The Lace Industry (Scientific Research Levy) Order, 1951*

1951 No. 1125

Made - - - - 26*th June*, 1951
Coming into Operation 1*st July*, 1951

Whereas funds have been made available, under the Lace Industry (Levy) Order, 1948(**a**), to a body called the Lace Research Association for the purpose of scientific research in connection with the lace industry:

And Whereas it appears to the Board of Trade that funds should continue to be made available to that body for that purpose, but that the basis of calculation should be varied:

Now, therefore, the Board of Trade in pursuance of the powers conferred upon them by section 9 of the Industrial Organisation and Development Act, 1947(**b**), hereby order as follows:—

Extent of the Industry

1. For the purposes of this Order the lace industry (hereinafter called "the industry") shall consist of the activities designated in the Schedule hereto.

Persons to whom the Order applies

2. The persons to whom this Order applies are every person who on the 1st day of July, 1951, is carrying on, or who thereafter commences to carry on, business in the industry.

Payment of levies

3.—(1) Every person to whom this Order applies who was carrying on business in the industry at any time during the year 1950, shall pay in respect of each period of six months, during the whole or any part of which he has carried on business in the industry, ending on the 31st day of December and the 30th day of June respectively in every year, a charge calculated in accordance with the provisions of paragraph (1) of Article 4 hereof.

(2) Every other person to whom this Order applies shall pay in respect of each such period, during the whole or any part of which he has carried on business in the industry, a charge calculated in accordance with the provisions of paragraph (2) of Article 4 hereof.

Computation of levies

4.—(1) The charge to be paid by any person by virtue of the provisions of paragraph (1) of Article 3 hereof in respect of any period mentioned in that Article, shall be calculated at the following rates:—

(*a*) 12s. 9d. in respect of each multi-needle shuttle embroidery machine standing at any time during that period on premises used by him in the course of his business;

* In accordance with subsection (9) of section 9 of the Industrial Organisation and Development Act, 1947, this Order has been approved by a Resolution of each House of Parliament. The Resolution of the House of Lords was passed on the 19th June, 1951, and that of the House of Commons on the 25th June, 1951.

(**a**) S.I. 1948 (No. 2775) I, p. 1647. (**b**) 10 & 11 Geo. 6. c. 40.

(*b*) 5¼d. in respect of each Barmen lace machine standing at any time during that period on premises used by him in the course of his business;

(*c*) 37s. 6d. in respect of each Leavers lace machine standing at any time during that period on premises used by him in the course of his business;

(*d*) 0.17d. in respect of each pound of the price paid or payable for all yarn of whatever composition which he acquired during the year 1950 for use (by him or by another person for him on commission) on any Nottingham lace curtain machine;

(*e*) 0.33d. in respect of each pound of the price paid or payable for all yarn of whatever composition which he acquired during the year 1950 for use (by him or by another person for him on commission) on any plain net machine; and

(*f*) 0.36d. in respect of each pound of the price paid or payable for all yarn of whatever composition which he acquired during the year 1950 for use (by him or by another person for him on commission) on any warp lace machine.

(2) The charge to be paid by any person by virtue of the provisions of paragraph (2) of Article 3 hereof in respect of any period mentioned in that Article, shall be calculated at the following rates:—

(*a*) 12s. 9d. in respect of each multi-needle shuttle embroidery machine standing at any time during that period on premises used by him in the course of his business;

(*b*) 5¼d. in respect of each Barmen lace machine standing at any time during that period on premises used by him in the course of his business;

(*c*) 37s. 6d. in respect of each Leavers lace machine standing at any time during that period on premises used by him in the course of his business;

(*d*) 0.34d. in respect of each pound of the price paid or payable for all yarn of whatever composition which he has acquired during that period for use (by him or by another person for him on commission) on any Nottingham lace curtain machine;

(*e*) 0.66d. in respect of each pound of the price paid or payable for all yarn of whatever composition which he has acquired during that period for use (by him or by another person for him on commission) on any plain net machine; and

(*f*) 0.72d. in respect of each pound of the price paid or payable for all yarn of whatever composition which he has acquired during that period for use (by him or by another person for him on commission) on any warp lace machine.

(3) For the purposes of this Article—

(*a*) a person shall be deemed to have acquired yarn on the date on which such yarn was invoiced to him; and

(*b*) the price paid or payable for yarn shall be calculated before any deduction by way of discount and shall include delivery charges.

Time for payment of levies

5.—(1) As soon as may be after the expiration of each period mentioned in Article 3 hereof the Board of Trade will by notice, given in such manner as they think best adapted for informing the persons affected, require payment of the charges imposed by this Order in respect of that period.

(2) Every person liable to pay a charge imposed by this Order in respect of any period shall pay that charge within 30 days of the date on which the notice referred to in paragraph (1) of this Article is given in respect of that period.

(3) Every such charge shall be paid either direct to the Board of Trade, or to the Federation of Lace and Embroidery Employers' Associations of Smithy Row, Nottingham or to Lace Productions (1948) Limited of Long Eaton, on behalf of the Board of Trade.

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

(5) All monies received by the Board of Trade in respect of any such charge shall be paid by them into the Lace Industry (Levy) Deposit Account, being an account opened by His Majesty's Paymaster General on behalf of the Board of Trade, and shall be issued thereout to the Lace Research Association to meet any expenses incurred by it in respect of scientific research in connection with the industry.

Furnishing of information

6.—(1) The Board of Trade 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 Board of Trade to be reasonably requisite for the purpose of the recovery of any charge imposed by this Order.

(2) Any person who is required by notice in writing by the Board of Trade under the provisions of paragraph (1) of this Article to furnish returns or other information, to keep records, or to produce for examination books or other documents or records, shall furnish in such form and manner and within such time such returns or other information as may be specified in the notice, or, as the case may be, keep such records or produce at such time such books or other documents or records in his custody or under his control as may be so specified.

Penalties

7.—(1) If any person required under the provisions of Article 6 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 6 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 fifty pounds, or on conviction on indictment to imprisonment for a term not exceeding two years or to a fine not exceeding one hundred pounds or, in either case, to both such imprisonment and such fine.

Cessation of charges under the Lace Industry (Levy) Order, 1948

8. The provisions of Article 2 of the Lace Industry (Levy) Order, 1948(a), shall not impose on any person any charge in respect of any period after the 30th day of June, 1951.

Short title and commencement

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

(2) This Order may be cited as the Lace Industry (Scientific Research Levy) Order, 1951, and shall come into operation on the 1st day of July, 1951.

Dated this 26th day of June, 1951.

Hervey Rhodes,
Parliamentary Secretary to the
Board of Trade.

SCHEDULE

The lace industry shall consist of the following activities, so far as carried on in Great Britain:—

(*a*) the carrying out of any process in the manufacture of lace or lace net (including veiling and hair nets) or of embroidery;
(*b*) procuring the carrying out of any process mentioned in (*a*) above.

In this Schedule lace, lace net, and embroidery shall mean goods in the manufacture of which a process has been carried out on any one or more of the following:—

Multi-needle shuttle embroidery machine,
Barmen lace machine,
Leavers lace machine,
Nottingham lace curtain machine,
Plain net machine,
Warp lace machine.

EXPLANATORY NOTE

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

This Order which is made under the Industrial Organisation and Development Act, 1947, imposes levies on the lace industry for the financing of scientific research.

The Lace Industry (Levy) Order, 1948, under which levies for that purpose have hitherto been imposed, ceases to have effect as respects the imposition of levies for any period after 30th June, 1951.

The basis of calculation of the levy has been varied, the principal change being that part of the levy is now calculated on yarn purchased in the year 1950 and not on yarn purchased in the period in respect of which the levy is payable.

The amounts recoverable each year under this Order from each section of the industry are estimated to be approximately the same as those recoverable under the Lace Industry (Levy) Order, 1948.

(a) S.I. 1948 (No. 2775) I, p. 1647. (b) 52 & 53 Vict. c. 63.