GOODS AND SERVICES (PRICE CONTROL)

[*See* also Index to Vol. II for manufacture, supply and maximum prices Orders under the Defence Regulations (headings " Apparel and Textiles ", " Coal Distribution ", " Food Control ", &c.).]

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A. PRICE-CONTROLLED GOODS, &c.

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1. FRUSTRATED EXPORTS

(1) *Maximum Prices.* | (2) *Restriction of Resale* p. 1388.

(1) MAXIMUM PRICES

The Miscellaneous Goods (Frustrated Exports) (Maximum Prices) Order, 1948

1948 No. 2312

Made - - - -	18*th October*, 1948
Laid before Parliament	19*th October*, 1948
Coming into Operation	25*th October*, 1948

The Board of Trade in pursuance of the powers conferred upon them by Sections 1, 13 and 18 of the Goods and Services (Price Control) Act, 1941(**a**), as amended by the Defence (Price Control) Regulations 1945(**b**), and all other powers in that behalf enabling them, hereby order as follows:—

1. The maximum prices to be charged in the course of businesses of the following classes, namely, exporter, wholesaler, distributor and retailer, in respect of goods to which this Order applies shall be computed in such manner and by reference to such matters as are hereinafter mentioned.

2. The goods to which this Order applies are price-controlled goods of any description being frustrated exports.

3. The maximum price to be charged in the course of the business of an exporter, in respect of goods to which this Order applies, shall be the aggregate of the following amounts—

(*a*) the price paid or agreed to be paid for the goods by the exporter; and

(*b*) the amount paid or agreed to be paid by the exporter in respect of storage, carriage and insurance from the date when the exporter contracted to purchase the goods until the date when he contracted to sell them (both dates inclusive); and

(*c*) an amount equal to 5 per cent. of the aggregate of the amounts referred to in heads (*a*) and (*b*) of this Article,

provided that, in relation to any goods, being goods of descriptions for which maximum prices have been fixed by maximum price Orders, but not being furniture to which the Furniture (Maximum Prices and Charges)

(**a**) 4 & 5 Geo. 6. c. 31.
(**b**) S.R. & O. 1945 (No. 1613) II, p. 81.

Order, 1947(a), as amended(b), applies, the maximum price to be charged on a sale to any class of customer in the course of the business of an exporter shall in no case exceed—

(i) the overriding maximum price (if any) specified in the relevant maximum price Order in relation to a sale of those goods to that class of customer in the course of the business of a wholesaler, or, if none,

(ii) the maximum price chargeable on a sale of those goods to that class of customer in the course of the business of a wholesaler in accordance with the provisions of the relevant maximum price Order, or, if different maximum prices are chargeable in accordance with such provisions on a sale of those goods to that class of customer in the course of the businesses of wholesalers of different classes, the higher or highest of those maximum prices.

4. The maximum prices to be charged in the course of the business of a wholesaler, a distributor or a retailer in respect of goods to which this Order applies shall—

(*a*) in respect of goods of descriptions for which maximum prices have been fixed by maximum price Orders, be the maximum prices appropriate to the goods chargeable in the course of the business of a wholesaler, a distributor or a retailer, as the case may be, in accordance with the provisions of the relevant maximum price Order, except that for any reference therein to the price paid or agreed to be paid to the manufacturer, there shall be substituted a reference to the price paid or agreed to be paid to the exporter;

(*b*) in respect of goods of descriptions for which no maximum prices have been fixed by any maximum price Order, be the permitted price.

5. In relation to goods to which this Order applies the Price-Controlled Goods (Invoices) Order, 1943(c), shall have effect as if, in the invoice, to be furnished, the seller were required to include (in addition to the particulars referred to in Article 2 of that Order) the words " Frustrated Exports: see S.I. 1948 No. 2312 ".

6. In this Order—

" frustrated exports " means goods—

(i) which have been bought by an exporter and at the time of the purchase thereof by him were intended to be exported, and

(ii) in respect of which the Board of Trade have issued to that exporter a certificate that the export of the goods is impracticable and that the supply thereof otherwise than by exportation is in the public interest.

" maximum price Orders " means Orders made by the Board of Trade under Section 1 of the Goods and Services (Price Control) Act, 1941, as amended by the Defence (Price Control) Regulations, 1945, whether before or after the date of this Order,

" permitted price " has the meaning assigned in Section 1 of the Prices of Goods Act, 1939(d).

7. The Miscellaneous Goods (Import and Prevented Export) (Maximum Prices) Order, 1943(e), is hereby revoked.

(a) S.R. & O. 1947 (No. 1190) I, p. 919.

(b) S.I. 1948 Nos. 180, 518, 1072, 1252 and 1772. For revocation and replacement of these Orders by S.I. 1948 No. 2624, *see* p. 1462 below.

(c) S.R. & O. 1943 (No. 604) I, p. 309.

(d) 2 & 3 Geo. 6. c. 118.

(e) S.R. & O. 1943 (No. 1250) I, p. 527.

8. This Order may be cited as the Miscellaneous Goods (Frustrated Exports) (Maximum Prices) Order, 1948, and shall come into operation on the 25th day of October, 1948.

Dated this 18th day of October, 1948.

Harold Wilson,
President of the Board of Trade.

EXPLANATORY NOTE

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

This Order fixes exporters', wholesalers', distributors' and retailers' maximum prices for price-controlled goods which are " frustrated exports " as defined in Article 6. These are goods which an exporter has bought, intending at the time of their purchase that they should be exported; their export has become impracticable and the Board of Trade have issued a certificate to that effect and that the supply on the home market is in the public interest.

Any trader selling goods to which this Order applies is required to state on his invoice that the goods are " frustrated exports " and to refer the buyer to this Order (Article 5).

The Miscellaneous Goods (Import and Prevented Export) (Maximum Prices) Order, 1943, (S.R. & O. 1943 No. 1250) is revoked.

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(2) RESTRICTION OF RESALE

The Price-Controlled Goods (Frustrated Exports) (Restriction of Resale) Licence, 1948

1948 No. 2315

Made - - - -	*18th October,* 1948
Coming into Operation	*25th October,* 1948

The Board of Trade in pursuance of Article 1 of the Price-Controlled Goods (Restriction of Resale) (No. 2) Order, 1942(**a**), hereby issue the following Licence:—

1. Any exporter to whom the Board of Trade have issued in respect of any price-controlled goods bought by him such a certificate as is mentioned in Article 6 of the Miscellaneous Goods (Frustrated Exports) (Maximum Prices) Order, 1948(**b**), may resell those goods otherwise than by retail.

2. Any person carrying on a business which includes the resale, otherwise than by retail, of goods, including the goods hereinafter mentioned,

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(**a**) S.R. & O. 1942 (No. 958) I, p. 230. (**b**) S.I. 1948 No. 2312, p. 1386 above.