The Leather (Charges) (No. 4) (Minister of Materials) Order, 1951

1951 No. 1249

Made - - - -	11*th July*, 1951
Laid before the House of Commons	11*th July*, 1951
Coming into Operation	12*th July*, 1951

Whereas under Sub-section (1) of Section 2 of the Emergency Powers (Defence) Act, 1939(**a**), and Section 5 of the Supplies and Services (Transitional Powers) Act, 1945(**b**), now continued in force by the Supplies and Services (Continuance) Order, 1950(**c**), the Treasury provided by the Leather (Charges) (Nos. 1-3) Orders, 1947-8(**d**) (which three Orders are hereafter in this Order together called the "Principal Order"), for imposing and recovering—in connexion with a scheme of control of leather established under the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(**b**) (as extended by the Supplies and Services (Extended Purposes) Act, 1947(**e**), and the Supplies and Services (Defence Purposes) Act, 1951(**f**), and continued in force by the Supplies and Services (Continuance) Order, 1950(**c**)), and administered by the Board of Trade—the charges specified in the Principal Order on hides, skins and tanning materials used in the production of leather:

And Whereas it is provided by the aforesaid Sub-section that any order made in exercise of the powers conferred by that Sub-section may be varied by a subsequent order made by the Treasury:

And Whereas by reason of the transfer (as from the 12th day of July, 1951) of the administration of the aforesaid scheme of control to the Minister of Materials it is desired to provide that all the aforesaid charges specified in the Principal Order which have not (before that day) been paid to or as directed by the Board of Trade shall (as from that day) be payable to or as directed by, and shall be summarily recoverable by, the Minister of Materials; and also that all the provisions made by the Leather (Charges) (No. 3) Order, 1948(**g**), for reducing the liability to charge under the Leather (Charges) (No. 1) Order, 1947(**h**), shall (as from that day) be administered by the Minister of Materials:

And Whereas it is desired to vary the Principal Order accordingly:

Now, therefore, the Lords Commissioners of His Majesty's Treasury in exercise of the powers conferred upon Them by Sub-section (1) of Section 2 of the Emergency Powers (Defence) Act, 1939(**a**), and Section 5 of the Supplies and Services (Transitional Powers) Act, 1945(**b**), as continued in force by the Supplies and Services (Continuance) Order, 1950(**c**), and of all other powers enabling Them in that behalf, hereby make the following Order:—

1. The Leather (Charges) (No. 3) Order, 1948(**g**), shall have effect as if for any reference in any provision in Articles (in the First Schedule thereto)

(**a**) 2 & 3 Geo. 6. c. 62. (**b**) 9 & 10 Geo. 6. c. 10. (**c**) S.I. 1950 (No. 1769) III, p. 51.
(**d**) S.R. & O. 1947 (No. 2800) II, p. 1421; S.I. 1948 (No. 550) II, p. 1051; S.I. 1948 (No. 1312) II, p. 1053. (**e**) 10 & 11 Geo. 6. c. 55.
(**f**) 14 & 15 Geo. 6. c. 25. (**g**) S.I. 1948 (No. 1312) II, p. 1053.
(**h**) S.R. & O. 1947 (No. 2800) II, p. 1421.

3A, 3B, 3C, 3D, and 3E, to the doing of any thing by or to the Board of Trade (including the doing of any thing in relation to any article) there were substituted a reference (*a*) to the doing of that thing before the 12th day of July, 1951, by or to the Board of Trade, and (*b*) in so far as that thing could and might or might have been necessary to have been done on or after that day if this Article of this Order had not been made, to the doing of that thing on or after that day by or to the Minister of Materials or his Department:

Provided that where under any of the aforesaid provisions as in operation immediately before the said 12th day of July, 1951, any state of affairs or activity continuing up to or undertaking subsisting up to immediately before that day (being a state of affairs or an activity or undertaking required or requirable under those provisions) was existing or being performed in a manner or subsisting in terms to the satisfaction of the Board of Trade (of which manner, terms and satisfaction the certificate of the Board shall be conclusive), the continued existence of that state of affairs or performance of that activity in that manner, or subsistence of that undertaking in those terms, shall (but without prejudice to the Minister of Materials or his Department being satisfiable by some other manner or terms) be a compliance on and after that day with the aforesaid provisions as having effect by virtue of the preceding part of this Article.

2. The Leather (Charges) (No. 1) Order, 1947(**a**), (as varied by the Leather (Charges) (No. 2) Order, 1948(**b**), and the Leather (Charges) (No. 3) Order, 1948(**c**), as that Order is varied by Article 1 of this Order) is hereby further varied—

(*a*) in Article 4 thereof, by substituting for the words "to the Board of Trade or as the Board may direct", the words—

"and all payments made before the 12th day of July, 1951, shall be made to or as directed by the Board of Trade, and all payments made on or after that day shall be made to or as directed by the Minister of Materials";

(*b*) by substituting for Article 5 thereof, the following Article—

"5. The amount of any charge due and payable under this Order shall be recoverable as a debt due to the Crown, and also in England shall be recoverable before the 12th day of July, 1951, by the Board of Trade, and on or after that day shall be recoverable by the Minister of Materials, in the same manner as a civil debt under Section 35 of the Summary Jurisdiction Act, 1879(**d**), is recoverable."; and

(*c*) by re-numbering Article 6 thereof as "6.—(1)", and adding to that Article the following paragraph—

"(2) All monies received by the Minister of Materials in respect of any charge payable under this Order shall be paid into the Ministry of Materials Leather Control Account.".

3. This Order shall come into operation on the 12th day of July, 1951; and may be cited as the Leather (Charges) (No. 4) (Minister of Materials) Order, 1951, and this Order and the Principal Order may be cited together as the Leather (Charges) (Nos. 1-4) Orders, 1947-51.

Dated this 11th day of July, 1951.

W. A. Wilkins,
Wm. Hannan,
Two of the Lords Commissioners of His Majesty's Treasury.

(a) S.R. & O. 1947 (No. 2800) II, p. 1421.
(b) S.I. 1948 (No. 550) II, p. 1051.
(c) S.I. 1948 (No. 1312) II, p. 1053.
(d) 42 & 43 Vict. c. 49.

EXPLANATORY NOTE

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

The Order transfers to the Minister of Materials, as from the 12th July, 1951, the collection of the charges imposed by the Leather (Charges) (Nos. 1-3) Orders, 1947-8.

The Timber (Charges) (No. 12) (Minister of Materials) Order, 1951*

1951 No. 1250

Made - - - -	11*th July*, 1951
Laid before the House of Commons	11*th July*, 1951
Coming into Operation	12*th July*, 1951

Whereas under Sub-section (1) of Section 2 of the Emergency Powers (Defence) Act, 1939(**a**), and Section 5 of the Supplies and Services (Transitional Powers) Act, 1945(**b**), now continued in force by the Supplies and Services (Continuance) Order, 1950(**c**), the Treasury provided by the Timber (Charges) (No. 11) Order, 1950(**d**) (hereafter in this Order called the "Principal Order"), for imposing and recovering a Timber (1950) Charge in connexion with a scheme of control of timber established under Regulations 55 and 98 of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(**b**) (as extended by the Supplies and Services (Extended Purposes) Act, 1947(**e**), and the Supplies and Services (Defence Purposes) Act, 1951(**f**), and continued in force by the Supplies and Services (Continuance) Order, 1950(**c**)), and administered by the Board of Trade:

And Whereas it is provided by the aforesaid Sub-section that any order made in exercise of the powers conferred by that Sub-section may be varied by a subsequent order made by the Treasury:

And Whereas by reason of the transfer (as from the 12th day of July, 1951) of the administration of the aforesaid scheme of control to the Minister of Materials it is desired to provide that all Timber (1950) Charges which have not (before that day) been paid to or as directed by or have not been demanded by the Board of Trade shall (as from that day) be demandable by and payable to or as directed by, and shall be summarily recoverable by, the Minister of Materials:

And Whereas it is desired to vary the Principal Order accordingly:

Now, therefore, the Lords Commissioners of His Majesty's Treasury in exercise of the powers conferred upon Them by Sub-section (1) of Section 2 of the Emergency Powers (Defence) Act, 1939(**a**), and Section 5 of the Supplies and Services (Transitional Powers) Act, 1945(**b**), as continued in force by the Supplies and Services (Continuance) Order, 1950(**c**), and of all

* The Timber (Charges) Orders prior to No. 11 were revoked by the Board of Trade Raw Materials (Charges) (Revocations) Order, 1951 (S.I. 1951 No. 1247, p. 575 above).

(**a**) 2 & 3 Geo. 6. c. 62.
(**b**) 9 & 10 Geo. 6. c. 10.
(**c**) S.I. 1950 (No. 1769) III, p. 51.
(**d**) S.I. 1950 (No. 472) III, p. 906.
(**e**) 10 & 11 Geo. 6. c. 55.
(**f**) 14 & 15 Geo. 6. c. 25.