SHIPS' STORES

The Ships' Stores (No. 2) Order, 1950

1950 No. 1462

Made - - - -	*29th August*, 1950
Laid before Parliament	*1st September*, 1950
Coming into Operation	*10th September*, 1950

In exercise of the powers conferred upon him 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), and of all other powers him enabling, the Minister of Food hereby makes the following Order:—

1. In this Order—

" The Minister " means the Minister of Food.

" Area Superintendent of Ships' Stores " means, as respects any area, the person authorised by the Minister to act as such in that area.

" Ration document " (except where the context otherwise requires) and

" Rationed Food " have the meanings assigned to them in the Food Rationing (General Provisions) Order, 1950(c).

" Specified food " means any food, of whatever nature or description, specified in the Schedule to this Order.

" Ship " includes any foreign-going or home-trade ship as defined by the Merchant Shipping Act, 1894(d), and any foreign-registered ship.

" Ships' stores dealer " means a person licensed as such under this Order, and includes any person who immediately before the coming into force of this Order was licensed as a Ships' Stores Dealer under the Ships' Stores Order, 1950, as amended(e).

2. Except under and in accordance with the terms and conditions of a licence granted by or on behalf of the Minister for the purposes of this Order, no person shall sell or supply any specified food set out in Part I of the Schedule to this Order for consumption on any ship.

3. Subject as hereinafter provided, no person shall buy or offer or agree to buy or sell or offer or agree to sell, or obtain or supply, any specified food for consumption on any ship, unless and to the extent that such specified food has been authorised for shipment by the proper officer of Customs and Excise for the purposes of this Order.

4. Notwithstanding the restrictions imposed by Article 3 of this Order, or any restriction imposed by any Order made by the Minister, any specified food may be bought or obtained for consumption on any ship while lying in a United Kingdom port or harbour by or on behalf of persons who do not hold ration documents valid for the period during which that ship remains

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.
(b) 10 & 11 Geo. 6. c. 55. (c) S.I. 1950 No. 790, p. 420 above. (d) 57 & 58 Vict. c. 60.
(e) S.I. 1950 Nos. 128 and 1134.

in port or harbour, and may be sold or supplied for such consumption while the ship is in a United Kingdom port or harbour provided—

(*a*) that the seller shall have obtained from the master or from the owner of the ship or his agent a declaration in writing on a form determined by the Minister stating the number of persons for whom and the period for which the food is required, that the food is necessary for consumption by such persons as aforesaid while the ship is in a United Kingdom port or harbour, and that no rationed food has been or is being or will be obtained by or on behalf of those persons by means of ration documents for the period during which the ship remains in that port or harbour ;

(*b*) that the seller shall make and furnish to the Area Superintendent of Ships' Stores a declaration in writing on the aforesaid form stating that he has supplied the goods mentioned in the said form to the ship specified therein ;

(*c*) that the seller shall require and obtain a receipt for the goods supplied ;

(*d*) that any food which has been shipped for consumption on board any ship pursuant to this Article shall on demand by the proper officer of Customs and Excise be produced or accounted for to him by or on behalf of the master of the ship.

5. Where rationed food of any description has been bought or obtained by or on behalf of any person for consumption on board any ship by means of a ration document, no rationed food of that description may be otherwise bought or obtained by or on behalf of that person during any period in respect of which it has been bought or obtained by him or on his behalf by means of a ration document ; and, where rationed food of any description has been bought or obtained by or on behalf of any person for consumption on board ship otherwise than by means of a ration document, no rationed food of that description may be bought or obtained by or on behalf of that person during any period in respect of which it has been bought or obtained by him or on his behalf by means of a ration document.

6. No person shall, except by permission of the proper officer of Customs and Excise, unship any food which has been shipped pursuant to this Order for consumption on board.

7.—(1) Notwithstanding anything contained in the Food (Licensing of Wholesalers) Order, 1949, as amended(**a**), any ships' stores dealer may sell or supply to or buy or obtain from any other ships' stores dealer any specified food set out in Part I of the Schedule to this Order provided that the seller shall have obtained from the buyer a declaration in writing that the specified food sold or supplied to him shall be resold or supplied by him either for consumption as ships' stores or to another ships' stores dealer.

(2) On the occasion of any sale of a specified food set out in Part I of the Schedule to this Order by one ships' stores dealer to another, the price charged may exceed the maximum or fixed wholesale price of that food prescribed by any Order made by the Minister, but shall not exceed the maximum or fixed retail price prescribed by any such order.

8. Except under the authority of the Minister—

(*a*) no person who has made a declaration in writing pursuant to Article 7 (1) of this Order shall sell or supply the specified food mentioned in the declaration, or any part thereof, except for consumption as ships' stores or to a ships' stores dealer ; and

(**a**) S.I. 1949 (No. 2241) II, p. 253; and 1950 No. 913, p. 417 above.

(*b*) no person shall use, sell or supply any specified food set out in Part I of the Schedule to this Order which has been bought or obtained by him for sale for consumption on any ship for any other purpose, provided that:

(i) any such food may be sold by retail otherwise than for consumption on any ship if the seller replaces it forthwith by an equivalent amount of that food from existing stocks in his possession or control; and

(ii) where any food bought or obtained for sale for consumption as ships' stores and sold by retail for consumption otherwise than as ships' stores consists of meat or canned meat of any description, it shall be replaced only by an equivalent amount of meat or canned meat of the same description.

9. No ships' stores dealer shall buy or obtain, and no person shall sell or supply to a ships' stores dealer any rationed food for the purpose of sale for consumption as ships' stores except against the surrender of, and in accordance with the terms of, a permit for the purchase of ships' stores issued by an Area Superintendent of Ships' Stores or other person authorised by the Minister specifying the quantity and description of the rationed food which may be bought or obtained or sold or supplied by means of that permit, or in such other manner as the Minister may determine in respect of any particular rationed food.

10.—(1) Every ships' stores dealer shall keep or cause to be kept at some convenient place accurate records of the purchases and sales or supply by him of any specified food set out in Part I of the Schedule to this Order including records of sales and replacements under Article 8 (*b*) of this Order, together with all books, documents and accounts relating to his dealings in such stores, and such records relating thereto as may be required by or on behalf of the Minister to be so kept, and shall permit any person authorised by or on behalf of the Minister to inspect those records, books, documents and accounts and shall furnish to the Minister or to any person so authorised such particulars relating to such dealings as aforesaid as the Minister or any such person may require.

(2) The retention by any ships' stores dealer of an invoice or a copy of an invoice shall, as respects the particulars mentioned in that document, be a sufficient compliance by him with the provisions of this Article.

(3) Every ships' stores dealer shall retain any record kept by him for the purposes of this Article for a period of one year from the date of the transaction to which it relates, or in the case of a record of stocks from the date when he took delivery thereof.

11. The provisions of this Order shall not apply to the sale or supply of food for consumption on the following ships or classes of ships:—

(*a*) His Majesty's ships flying the White Ensign;

(*b*) vessels victualled by a Government Department;

(*c*) any foreign warship co-operating with His Majesty's Forces;

(*d*) British vessels engaged in fishing in near fishing grounds;

(*e*) any ship during any period in which rationed food is bought or obtained for consumption on that ship exclusively by means of ration documents;

(*f*) such other ships or classes of ships as the Minister may from time to time determine.

12.—(1) The provisions of this Order are subject to any directions which may at any time be given by or on behalf of the Minister, and to any authorisation or licence which may from time to time be given or granted by or on behalf of the Minister under this Order.

(2) Every person holding a licence or authorisation granted under this Order shall comply with every condition imposed by that licence or authorisation.

13. Infringements of this Order are offences against the Defence (General) Regulations, 1939.

14. The Ships' Stores Order, 1950(a), is hereby revoked but without prejudice to any proceedings in respect of any contravention thereof, provided that any licence, authorisation or document given, granted or issued under that Order, and subsisting immediately before the coming into force of this Order, shall continue to have effect as though given, granted or issued under this Order.

15. This Order shall come into operation on the 10th day of September, 1950, and may be cited as the Ships' Stores (No. 2) Order, 1950.

By Order of the Minister of Food.

F. T. Willey,
Parliamentary Secretary.

Dated the 29th day of August, 1950.

THE SCHEDULE

Specified Foods

Part I

Bacon and ham.
Butter.
Cheese as defined in the Fats, Cheese and Tea (Rationing) Order, 1950, as amended(b).
Chocolate, chocolate confectionery and sugar confectionery.
Cooking fats.
Eggs and egg products.
Margarine.
Meat (including canned corned meat, but excluding any other canned meat, and including offal and sausages).
Milk (excluding canned and dried milk).
Sugar.
Tea.

Part II

Biscuits.
Bread.
Cocoa.
Coffee.
Fish.
Flour.
Fruit, dried or otherwise preserved.
Meat, canned (other than canned corned meat).
Milk, canned or dried.
Mincemeat.
Oatmeal, rolled oats and similar cereal products.
Potatoes.
Poultry and Game.
Preserves.
Rabbits.
Rice.
Suet.
Syrup and Treacle.
Table jellies.

EXPLANATORY NOTE

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

This Order, which replaces the Ships' Stores Order, 1950, as amended, removes the restrictions on the obtaining and supplying of soap for use on ships.

(a) S.I. 1950 Nos. 128 and 1134. (b) S.I. 1950 Nos. 796 and 1071, pp. 444–9 above.