STATUTORY INSTRUMENTS

1967 No. 981

INDUSTRIAL ORGANISATION AND DEVELOPMENT

The Iron Casting Industry (Scientific Research Levy) Order 1967

Laid before Parliament in Draft

Made - - - - 29*th June* 1967

Coming into Operation - 2*nd July* 1967

Whereas it appears to the Minister of Power that it is expedient that funds should be made available for the purpose of scientific research in connection with the iron casting industry for which there is not a Development Council:

And whereas it appears to the Minister of Power that there is an incorporated body limited by guarantee called the British Cast Iron Research Association which is capable of carrying out such scientific research satisfactorily:

And whereas the Minister of Power has consulted the organisations appearing to him to be representative of substantial numbers of persons carrying on business in the iron casting industry and the organisations representative of persons employed in that industry appearing to him to be appropriate:

And whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, the Minister of Power (hereafter in this Order referred to as "the Minister") in exercise of the powers conferred upon him by section 9 of the Industrial Organisation and Development Act 1947(a) hereby orders as follows:—

Citation, Commencement and Interpretation

1.—(1) This Order may be cited as the Iron Casting Industry (Scientific Research Levy) Order 1967 and shall come into operation on 2nd July 1967.

(2) In this Order—

"leviable iron castings" means iron castings as fettled, excluding pig iron and any other cast iron material re-melted or to be re-melted into other leviable iron castings; and

"leviable worker" means every whole-time foundry worker (excluding pattern makers, laboratory workers and clerical staff) employed wholly or mainly in the production of leviable iron castings, and includes persons employed wholly or mainly in the maintenance of premises, plant or machinery used for the purpose of such production.

(3) The Interpretation Act 1889(b) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(a) 1947 c. 40. (b) 1889 c. 63.

Extent of the Industry

2. For the purposes of this Order the iron casting industry (hereafter in this Order referred to as " the industry ") shall consist in the activity of casting iron (other than pig iron) by any process.

Persons to whom the Order applies

3. This Order shall apply to every person who on 2nd July 1967 is carrying on, or who thereafter begins to carry on, business in the industry.

Levy periods

4. For the purposes of this Order levy periods shall be the periods of thirteen or fourteen weeks (as the case may be) ending on the Saturday nearest to the end of September, December, March and June in each year, and the relevant production quarter in relation to any levy period shall be the period of thirteen or fourteen weeks (as the case may be) immediately preceding the commencement of that period.

Incidence and computation of levies

5.—(1) Subject to paragraph (3) below every person to whom this Order applies shall pay in respect of each levy period during the whole or any part of which he has carried on business in the industry a charge calculated at the rates specified in the next following paragraph.

(2) The rates referred to in the foregoing paragraph are—

(*a*) 7½d. for every ton of leviable iron castings produced by that person in the relevant production quarter; and

(*b*) 6s. for every leviable worker employed by that person at any time in the last week of the relevant production quarter.

(3) No person shall be liable to pay any charge—

(*a*) in respect of the levy period in which he began to carry on business in the industry;

(*b*) in respect of the levy period commencing on 2nd July 1967, if that person began to carry on business in the industry at any time during the period of twelve months immediately preceding that date;

(*c*) if the amount of the charge calculated as aforesaid in respect of any levy period is less than £2 10s.

Payment of levies

6.—(1) The charges imposed by this Order shall become due for payment on the expiration of four weeks after the commencement of each levy period.

(2) Except in a case to which the next following paragraph applies every such charge shall be paid direct to the Minister.

(3) Where any such charge falls to be paid by a publicly-owned company within the meaning of the Iron and Steel Act 1967(**a**) that charge shall be paid by the company to the National Steel Corporation for payment by the Corporation to the Minister.

(4) The amount of any such charge shall be recoverable by the Minister as a debt.

(5) All monies received by the Minister in respect of any such charge shall be paid by him into the Iron Casting Industry (Levy) Deposit Account, being an account opened by Her Majesty's Paymaster General on behalf of the

(**a**) 1967 c. 17.

Minister, and shall be issued to the British Cast Iron Research Association to meet any expenses incurred by the Association in respect of scientific research in connection with the industry.

Furnishing of information

7. The Minister may by notice in writing require any person to whom this Order applies—

(*a*) to furnish such returns and other information;

(*b*) to keep such records; and

(*c*) to produce for examination such books and other documents and records

as may appear to the Minister to be reasonably requisite for the purpose of the recovery of any charge imposed by this Order.

Enforcement

8. Any person to whom this Order applies who is required by notice in writing by the Minister under the provisions of Article 7 hereof to furnish returns or other information, to keep records or to produce for examination books or other documents or records, shall furnish such returns or other information in such form and manner and within such time as may be specified in the notice or, as the case may be, keep records or produce at such time such books or other documents or records in his custody or control as may be so specified.

Penalties

9.—(1) If any person required under the provisions of Article 7 hereof to furnish returns or other information, to keep records or to produce for examination books or other documents or records fails to furnish, keep or produce them in accordance with the requirement he shall, unless he proves that he had reasonable excuse for the failure, be liable on summary conviction to a fine not exceeding five pounds for every day during which the failure continues.

(2) If any person in purporting to fulfil any requirement imposed under the provisions of Article 7 hereof to furnish returns or other information knowingly or recklessly makes any statement which is false in a material particular he shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £50, or on conviction on indictment to imprisonment for a term not exceeding two years or to a fine not exceeding £100 or, in either case, to both such imprisonment and fine.

Dated 29th June 1967.

Richard Marsh,
Minister of Power.

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order imposes levies on the iron casting industry to finance scientific research to be carried out on behalf of the industry by the British Cast Iron Research Association.

The levies are calculated by reference to two criteria, namely, the production of iron castings and the number of persons employed in such production (Article 5). Article 6 makes provision for payment of the levies and provision is also made for the furnishing of information to the Minister of Power (Article 7), enforcement (Article 8) and penalties for failure to furnish information (Article 9).