(xv) UPHOLSTERY CLOTH (UTILITY)

The Upholstery Cloth (Utility) Order, 1948

1948 No. 881

Made - - - -	*27th April,* 1948
Laid before Parliament	*28th April,* 1948
Coming into Operation	*7th May,* 1948

The Board of Trade in pursuance of the powers conferred upon them by Regulations 55 and 55AB of the Defence (General) Regulations, 1939(**a**), 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(**c**), hereby order as follows:—

1.—(1) A person may apply the utility mark to any cloth manufactured by him in the course of his business, being cloth complying with a description specified in Part I of the Schedule hereto.

(2) Whenever a person applies the utility mark to any such cloth he shall also apply thereto the specification number indicated in Part I of the Schedule hereto in relation to such cloth.

(3) The provisions of Part II of the Schedule hereto shall have effect in relation to the matters specified in Part I thereof.

2.—(1) No person shall supply any utility goods manufactured by him, being cloth of a specification number included in Part I of the Schedule hereto or of such a specification number preceded by the letter "Z", or being cloth described in the Schedule to the Woven Cloth (Wool and Animal Fibre) (Manufacture, Marking and Supply) Order, 1948(**d**), in relation to the specification number 110, unless—

(*a*) the person to be supplied has after the 20th day of March, 1944, surrendered to him a written declaration that he is carrying on a business of supplying upholstery cloth wholesale, or

(*b*) the order for the goods is endorsed with a statement signed by the person ordering them that he requires them for the purpose of manufacturing utility furniture therefrom in accordance with a licence issued to him by the Board of Trade in pursuance of any Order made by the Board under Regulation 55 of the Defence (General) Regulations, 1939.

(2) No person shall, in the course of his business, supply any utility goods not manufactured by him, being cloth of any specification number referred to in paragraph (1) of this Article, unless the order for the goods is endorsed as aforesaid.

(**a**) *See* Note, p. 15 above.
(**b**) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1618) II, pp. 39 and 48.
(**c**) 10 & 11 Geo. 6. c. 55.
(**d**) S.I. 1948 No. 305, p. 341 below.

3. A person may use any utility goods, being cloth of a specification number referred to in Article 2 hereof, in the manufacture (other than the re-covering) of utility furniture under the authority of such a licence as aforesaid.

4.—(1) A person shall not charge in respect of the sale of utility goods manufactured by him, being cloth of a specification number included in Part I of the Schedule hereto, a gross price exceeding the price specified in that Part in relation to cloth of that specification number.

(2) A person shall not charge in respect of the sale of utility goods manufactured by him, being cloth of a specification number included in Part I of the Schedule hereto preceded by the letter " Z ", a gross price exceeding the price specified in that Part in relation to cloth of that specification number; so, however, that in relation to cloth of a width other than that specified in that Part, the price so specified shall be deemed to be varied proportionately to the relation between the actual width and the width so specified.

(3) The price charged by any person in respect of the sale of any such utility goods manufactured by him shall be reduced by an amount not less than $2\frac{1}{2}$ per cent. of the gross price in any case in which payment therefor is made or tendered before the tenth day of the month immediately succeeding that during which the goods were consigned by the seller to or to the order of the buyer.

5. Nothing in this Order shall prohibit the doing of anything under the authority of a licence issued by the Board of Trade hereunder and in accordance with any condition attached thereto.

6. The provisions of Article 14, paragraph (2) of Article 15 and Article 18 of the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947(**a**), shall so far as they are relevant form part of and be incorporated with this Order.

7. In this Order " gross price " means the price inclusive of all delivery charges payable either by the buyer or the seller and before any deductions by way of discount have been made; so, however, that no account shall be taken of delivery charges payable by the buyer on a sale of cloth to which Article 4 of this Order applies, whether or not included in a parcel comprising other goods, where the total price in respect of such cloth, or, where it is included in such a parcel, in respect of such parcel (exclusive of the appropriate amount of Purchase Tax where such tax is chargeable and exclusive of delivery charges) does not exceed £2.

8. The Upholstery Cloth (Utility) (No. 10) Directions, 1946(**b**), the Upholstery Cloth (Utility) (No. 11) Directions, 1947(**c**), and the Upholstery Cloth (Utility) (No. 12) Directions, 1947(**d**), are hereby revoked; so, however, that any current licence issued thereunder shall have effect as if it were issued under this Order.

(**a**) S.R. & O. 1947 (No. 2642) II, p. 160. (**b**) S.R. & O. 1946 (No. 1827) II, p. 205.
(**c**) S.R. & O. 1947 (No. 125) II, p. 113. (**d**) S.R. & O. 1947 (No. 2573) II, p. 115.

9. This Order may be cited as the Upholstery Cloth (Utility) Order, 1948, and shall come into operation on the 7th day of May, 1948.

Dated this 27th day of April, 1948.

John Belcher,
Parliamentary Secretary to the
Board of Trade.

SCHEDULE

PART I

[*New Part I substituted, see* pp. 123–5 *below.*]

PART II

1. All cloths shall be pick-found and have no broken ends.

2. Where the percentage of foreign matter contained in a piece of cloth of any description falls short of 5, the weight specified in relation to cloth of that description shall be deemed to be reduced by the amount of that deficiency.

3. The light tests referred to in Part I are those prescribed in the British Standard Fastness to Light of Textiles, B.S.1006.

4. The washing tests referred to in Part I are those prescribed in the Report of the Fastness Committee of the Society of Dyers and Colourists dated March, 1934

5. The colour ranges X and Y referred to in Part I are colour ranges so described in the Finishing Price List of the Cotton Board numbered C.B.4773A.

EXPLANATORY NOTE

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

This Order replaces the Upholstery Cloth (Utility) (No. 10) Directions, 1946, as amended by the Upholstery Cloth (Utility) (Nos. 11 and 12) Directions, 1947.

The principal change from those Directions is that provision is made for an increase in the manufacturer's maximum selling price of a number of cloths and these are indicated by a plus (+) sign in the Schedule.