rod reinforcement fabric mesh, and wire reinforcement fabric mesh, are controlled material (and are allowed at 5 cwt per month under SQE):

(2) 'Small Consumers', i.e., holders of an I.S. Authorization LSC, may, in addition to acquiring under their I.S. Authorization LSC, acquire also under any other I.S. Authorization, I.S. Sub-Authorization, "Form M (Sheets)" and SQE for which the I.S. Authorization LSC which they hold is specially endorsed:

(3) The holder of any I.S. Authorization, I.S. Sub-Authorization or "Form M (Sheets)" may, for any purpose which is stated in that authorization or form, use his 'pre-Scheme stocks' (i.e. his stocks held at the close of the 3rd February, 1952) as well as what he acquires under that document (*but* his *acquisitions* are, of course, limited to the quantities and periods specified in the authorization or form):

(4) By "free-issue contracts" by the procedure in Article 9 of the Order, material may be sent out for processing:

(5)—(*a*) Special permission under the Order is required to export Tinplate (and Tinned Sheets), Terneplate (and Terne Sheets), Blackplate and Silver-finished Plate; and

(*b*) "Export" means export to a place outside the United Kingdom, the Channel Islands and the Isle of Man: and

(6) Up to 1 ton per month of "Large Spring" may be acquired under SQE.

[NOTE.—If the amendments set out in the above Order are copied into the 1951 Order, the Explanatory Note to the 1951 Order should be amended as follows—

p. 13, the first paragraph prefixed (I), in second line, for *14* substitute *15*; for first half of seventh line, substitute—

'in his I.S. Authorization LSC, except under such other I.S. Authorization or I.S. Sub-Authorization or "Form M (Sheets)" or SQE as the I.S. Authorization LSC which he holds is specially endorsed for;'

and in the immediately following paragraph, for *14* substitute *15*.

p. 14, the first paragraph prefixed (II), substitute—

'(II) *Treatment Use and Consumption* requires licensing unless some I.S. Authorization or I.S. Sub-Authorization or "Form M (Sheets)" is held covering the treatment etc. desired. Then (*a*) material which either (*i*) was *acquired under* that authorization or form, or (*ii*) is *own-production* material, may be treated etc. only for the purpose, and in the description and quantity of that description for that purpose, specified in that authorization or form; but (*b*) material which is 'pre-Scheme stocks' (Article *8* (*b*)) may be used in any description and quantity for the purpose so specified.

'Nevertheless, I.S. Authorizations and Sub-Authorizations and "Form M (Sheets)" *cannot allow class-conversion* (i.e. conversion from one Class to another) for which a licence is always required. (Material acquired under the SQE (Article *5*) may be used etc. for any purpose save as below.)'

p. 14, re-number parts (III)–(VI) as (IV)–(VII), and insert—

'(III) By "free-issue contracts" by the procedure in Article 9 of the Order, an authorization-holder may send material out for processing.'

p. 14, for the whole of the part re-numbered (VI), substitute—

'(VI) *Material situate outside the United Kingdom, the Channel Islands and the Isle of Man* is exempt from the Scheme: but once the material is landed in one of those countries, then (i) its acquisition and disposal by anyone who is in the United Kingdom, and (ii) its treatment use and consumption in the United Kingdom by any one other than the direct importer (Article *13*) of it into the United Kingdom (or his "free-issue processor"), are both controlled (Article *12*). Imports may be subject to restrictions under other legislation.

'*Exports to places outside the United Kingdom, the Channel Islands and the Isle of Man, of material other than Tinplate etc.* may be delivered on ship or aircraft without licensing under the Order, but they may be subject to restrictions under other legislation; and in any case (i) taking delivery in the United Kingdom before they are in the ship or aircraft, and (ii) sending them to the Channel Islands or the Isle of Man so that they may be exported from there, both require licensing under the Order (Article *12*).']