(39) RUBBER GLOVES

The Rubber Gloves (Revocation) Order, 1949

1949 No. 273

Made - - - -	*22nd February*, 1949
Laid before Parliament	*22nd February*, 1949
Coming into Operation	*28th February*, 1949

The Board of Trade in pursuance of the powers conferred upon them by Regulation 55 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:—

1. The Rubber Gloves Order, 1942(**c**), and the Rubber Gloves (No. 3) Order, 1947(**d**) (which control the supply of surgical rubber gloves), are hereby revoked.

2. This Order may be cited as the Rubber Gloves (Revocation) Order, 1949, and shall come into operation on the 28th day of February, 1949.

Dated this 22nd day of February, 1949.

John Edwards,
Parliamentary Secretary to the Board of Trade.

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(40) SALES BY AUCTION AND TENDER

[*See* also p. 564 above (Scotch Whisky).]

The Sales by Auction and Tender (Control) Order, 1949

1949 No. 1152

Made - - - -	*22nd June*, 1949
Laid before Parliament	*22nd June*, 1949
Coming into Operation	*29th June*, 1949

The Board of Trade in pursuance of the powers conferred upon them by Regulation 55 of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(**e**), as extended by the Supplies and Services (Extended Purposes) Act, 1947(**b**), hereby order as follows:—

1. No person carrying on a business which includes the selling of goods by auction (hereinafter called "an auctioneer") shall sell by auction any

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (No. 1618) II, p. 48.
(b) 10 & 11 Geo. 6. c. 55.
(c) S.R. & O. 1942 (No. 918) II, p. 1979.
(d) S.R. & O. 1947 (No. 417) II, p. 1246.
(e) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1618) II, pp. 39 and 48.

goods described in the First Schedule hereto, unless he has taken all reasonably practicable steps to ascertain and has reasonable cause for belief—

(i) that they were second-hand goods ; and

(ii) in respect only of goods described in Part II of the said Schedule, that they were not at any time during the period of six months ending on the date of the sale part of the stock-in-trade of a business.

2. No person, other than an auctioneer acting as such, shall cause or allow to be sold by auction or sell by tender any goods described in the First Schedule hereto,—

(i) unless they are second-hand goods ; and

(ii) in respect only of goods described in Part II of the said Schedule, unless he has reasonable cause for belief that they were not at any time during the period of six months ending on the date of the sale part of the stock-in-trade of a business.

3.—(1) Nothing in this Order shall apply to goods described in the Second Schedule hereto.

(2) Nothing in this Order shall prevent or restrict an auctioneer from selling by auction on behalf of the legal personal representative of a deceased person, or the legal personal representative of a deceased person from causing or allowing to be sold by auction, any goods of a description in Part II of the First Schedule hereto, which

(i) are second-hand goods, and

(ii) are assets of the estate of that deceased person, and

(iii) neither are, nor were at the time of the death of that deceased person, part of the stock-in-trade of a business.

4. Nothing in this Order shall prohibit or restrict the doing of anything under the authority of a licence granted by the Board of Trade hereunder and in accordance with any condition attaching thereto.

5. In this Order—

" second-hand goods " means goods which have subsequently to production, reconstruction or conversion, or the latest of them, been used.

6. The Sales by Auction and Tender (Control) Order, 1947(**a**), and the Sales by Auction and Tender (Control) (Amendment) Order, 1948(**b**), are hereby revoked.

7. This Order may be cited as the Sales by Auction and Tender (Control) Order, 1949, and shall come into operation on the 29th day of June, 1949.

Dated this 22nd day of June, 1949.

Harold Wilson,
President of the Board of Trade.

(a) S.R. & O. 1947 (No. 1469) II, p. 1247. (b) S.I. 1948 (No. 2626) II, p. 1000.

FIRST SCHEDULE

PART I

Goods to which this Order applies

Goods of a description defined in an Order made by the Board of Trade under Section 2 of the Prices of Goods Act, 1939, and for the time being in force and goods of a description for which a maximum price has been fixed by an order for the time being in force under the Goods and Services (Price Control) Act, 1941.

PART II

1. Carpets of a description for which a maximum price has been fixed by the Carpets (Maximum Prices) Order, 1947(**a**), as amended(**b**), or the Imported Carpets (Maximum Prices) Order, 1949, as amended(**c**).

2. Domestic Pottery of a kind used in the preparation or serving of food or drink.

3. Typewriters.

4. Sewing Machines.

5. Cash Registers.

SECOND SCHEDULE

Exceptions

1. Goods sold by order of the Court or of a Government Department.

2. Goods in respect of which the sale by auction or by tender is from time to time regulated or controlled by Orders made by a competent authority, not being the Board of Trade, under the Defence (General) Regulations, 1939.

3. Unredeemed pledges sold by auction by an auctioneer conducting a sale on behalf of a pawnbroker in accordance with the provisions of Section 19 of the Pawnbrokers Act, 1872(**d**).

EXPLANATORY NOTE

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

This Order supersedes the Sales by Auction and Tender (Control) Order 1947, as amended. The Order prohibits, except by licence, the sale by auction or by tender of

(*a*) new goods described in the First Schedule,

(*b*) second-hand goods described in Part II of the First Schedule which are or have been within the preceding six months part of the stock in trade of a business, unless such goods are assets of a deceased person's estate being sold by the legal personal representative, in which event the sale by auction of such goods is prohibited only if they are, or were at the time of the deceased person's death, part of the stock-in-trade of a business,

other than goods described in the Second Schedule.

(**a**) S.R. & O. 1947 (No. 607) I, p. 869. (**b**) S.I. 1948 (No. 1241) I, p. 1415.
(**c**) S.I. 1949 Nos. 28 and 376; for revocation and replacement by S.I. 1949 No.1578, *see* Vol. I, p. 2108.
(**d**) 35 & 36 Vict. c. 93.