(viii) LACE

The Lace and Woven Curtain Net (Manufacture and Supply) Order, 1949

1949 No. 2249

Made - - - -	*2nd December*, 1949
Laid before Parliament	*3rd December*, 1949
Coming into Operation	*12th December*, 1949

The Board of Trade in pursuance of the powers conferred upon them by Regulations 55, 55AA and 55AB 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**), hereby order as follows :—

Manufacture

1.—(1) A person shall not manufacture any controlled lace and lace net unless he is a registered person.

(2) Nothing in this Article shall prohibit any person from carrying out on commission for a registered person a process of dressing, bleaching, dyeing or finishing controlled lace and lace net.

Marking

2.—(1) A registered person may apply the utility mark to any goods manufactured by him complying with a description included in the First Schedule hereto.

(2) A registered person, who has applied the utility mark under the authority of paragraph (1) of this Article to goods of any description, shall not supply those goods until he has applied thereto, in a place adjacent to the utility mark, the specification number specified in the First Schedule hereto in relation to goods of that description.

(3) The utility mark and the specification number shall be applied—

(*a*) where the goods exceed 9 square yards in area, by means of a label or labels of durable material stitched securely at each end of the goods; and

(*b*) where the goods do not exceed 9 square yards in area, by means of such label or labels stitched securely at one end of the goods :

Provided that in all cases the utility mark and the specification number may be so applied (in addition to the places before mentioned) at intervals throughout the length of the goods.

(4) In the case of utility goods complying with a description included in Part I of the First Schedule hereto a label of durable material shall be attached at one end of the goods showing the width thereof.

(5) The provisions of the Second Schedule hereto shall have effect in relation to the interpretation of the First Schedule hereto.

Making up from utility goods

3.—(1) Except as provided in this Article a person shall not, in the course of his business, use any goods to which the utility mark has been applied under the authority of Article 2 hereof, in the making up of any other goods.

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1618) II, pp. 39 and 48.
(b) 10 & 11 Geo. 6. c. 55.

(2) A registered person may use any goods to which the utility mark has been applied as aforesaid in the manufacture of any curtain, curtain panel or table cover, but shall not include in any such article any other material except material to an area not exceeding 20 per cent. of the total area of the material (including turn-over hems) in that article.

(3) A registered person who makes up any such article from any utility goods under the authority of paragraph (2) hereof shall apply to that article the specification number specified in the First Schedule hereto in relation to those utility goods.

(4) A person may use any goods to which the utility mark has been applied as aforesaid, after the goods have been supplied to a retail customer, for the purpose of making up curtains to the order of that customer.

Supply of non-utility goods

4.—(1) A registered person shall not, in the course of his business, supply any controlled lace and lace net (not being utility goods) or any goods made up wholly or partly therefrom, except :—

(*a*) to another registered person ;

(*b*) by export ;

(*c*) to a person who has surrendered to him

(i) a document referring to that controlled lace and lace net or those goods endorsed with the words " for export " or other words plainly indicating that he requires that controlled lace and lace net or those goods or any goods made up by him wholly or partly from that controlled lace and lace net or those goods for supply by export ; or

(ii) a document referring to that controlled lace and lace net or those goods endorsed with the words " for supply to an exporter " or other words plainly indicating that he requires that controlled lace and lace net or those goods or any goods made up by him wholly or partly from that controlled lace and lace net or those goods for supply to another person for export by that other person ; or

(iii) a document referring to that controlled lace and lace net or those goods endorsed with the words " for export or for supply to an exporter " or other words plainly indicating that he requires that controlled lace and lace net or those goods or any goods made up by him wholly or partly from that controlled lace and lace net or those goods for supply either by export or to another person for export by that other person ;

(*d*) to a person whose name is for the time being entered in respect of lace and lace net on the List of Registered Exporters kept by the Board of Trade for the purposes of the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947(a) ;

(*e*) to a person to whom he is authorised by a licence granted under Article 6 of this Order to supply that controlled lace and lace net or those goods and to whom he gives at or before the time of supply a notice in writing signed and dated by him stating that he is so authorised ; or

(*f*) to a person who is authorised by a licence granted under Article 6 of this Order to acquire that controlled lace and lace net or those goods and who gives to that registered person at or before the time of supply, a notice in writing signed and dated by him stating that he is so authorised.

(a) S.R. & O. 1947 (No. 2642) II, p. 160.

(2) A person shall not, in the course of his business, acquire from a registered person any such controlled lace and lace net or goods unless the supply thereof to him is made in accordance with the provisions of paragraph (1) of this Article.

(3) A person who has acquired (whether before or after the commencement of this Order) any such controlled lace and lace net or goods against the surrender of any such document as is referred to in head (*c*) (ii) or head (*c*) (iii) of paragraph (1) of this Article shall not supply that controlled lace and lace net or those goods or any goods made up by him wholly or partly from that controlled lace and lace net or those goods, except—

(*a*) by export; or

(*b*) to another person who has surrendered to him such a document as is referred to in head (*c*) (i) of that paragraph.

(4) A person who has acquired (whether before or after the commencement of this Order) any such controlled lace and lace net or goods against the surrender of such a document as is referred to in head (*c*) (i) of paragraph (1) of this Article shall not supply that controlled lace and lace net or those goods or any goods made up by him wholly or partly from that controlled lace and lace net or those goods except by export.

(5) A person shall not, in relation to the supply of any such controlled lace and lace net or goods, surrender or accept the surrender of any such document as is referred to in head (*c*) of paragraph (1) of this Article unless it is signed and dated by the person surrendering that document.

(6) Any person who supplies or who, before the commencement of this Order, has supplied any such controlled lace and lace net or goods against the surrender of any such document as is referred to in head (*c*) of paragraph (1) of this Article shall retain that document for a period of eighteen months beginning with the date on which that document was surrendered to him.

(7) Any person who acquires or who, before the commencement of this Order, has acquired any such controlled lace and lace net or goods against the surrender of any such document as is referred to in head (*c*) of paragraph (1) of this Article shall keep, for a period of eighteen months beginning with the date on which that document was surrendered by him, a record in relation to that controlled lace and lace net or those goods showing:—

(*a*) the name and address of the person to whom the document was surrendered;

(*b*) the date of the document;

(*c*) the date of and sufficient particulars to identify the invoice in relation to the acquisition of that controlled lace and lace net or those goods; and

(*d*) particulars of the supply of that controlled lace and lace net or those goods and of any goods made up by him wholly or partly from that controlled lace and lace net or those goods including the date of supply, their destination and the name of the person supplied.

(8) Any person to whom there has been given such a notice as is referred to in head (*e*) or head (*f*) of paragraph (1) of this Article shall retain that notice for a period of eighteen months after its receipt by him.

(9) A person who has acquired before the 15th day of June, 1949, any such controlled lace and lace net or goods against the surrender of any declaration given for the purposes of any Order revoked by this Order shall not supply that controlled lace and lace net or those goods or any goods

made up by him wholly or partly from that controlled lace and lace net or those goods except—

(*a*) by export; or

(*b*) to a person who has surrendered to him such a document as is referred to in head (*c*) (i) of paragraph (1) of this Article.

(10) In relation to any person who has supplied or acquired any such controlled lace and lace net or goods before the 15th day of June, 1949, paragraphs (6) and (7) of this Article shall have effect as if for references therein to any document there were substituted references to any declaration referred to in paragraph (9) of this Article.

Maximum Prices

5.—(1) A registered person shall not, in the course of his business, charge in respect of the sale of any utility goods complying with a description specified in Part I of the First Schedule hereto, manufactured by him whether before or after the commencement of this Order but supplied thereafter, a gross price exceeding the lesser of the two following amounts, that is to say:—

(*a*) such amount specified in the sixth column of that Part in relation to goods of that description as is appropriate to that sale; or

(*b*) an amount equal to the aggregate of—

(i) the costs incurred by him in respect of such goods by reason of the matters specified in paragraphs 1 and 3 of the Fourth Schedule to the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947, and

(ii) the costs incurred by him in respect of such goods by reason of the matters specified in paragraph 2 of the Fourth Schedule to that Order together with 10 per cent. of such costs, and

(iii) 61 per cent. of the total of the sums calculated under sub-heads (i) and (ii) of this head, and

(iv) in relation to a sale of such goods otherwise than to a wholesaler, 12½ per cent. of the total of the sums calculated under sub-heads (i), (ii) and (iii) of this head.

(2) A registered person shall not, in the course of his business, charge in respect of the sale of any utility goods complying with a description specified in Part II of the First Schedule hereto, manufactured by him whether before or after the commencement of this Order but supplied thereafter, a gross price exceeding the lesser of the two following amounts, that is to say:—

(*a*) such amount specified in the seventh column of that Part in relation to goods of that description as is appropriate to that sale; or

(*b*) an amount equal to the aggregate of—

(i) the costs incurred by him in respect of such goods by reason of the matters specified in paragraphs 1 and 3 of the Fourth Schedule to the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947, and

(ii) the sum of 4s. 6d. per rack (that is to say, the length of netting made by 1920 motions of the leavers machine), and

(iii) 27½ per cent. of the total of the sums calculated under sub-heads (i) and (ii) of this head, and

(iv) in relation to a sale of such goods otherwise than to a wholesaler, 12½ per cent. of the total of the sums calculated under sub-heads (i), (ii) and (iii) of this head.

(3) A registered person shall not, in the course of his business, charge in respect of the sale of any utility goods complying with a description specified in Part III of the First Schedule hereto, manufactured by him whether before

or after the commencement of this Order but supplied thereafter, a gross price exceeding such amount specified in the fifth column of that Part in relation to goods of that description as is appropriate to that sale.

(4) A registered person shall not, in the course of his business, charge in respect of the sale of any utility goods complying with a description specified in Part IV of the First Schedule hereto, manufactured by him whether before or after the commencement of this Order but supplied thereafter, a gross price exceeding the lesser of the two following amounts, that is to say:—

(*a*) such amount specified in the seventh column of that Part in relation to goods of that description as is appropriate to that sale; or

(*b*) an amount equal to the aggregate of—

(i) the costs incurred by him in respect of such goods by reason of the matters specified in paragraphs 1 and 3 of the Fourth Schedule to the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947, and

(ii) an amount equal to five times the cost of labour directly incurred in the weaving of such goods, and

(iii) the costs of labour directly incurred in the finishing of such goods, and

(iv) 48 per cent. of the total of the sums calculated under sub-heads (i), (ii) and (iii) of this head, and

(v) in relation to a sale of such goods otherwise than to a wholesaler, 12½ per cent. of the total of the sums calculated under sub-heads (i), (ii), (iii) and (iv) of this head.

(5) A registered person shall not, in the course of his business, charge in respect of the sale of any article made up by him from any utility goods under the authority of paragraph (2) of Article 3 hereof, a gross price exceeding an amount equal to the appropriate price per square yard specified in the First Schedule hereto in relation to those utility goods multiplied by the number of square yards of material (whether utility goods or not) in that article.

(6) The price charged by any registered person in respect of the sale (otherwise than by retail) of any utility goods to which this Article applies manufactured by him, shall be reduced by an amount not less than 2½ per cent. of the gross price in any case in which payment therefor is made or tendered before the tenth day of the month immediately succeeding that during which the goods were consigned by the seller to, or to the order of, the buyer.

Licences

6. Nothing in this Order shall prohibit the doing of anything under the authority of a licence granted by the Board of Trade under this Article and in accordance with any condition attached thereto.

Interpretation and Revocation

7.—(1) In this Order

"acquire" means acquire 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 acquisition as a gift;

"controlled lace and lace net" means—

(*a*) any material (including material shaped for making up into goods) in the manufacture of which a process has been carried out on a leavers lace machine or, in the case of material containing nylon or natural silk, on a plain net machine;

(*b*) any goods (whether wholly or partly completed) in the manufacture of which a process has been carried out on a leavers lace machine or, in the case of goods containing nylon or natural silk, on a plain net machine, not being goods made up from any material specified in head (*a*) of this definition;

but does not include—

(i) hair nets; or

(ii) material not containing nylon or natural silk, being veilings weighing not more than 1 lb. per 40 square yards;

"export" means—

(*a*) export from the United Kingdom otherwise than to the Isle of Man or the Channel Islands; and

(*b*) delivery on board a vessel for carriage to a place outside the United Kingdom, the Isle of Man and the Channel Islands;

"gross price" means the price inclusive of all delivery charges payable either by the buyer or the seller and before any deductions by way of discount have been made:

Provided that no account shall be taken of delivery charges payable by the buyer—

(*a*) on a sale by retail, or

(*b*) on a sale otherwise than by retail of goods to which this Order applies, whether or not the goods are included in a parcel comprising goods to which this Order does not apply, where the total price in respect of such goods or, where such goods are included in such a parcel, in respect of such parcel (exclusive of the appropriate amount of purchase tax where such tax is chargeable and exclusive of delivery charges) does not exceed £2;

"registered person" means a person whose name is for the time being entered on the Register of Manufacturers of Lace kept by the Board of Trade;

"retail customer" in relation to the supply of any goods, means a person who is acquiring those goods otherwise than for purposes of his business as a person supplying such goods or goods wholly or partly manufactured therefrom.

(2) The provisions of Article 14, paragraph (2) of Article 15, and Articles 17 and 18 of the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947, as amended from time to time(a), shall, so far as they are relevant, form part of and be incorporated with this Order.

(3) The Lace and Woven Curtain Net (Manufacture and Supply) Order, 1948(b), and the Lace and Woven Curtain Net (Manufacture and Supply) (Amendment No. 3) Order, 1949(c), are hereby revoked:

Provided that any current licence issued or having effect thereunder shall have effect as if it were granted under this Order.

Citation and Commencement

8. This Order may be cited as the Lace and Woven Curtain Net (Manufacture and Supply) Order, 1949, and shall come into operation on the 12th day of December, 1949.

Dated this 2nd day of December, 1949.

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

(a) The relevant amending Orders at the date of this Order are S.I. 1948 (Nos. 2338 and 2744) II, pp. 333–4.
(b) S.I. 1948 (No. 2078) II, p. 99.
(c) S.I. 1949 No. 1077.

FIRST SCHEDULE

PART I

1	Description of lace curtain netting made on a lace curtain machine											6	
	2	3	4	5									
Specification No.	Gauge	Lowest quality	Minimum weight in the grey or brown	(*a*) Highest counts of cotton yarn. Egyptian cotton shall be used for counts 2/41 and finer		(*b*) Highest counts of cotton or spun rayon and lowest deniers of continuous filament rayon. In the case of cotton, Egyptian cotton shall be used for counts 2/41 and finer						Manufacturer's overriding maximum prices	
				All nettings		All nettings		Three thread nettings		Four thread nettings		On sale to a wholesaler per square yard	On sale otherwise than to a wholesaler per square yard
		Minimum number of shots per 3 ins. in length	lbs. per square yard	(i) Brass bobbin	(ii) Warp	(i) Fine spool or netting thread		(ii) Coarse spool		(iii) Coarse spool			
						cotton and spun rayon	continuous filament rayon	cotton and spun rayon	continuous filament rayon	cotton and spun rayon	continuous filament rayon		
C.1	4	42	·119	2/50	2/16	2/16	700	2/12	900	2/16	700	s. d. 2/2½	s. d. 2/6
C.2	6	42	·077	2/60	2/40	2/40	250	2/28	300	2/40	250	2/1½	2/5
C.3	6½/7	42	·071	2/70	2/40	2/50	250	2/32	300	2/50	250	2/2	2/5½
C.4	7½/8	42	·066	2/80	2/60	2/60	200	2/40	250	2/60	200	2/3½	2/7
C.5	9	48	·072	2/90	2/60	2/70	150	2/40	250	2/60	200	2/7½	2/11½
C.6	10	54	·070	2/100	2/60	2/80	150	2/50	250	2/80	200	2/11	3/3½
C.7	11	60	·068	2/110	2/70	2/100	150	2/50	250	2/80	200	3/2½	3/7
C.8	12	66	·071	2/120	2/80	2/100	150	2/60	200	2/80	150	3/5½	3/11
C.9	14	78	·071	2/140	2/100	2/120	150	2/60	200	2/80	150	4/0½	4/6½
C.10	15	84	·076	2/140	2/100	2/120	150	2/60	200	2/80	150	4/5	4/11½
C.11	16	90	·081	2/140	2/100	2/120	150	2/60	200	2/80	150	4/9½	5/5

In this Part of this Schedule :—

" gauge " means the number of warp threads per inch in width ;

" warp " means the thread which pillars only or, in the case of combination, the foundation thread.

PART II

1	Description of lace curtain netting made on a leavers machine.							
	2	3	4	5	6		7	
					Highest counts of yarn. Egyptian cotton shall be used for counts 2/41 and finer		Manufacturer's overriding maximum prices	
Specification No.	Pattern Number	Gauge	Lowest quality	Minimum weight in the grey or brown	(*a*) Warp	(*b*) Bobbin	On sale to a wholesaler per square yard	On sale otherwise than to a wholesaler per square yard
			maximum number of ins. per rack	lbs. per square yard			s. d.	s. d.
L.1	L.P.51	4½	44½	·13	2/32	4/100	2/3½	2/7
L.2	L.P.52	4½	67	·12	2/32	4/100	1/9½	2/–
L.3	L.P.53	4½	70	·13	2/32	4/100	1/9	1/11½
L.4	L.P.54	4½	54	·15	2/32	4/100	2/1½	2/4½
L.5	L.P.55	7	40	·11	2/60	1/70	2/4½	2/8
L.6	L.P.56	7	45	·09	2/60	1/70	1/11½	2/2½
L.7	L.P.57	7	45	·12	2/60	1/70	2/3½	2/7
L.8	L.P.58	7	47½	·11	2/60	1/70	2/0½	2/3½

In this Part of this Schedule:—
" gauge " means the number of bobbin threads per half inch in width;
" rack " means the length of netting made by 1920 motions of the leavers machine;
the pattern numbers in column 2 refer to goods of which samples are included in relation to those numbers in the Register of Lace Curtain Netting Patterns kept by the Board of Trade.

PART III

1	Description of lace curtain netting made on a warp lace machine					
	2	3	4		5	
Specification No.	Quality	Minimum weight in the grey or brown	Highest counts of cotton and lowest deniers of continuous filament rayon		Manufacturer's maximum prices	
	number of inches per rack	lbs. per square yard	(*a*) Warp	(*b*) Bobbin	On sale to a wholesaler per square yard	On sale otherwise than to a wholesaler per square yard
					s. d.	s. d.
W.16	39	0·11	2/60 Egyptian	2/32	1/5¾	1/8
W.17	22½	0·16	2/60 „	2/32	2/6¾	2/10½
W.18	30	0·20	2/60 „	2/32	2/8¾	3/1
W.19	28	0·25	2/60 „	2/32	3/2½	3/7½
W.20	30	0·29	2/60 „	2/32	3/6½	4/–
W.21	28	0·18	2/60 „	2/24	2/5¾	2/9½
W.22	28	0·28	2/60 „	2/24	3/4	3/9
W.23	28	0·18	2/32	2/16	2/2½	2/6
W.24	28	0·24	2/32	2/16	2/7½	2/11½
W.25	28	0·29	2/32	2/16	2/11¾	3/4
W.26	28	0·27	2/30 mercerised Egyptian	2/16 mercerised Egyptian	3/9¾	4/3½
W.27	28	0·30	2/30 „	2/16 „	4/2	4/8½
W.28	22½	0·16	200	300	2/–	2/3
W.29	28	0·24	200	300	2/3¼	2/6½

In this Part of this Schedule:—
" rack " means 480 knitted courses;
the figures in column 2 are subject to a tolerance of plus or minus three inches.

PART IV

1	Description of curtain netting made on a Madras loom							7	
	2	3	4	5	6 Highest counts of yarn			Manufacturer's overriding maximum prices	
Specification No.	Minimum cover of figure	Minimum number of warp threads per inch	Minimum number of picks per inch	Minimum weight	(*a*) Warp	(*b*) Weft	(*c*) Figure	On sale to a wholesaler per square yard	On sale otherwise than to a wholesaler per square yard
				lbs. per square yard				s. d.	s. d.
M.1	15	40	24	·073	60s Egyptian	50s Egyptian	8s condensor vat-dyed	1/9½	2/–
M.2	25	40	24	·086	60s Egyptian	50s Egyptian	8s condensor vat-dyed	1/11½	2/2½
M.3	15	40	27	·084	50s Egyptian	50s Egyptian	8s condensor vat-dyed	1/11	2/2
M.4	25	40	27	·099	50s Egyptian	50s Egyptian	8s condensor vat-dyed	2/2	2/5½
M.5	25	40	24	·131	2/60s Egyptian	2/60s Egyptian	8s condensor vat-dyed	2/9	3/1

In this Part of this Schedule:—
" cover of figure " means the number of patterning weft threads used with 100 background weft threads; the figures in columns 3, 4 and 5 refer to the netting in the grey before cropping.

SECOND SCHEDULE

1. Goods shall be deemed not to comply with a description included in the First Schedule hereto unless they are made up in accordance with the appropriate requirements contained in this Schedule.

2. In relation to goods described in Part I of the First Schedule hereto—

(*a*) all netting other than single tie, double tie and two bar filet shall be four or more thread netting;

(*b*) in filet net, including two bar filet net, the number of apertures per inch along a warp shall be equal to the number of apertures per inch across the warp;

(*c*) in netting with a wire ground weave the gauge shall be 8 point or finer and the number of apertures per inch along a warp to the number of apertures per inch across the warp shall be not less than the ratio of 5 to 4;

(*d*) the edges shall be firm-finished and shall not be cut;

(*e*) all netting other than white and scour shall be fast colour;

(*f*) the width of the netting (after manufacture is completed) shall not exceed the sum of the loom width and the width of any additional material inserted or attached, less the width of any turnover hems, draw threads and dressing selvedges.

3. In relation to goods described in Part II of the First Schedule hereto—

(*a*) the edges shall be firm-finished and shall not be cut;

(*b*) all netting shall be vat dyed to one of the shades commonly known as Biscuit 22 or Ivory.

4. In relation to goods described in Part III of the First Schedule hereto—

(*a*) the edges shall be firm-finished and shall not be cut;

(*b*) all netting shall be vat dyed to one of the shades commonly known as Biscuit 22 or Ivory.

5. Goods described in Part IV of the First Schedule hereto shall have a selvedge or plain hemmed edge.

EXPLANATORY NOTE

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

This Order supersedes the Lace and Woven Curtain Net (Manufacture and Supply) Order, 1948, as amended.

The principal changes are as follows:—

(1) the restriction on the manufacture and supply of non-utility lace and lace net no longer applies to lace and lace net manufactured on a Nottingham lace curtain machine, a warp lace machine, a Barmen lace machine, a Sander and Graff loom or, except in the case of material containing nylon or natural silk, a plain net machine, or to household goods made of such lace and lace net;

(2) any person may now supply in any manner such lace and lace net and household goods notwithstanding any document given by him that the goods were required for export;

(3) provision is made for the making up by registered persons of utility curtains, curtain panels and table covers from utility lace and lace net, and maximum prices are provided for such made up goods; and

(4) new descriptions and maximum prices are provided for utility lace curtain netting made on a warp lace machine.