(B) EXPORT

The Utility Mark and Apparel and Textiles (Export) Order, 1948

1948 No. 2679

Made - - - -	*10th December,* 1948
Laid before Parliament	*11th December,* 1948
Coming into Operation	*17th December,* 1948

The Board of Trade in pursuance of the powers conferred upon them by Regulations 55, 55AA 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:—

PART I

1.—(1) Notwithstanding the provisions of the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947(**d**), or the Bedding (Manufacture and Supply) (Consolidation) Directions, 1946(**e**), 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 those Directions or of any Order referred to in the Schedule to this Order wholly or partly from utility cloth, being goods intended to be supplied by him by exportation from the United Kingdom (otherwise than to the Isle of Man or the Channel Islands) to a person who surrenders to him any such declaration as is referred to in Article 4 or to any such person as is referred to in head (*c*) of paragraph (1) of that Article.

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

(**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.R. & O. 1947 (No. 2642) II, p. 160.
(**e**) S.R. & O. 1946 (No. 1622) II, p. 91.

(3) (*a*) A person may use utility cloth in the manufacture of controlled goods for the execution of an order received by him before the time of manufacture for the supply by him of those goods

(i) by such exportation as aforesaid; or

(ii) to any person on the terms that that person is to deliver those goods by or for such exportation as aforesaid,

notwithstanding that those goods may not comply with the specifications contained in relation thereto in any of the instruments referred to in paragraph (1) of this Article.

(*b*) A person shall not apply the utility mark to any goods manufactured in pursuance of this paragraph.

2. Notwithstanding the provisions of the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947(**a**), 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 by such exportation as aforesaid, to a person who surrenders to him any such declaration as is referred to in Article 4 or to any such person as is referred to in head (*c*) of paragraph (1) of that Article) the utility mark, the specification number of the cloth from which the goods were wholly or mainly made, or any other word, letter, figure, symbol or mark applied to those goods in pursuance of any of the instruments referred to in Article 1.

3. This Part of this Order shall cease to have effect on the 28th day of February, 1949.

PART II

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

(*a*) by exportation from the United Kingdom otherwise than to the Isle of Man or the Channel Islands;

(*b*) to a person who, at or before the time of supply, surrenders a declaration in writing signed and dated by him that he will not supply those goods except—

(i) by such exportation as aforesaid;

(ii) to a person who, at or before the time of supply, surrenders a declaration in writing signed and dated by him that he will not supply those goods except by such exportation as aforesaid; or

(iii) (in the case of controlled goods being gloves) to a person whose name is entered in respect of gloves on a register kept by the Board of Trade for the purposes of the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947(**a**), entitled the List of Registered Exporters; or

(*c*) (in the case of controlled goods being gloves) to a person whose name is entered in respect of gloves on a register kept by the Board of Trade for the purposes of the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947(**a**) entitled the List of Registered Exporters.

(**a**) S.R. & O. 1947 (No. 2642) II, p. 160.

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

(*a*) by such exportation as aforesaid;

(*b*) to a person who, at or before the time of supply, surrenders a declaration in writing signed and dated by him that he will not supply those goods except by such exportation as aforesaid; or

(*c*) (in the case of controlled goods being gloves) to a person whose name is entered in respect of gloves on a register kept by the Board of Trade for the purposes of the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947(**a**), entitled the List of Registered Exporters.

(3) A person who supplies controlled goods against any such declaration as is referred to in paragraph (1) or paragraph (2) of this Article shall retain such declaration for a period of 24 months beginning with the date on which those goods were supplied by him.

5. A person to whom any controlled goods are supplied against the surrender of any such declaration as is referred to in Article 4 shall not supply those goods except in accordance with that declaration.

6. The provisions of any of the Orders referred to in the Schedule to this Order, and of the Bedding (Manufacture and Supply) (Consolidation) Directions, 1946(**b**), relating to the price at which goods may be supplied shall not apply to the supply of any controlled goods in accordance with the provisions of Article 4 or Article 5, and such a supply shall be deemed not to be a supply of relevant goods for the purposes of any of those instruments.

7.—(1) A person who supplies controlled goods to any person in accordance with the provisions of Article 4 or Article 5 (otherwise than by such exportation as aforesaid) shall in relation to the supply of those goods to that person (hereinafter called " the acquirer ") furnish to him not later than seven days after the supply of the goods an invoice containing the particulars hereinafter specified.

(2) Any invoice furnished in pursuance 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 are being or will be sent;

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

(*d*) the date of the 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(**c**), 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 any 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;

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

(**a**) S.R. & O. 1947 (No. 2642) II, p. 160.
(**b**) S.R. & O. 1946 (No. 1622) II, p. 91.
(**c**) S.R. & O. 1943 (No. 604) II, p. 309.

8. 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.

9.—(1) In this Order—

" controlled goods " means any articles of a type or, in the case of oilskins, of a description specified in any Order referred to in the Schedule to this Order, and bedding, but does not include handkerchiefs manufactured wholly or mainly from cotton, industrial overalls and aprons (other than women's light industrial overalls) or men's and boys' shirts;

" utility cloth " means cloth to which the utility mark has been duly applied; and " utility mark ", " bedding ", " manufacture " and " supply " have the meanings respectively assigned to those expressions in the Utility Mark and Apparel and Textiles (General Provisions) Order, 1947(**a**).

(2) Controlled goods, being goods from which the utility mark has been removed in pursuance of Article 2, 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 instrument shall be construed as references to that instrument as amended from time to time.

10. The provisions of paragraph (6) of Article 2 of the Utility Apparel (Infants' and Girls' Wear) (Manufacture and Supply) Order, 1948(**b**), Article 5 of the Utility Apparel (Men's and Boys' Shirts, Underwear and Nightwear) (Manufacture and Supply) (Consolidation) Order, 1948(**c**), and paragraph (7) of Article 3 of the Utility Apparel (Women's and Maids' Underwear and Nightwear) (Manufacture and Supply) Order, 1948(**d**), are hereby revoked.

11. This Order may be cited as the Utility Mark and Apparel and Textiles (Export) Order, 1948, and shall come into operation on the 17th day of December, 1948.

Dated this 10th day of December, 1948.

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

SCHEDULE

The Utility Corsets (Manufacture and Supply) Order, 1948 (S.I. 1948 No. 303, noted, p. 48 above).

The Utility Apparel (Infants' and Girls' Wear) (Manufacture and Supply) Order, 1948 (S.I. 1948 No. 504, p. 138 above).

The Utility Apparel (Women's and Maids' Outerwear) (Manufacture and Supply) Order, 1948 (S.I. 1948 No. 991, p. 312 above).

The Utility Apparel (Women's and Maids' Underwear and Nightwear) (Manufacture and Supply) Order, 1948 (S.I. 1948 No. 778, noted, p. 331 above).

The Utility Apparel (Men's, Youths' and Boys' Outerwear) (Manufacture and Supply) (Consolidation) Order, 1948 (S.I. 1948 No. 2335, p. 183 above).

The Utility Apparel (Men's and Boys' Shirts, Underwear and Nightwear) (Manufacture and Supply) (Consolidation) Order, 1948 (S.I. 1948 No. 2637, p. 148 above).

(**a**) S.R. & O. 1947 (No. 2642) II, p. 160. (**b**) S.I. 1948 No. 504, p. 138 above.
(**c**) S.I. 1948 No. 2637, p. 148 above. (**d**) S.I. 1948 No. 778, noted, p. 331 above.

The Utility Apparel (Merchant Navy Uniforms) (Manufacture and Supply) Order, 1948 (S.I. 1948 No. 274, p. 203 above).
The Utility Apparel (Nurses' Uniforms) (Manufacture and Supply) Order, 1948 (S.I. 1948 No. 972, p. 214 above).
The Utility Overalls and Aprons (Manufacture and Supply) Order, 1948 (S.I. 1948 No. 216, p. 237 above).
The Utility Apparel (Gaberdine Raincoats) (Manufacture and Supply) (No. 2) Order, 1948 (S.I. 1948 No. 2412, p. 128 above).
The Utility Apparel (Oilskins) Order, 1948 (S.I. 1948 No. 1441, p. 226 above).
The Utility Apparel (Waterproofs) (No. 2) Order, 1948 (S.I. 1948 No. 2339, p. 304 above).
The Gloves (Manufacture and Supply) (No. 2) Order, 1948 (S.I. 1948 No. 2180, p. 62 above).
The Utility Handkerchiefs (Marking and Manufacturers' Prices) Order, 1947 (S.R. & O. 1947 (No. 2644) II, p. 98).
The Utility Quilts (Manufacture and Supply) Order, 1948 (S.I. 1948 No. 2586, p. 113 above).

EXPLANATORY NOTE

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

This Order provides that controlled goods, as defined in Article 9, made from utility cloth and intended for export shall be free from the price control imposed on the sale of such goods by manufacturers and, until 28th February, 1949, from the general provisions relating to the application and removal of the utility mark.

(xviii) WOVEN CLOTH

(A) Cotton, Rayon and Linen. | *(B) Wool and Animal Fibre*, p. 341.

(A) COTTON, RAYON AND LINEN

The Woven Cloth (Cotton, Rayon and Linen) (Amendment) Order, 1948

1948 No. 200

Made - - - -	*6th February*, 1948
Laid before Parliament	*10th February*, 1948
Coming into Operation	*14th February*, 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. The Woven Cloth (Cotton, Rayon and Linen) Order, 1947(**d**), shall have effect subject to the following amendments:—

(1) In paragraph (1) of Article 2 for the words " preceded by ' Z ' " there shall be substituted the words " preceded by any letter ".

(**a**) *See* Note, p. 15 above.
(**b**) 9 & 10 Geo. 6. c. 10; 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. 2645) II, p. 171.