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 that specified in Part I of this Schedule in relation to cloth of that description, 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 of this Schedule are those prescribed in the British Standard Fastness to Light of Textiles, B.S.1006.

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

5. In Part I of this Schedule the letters RD and RF specified under the heading "Lowest Schedules" refer to American type yarn of the types and qualities respectively set out in relation to those letters in the Register kept by the Board of Trade for the purpose of the Utility Woven Cloth (Cotton, Rayon and Linen) Order, 1950(a).

EXPLANATORY NOTE

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

This Order supersedes the Upholstery Cloth (Utility) Order, 1948, as amended.

The principal changes are as follows:—

(1) manufacturers' maximum selling prices for the cotton upholstery cloths have been increased; and

(2) invoices to be furnished by manufacturers in respect of cloth marked with the letter and symbol "R/", "P/" or "E/", indicating that in the manufacture of the cloth Egyptian type yarn has been used in the place of American type yarn, must now, in addition to the specification number, contain a reference to that letter and symbol.

The Utility Apparel (Export) Order, 1950

1950 No. 1439

Made - - - -	*25th August*, 1950
Laid before Parliament	*28th August*, 1950
Coming into Operation	*4th September*, 1950

The Board of Trade in pursuance of the powers conferred upon them 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(b), as extended by the Supplies and Services (Extended Purposes) Act, 1947(c), hereby order as follows:—

Omission of utility mark etc.

1.—(1) Notwithstanding the provisions of the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947(d), a person may but shall not be required to apply the utility mark to any controlled goods manufactured by him in accordance with the provisions of any Order referred to in

(a) S.I. 1950 No. 304, p. 368 below.
(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.R. & O. 1947 (No. 2642) II, p. 160.

the Schedule hereto wholly or partly from utility cloth, being controlled goods intended to be supplied by him in accordance with the provisions of Article 3 hereof.

(2) Notwithstanding the provisions of any of the Orders referred to in paragraph (1) of this Article, a person shall not be required to apply to any controlled goods manufactured by him (being controlled goods to which, in pursuance of paragraph (1) of this Article, the utility mark has not been applied) the specification number of the cloth from which the goods are made or any other word, letter, figure, symbol, mark or label which, apart from the provisions of this paragraph, he would be required to apply to those goods by any of those Orders, and any person may supply such goods notwithstanding that such specification number, word, letter, figure, symbol, mark or label has not been applied thereto.

(3) A person may manufacture any controlled goods from utility cloth for the execution of an order received by him before the time of manufacture for the supply by him of those goods—

(*a*) by export; or

(*b*) against the surrender of a document referring to those goods and endorsed in the manner indicated in head (*b*) (i), (*b*) (ii) or (*b*) (iii) of paragraph (1) of Article 3 hereof,

notwithstanding that those goods may not comply with the descriptions contained in any of the Orders referred to in paragraph (1) of this Article.

(4) A person who has manufactured any controlled goods under the authority of paragraph (3) of this Article shall not apply to those goods—

(*a*) the utility mark; or

(*b*) the specification number of the cloth from which those goods are made.

Removal of the utility mark etc.

2. Notwithstanding the provisions of the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947, a manufacturer, or a wholesaler registered for the purposes of purchase tax, may remove from any controlled goods (being goods intended to be supplied by him in accordance with the provisions of Article 3 hereof) the utility mark, the specification number of cloth from which the goods are made, or any other word, letter, figure, symbol, mark or label applied to those goods in pursuance of any of the Orders referred to in paragraph (1) of Article 1 hereof.

Supply of controlled goods

3.—(1) A person shall not supply any controlled goods manufactured by him, being goods to which, in pursuance of Article 1 hereof, he has not applied the utility mark or from which, in pursuance of Article 2 hereof, he has removed the utility mark, except—

(*a*) by export; or

(*b*) to a person who has surrendered—

(i) a document signed and dated by him referring to those goods and endorsed with the words "for export" or other words plainly indicating that he requires those goods for supply by export; or

(ii) a document signed and dated by him referring to those goods and endorsed with the words "for supply to an exporter" or other words plainly indicating that he requires those goods for supply to another person for export by that other person; or

(iii) a document signed and dated by him referring to those goods and endorsed with the words "for export or for supply to an exporter" or other words plainly indicating that he requires those goods for supply either by export or to another person for export by that other person.

(2) A person shall not supply any controlled goods not manufactured by him, being goods from which, in pursuance of Article 2 hereof, he has removed the utility mark, except—

(*a*) by export; or

(*b*) against the surrender of a document referring to those goods and endorsed in the manner indicated in head (*b*) (i) of paragraph (1) of this Article.

(3) A person who has acquired any controlled goods (whether utility goods or not) against the surrender of a document referring to those goods and endorsed in the manner indicated in head (*b*) (ii) or (*b*) (iii) of paragraph (1) of this Article shall not supply those goods except—

(*a*) by export; or

(*b*) against the surrender of a document referring to those goods and endorsed in the manner indicated in head (*b*) (i) of that paragraph.

(4) A person who has acquired any controlled goods (whether utility goods or not) against the surrender of a document referring to those goods and endorsed in the manner indicated in head (*b*) (i) of paragraph (1) of this Article shall not supply those goods except by export.

(5) A person shall not, in relation to the supply of any controlled goods (whether utility goods or not), surrender or accept the surrender of any such document as is referred to in this Article, unless it is signed and dated by the person surrendering that document.

(6) A person who has supplied any controlled goods (whether utility goods or not) against the surrender of any document referring to those goods and endorsed in the manner indicated in head (*b*) (i), (*b*) (ii) or (*b*) (iii) of paragraph (1) of this Article shall keep that document for a period of twenty-four months beginning with the date on which the goods were supplied by him.

(7) Nothing in this Article shall restrict the supply to any person of any goods manufactured on commission for that person.

Removal of price control

4. The provisions of the Orders specified in the Schedule hereto relating to the price at which any utility goods, being controlled goods, may be sold shall not apply in respect of the sale of any such goods on the terms that they are to be supplied by export or against a document referring to those goods and endorsed in any manner indicated in Article 3 hereof:

Provided that, if a manufacturer charges in respect of the sale of any such goods a gross price (as defined in the relevant Order) exceeding the appropriate amount specified in any of the said Orders, he shall not supply those goods except by export or against a document endorsed as aforesaid.

Invoices and records

5.—(1) A person who supplies any controlled goods (whether utility goods or not) against the surrender of a document endorsed in any manner indicated in Article 3 hereof shall furnish to the person to whom he supplies (hereinafter called "the acquirer") not later than seven days after the supply of the goods an invoice in relation to that supply.

(2) Any invoice furnished in pursuance of paragraph (1) of this Article shall contain the following particulars :—

(*a*) the name and address of the principal place of business of the supplier ;

(*b*) the name of the acquirer and the address to which the goods have been, are being or will be sent ;

(*c*) a sufficient description of the goods to which the invoice relates and in particular the numbers and quantities thereof ; and

(*d*) the date of supply of each item in the invoice and the date on which the invoice is furnished.

(3) Any invoice furnished in pursuance of the Price-Controlled Goods (Invoices) Order, 1943(**a**), in respect of controlled goods and containing the particulars aforesaid shall be deemed to be an invoice furnished in pursuance of this Article in relation to the supply of those goods.

(4) Where an invoice has been furnished in pursuance of this Article—

(*a*) the person furnishing the invoice shall keep a copy thereof for a period of twenty-four months after its despatch ; and

(*b*) the acquirer of the goods shall keep that invoice for a similar period after its receipt by him.

(5) A person who supplies by export any controlled goods shall keep a record including the following particulars :—

(*a*) a description, and in particular the quantity of the controlled goods supplied ;

(*b*) the date on which and the name of the vessel, or sufficient particulars to identify the aircraft, in which the controlled goods were loaded ; and

(*c*) the name of the consignee and the destination to which the controlled goods were consigned.

Such record shall be preserved for a period of twenty-four months after the controlled goods were loaded in the ship or aircraft.

(6) The provisions of Article 10 of the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947, shall not have effect in relation to the supply of any utility goods, being controlled goods, by export or against the surrender of a document endorsed in any manner indicated in Article 3 hereof.

Licences

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

Interpretation

7.—(1) In this Order—

" acquire " means acquire in pursuance of a contract of sale, work and labour with or without the provision of materials, sale or return, hire, hire-purchase, barter or a contract of any other description, and acquire as a gift ;

" controlled goods " means any articles of a type specified in any Order referred to in the Schedule hereto, being articles made up from utility goods being cloth of any specification number included in the Schedule to the Utility Woven Cloth (Wool and Animal Fibre) (Marking, Supply and Manufacturers' Prices) Order, 1950(**b**) ;

(**a**) S.R. & O. 1943 (No. 604) I, p. 309. (**b**) S.I. 1950 No. 608, p. 375 below.

" export " means export from the United Kingdom otherwise than to the Isle of Man or the Channel Islands and includes delivery on board a vessel or aircraft for carriage to a place outside the United Kingdom, the Isle of Man and the Channel Islands ;

" utility cloth " means cloth to which the utility mark has been duly applied ;

" utility goods ", " utility mark ", " manufacture ", " manufacture on commission ", " manufacturer " and " supply " have the meanings respectively assigned to those expressions in the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947.

(2) Controlled goods, being goods from which the utility mark has been removed in pursuance of Article 2 hereof, shall be deemed not to be utility goods for the purposes of this or any other Order made by the Board of Trade.

(3) References in this Order to any other Order shall be construed as references to that other Order as amended from time to time.

Citation and revocation

8.—(1) The Utility Mark and Apparel and Textiles (Export) Order, 1948(a), is hereby revoked.

(2) This Order may be cited as the Utility Apparel (Export) Order, 1950, and shall come into operation on the 4th day of September, 1950.

Dated this 25th day of August, 1950.

Arthur G. Bottomley,
Parliamentary Secretary to the
Board of Trade.

SCHEDULE

The Utility Apparel (Men's, Youths' and Boys' Outerwear) (Manufacture and Supply) Order, 1950 (S.I. 1950 No. 445).

The Utility Apparel (Men's and Boys' Shirts, Underwear and Nightwear) (Manufacture and Supply) Order, 1950 (S.I. 1950 No. 177, p. 233 below).

The Utility Apparel (Infants' and Girls' Wear) (Manufacture and Supply) Order, 1949 (S.I. 1949 No. 1002, II, p. 105).

The Utility Apparel (Gaberdine Raincoats) (Manufacture and Supply) (No. 2) Order, 1948 (S.I. 1948 No. 2412, II, p. 128).

The Utility Apparel (Women's and Maids' Outerwear) (Manufacture and Supply) Order, 1950 (S.I. 1950 No. 879, p. 321 below).

The Utility Apparel (Women's and Maids' Underwear and Nightwear) (Manufacture and Supply) Order, 1949 (S.I. 1949 No. 287, II, p. 151).

EXPLANATORY NOTE

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

This Order provides that garments of the types specified in the Orders set out in the Schedule to this Order made from utility wool cloth and intended for export shall be exempt from the provisions as to making up, price control, and application of the utility mark normally applying to such garments. It also makes provision for invoices and records in connection with the supply of such garments.

(a) S.I. 1948 (No. 2679) II, p. 335