The Wool Textile Industry (Scientific Research Levy) Order, 1950*

1950 No. 1739

Made - - - - 27*th October*, 1950
Coming into Operation 1*st November*, 1950

Whereas it appears to the Board of Trade that it is expedient that funds should be made available for the purpose of scientific research in connection with the wool textile industry:

And Whereas it further appears to the Board of Trade that a body, to be called the Wool Textile Research Council, capable of carrying out such scientific research satisfactorily is to be brought into being:

Now, therefore, the Board of Trade in pursuance of the powers conferred upon them by section 9 of the Industrial Organisation and Development Act, 1947(a), hereby order as follows:—

Extent of the Industry

1. For the purposes of this Order the wool textile industry shall consist of the activities designated in the Schedule hereto (hereinafter referred to as " the designated activities ").

Persons to whom the Order applies

2. The persons to whom this Order applies are—

(*a*) every person who on the 1st day of November, 1950, is carrying on, or who thereafter commences to carry on, any business comprising any of the designated activities ; and

(*b*) every person (not being a person carrying on business as aforesaid) who on that date is carrying on, or who thereafter commences to carry on, any business in Great Britain consisting wholly or partly in the supply of fibre containing more than 15 per cent. by weight of animal fibre, other than a business which, in so far as it relates to the supply of such fibre, relates solely to the supply of raw wool or hair from the coat or fleece of animals owned by the person carrying on the business.

Payment of levies

3. Subject to the provisions of Article 5 hereof, every person to whom this Order applies shall pay to the Board of Trade in respect of each period of six months ending on the 30th day of April and the 31st day of October respectively in every year—

(*a*) in the case of a person described in head (*a*) of Article 2 hereof, a charge calculated, in accordance with the provisions of paragraph (1) of Article 4 hereof, upon his employment units and the total weight of goods supplied by him, and owned by him and consumed, respectively as specified in that paragraph ;

(a) 10 & 11 Geo. 6. c. 40.

* In accordance with subsection (9) of section 9 of the Industrial Organisation and Development Act, 1947, this Order has been approved by a Resolution of each House of Parliament. The Resolution of the House of Lords and that of the House of Commons were passed on the 24th October, 1950.

(*b*) in the case of a person described in head (*b*) of Article 2 hereof, a charge calculated, in accordance with the provisions of paragraph (2) of Article 4 hereof, upon the total weight of goods supplied by him as specified in that paragraph.

Computation of levies

4.—(1) The charge to be paid by virtue of the provisions of Article 3 hereof in respect of any period therein mentioned by a person described in head (*a*) of Article 2 hereof, shall be calculated in respect of that period at the following rates:—

(*a*) 2d. in respect of each of his employment units (being employment units calculated in accordance with the provisions of paragraph (3) of this Article);

(*b*) 0.9d. in respect of each 100 lbs. of the total weight of fibre containing more than 15 per cent. by weight of animal fibre (other than raw wool or hair from the coat or fleece of animals owned by him and other than tops and broken tops) supplied by him during that period in, or by export from, Great Britain, not being goods comprised in a sale by him by auction or raw wool or hair supplied by him by export from Great Britain or by delivery on board a vessel or aircraft for carriage to a place outside Great Britain;

(*c*) 1.7d. in respect of each 100 lbs. of the total weight of fibre containing more than 15 per cent. by weight of animal fibre (being tops and broken tops) supplied by him during that period in, or by export from, Great Britain; and, in addition

(*d*) in the case of a person carrying out, or procuring the carrying out on commission of, any of the processes specified in heads (*c*) and (*f*) of paragraph 1 of the Schedule hereto—

(i) 0.9d. in respect of each 100 lbs. of the total weight of fibre containing more than 15 per cent. by weight of animal fibre (other than tops and broken tops) owned by him and consumed during that period in the carrying out of any one or more of those processes, being goods acquired by him (whether or not during that period) at a sale by auction or by importation into Great Britain;

(ii) 1.7d. in respect of each 100 lbs. of the total weight of fibre containing more than 15 per cent. by weight of animal fibre (being tops and broken tops) owned by him and consumed during that period in the carrying out of any one or more of those processes, being goods—

(*a*) acquired by him (whether or not during that period) by importation into Great Britain; or

(*b*) made (whether or not during that period) from fibre containing more than 15 per cent. by weight of animal fibre (other than tops and broken tops) acquired by him (whether or not during that period) at a sale by auction or by importation into Great Britain; and

(iii) 1d. in respect of each 100 lbs. of the total weight of fibre owned by him and consumed during that period in the carrying out of any one or more of those processes, being fibre produced from rags acquired by him whether or not during that period.

(2) The charge to be paid by virtue of the provisions of Article 3 hereof in respect of any period therein mentioned by a person described in head (*b*) of Article 2 hereof, shall be calculated in respect of that period at the following rates:—

(*a*) 0.9d. in respect of each 100 lbs. of the total weight of fibre containing more than 15 per cent. by weight of animal fibre (other than raw wool or hair from the coat or fleece of animals owned by him and other than tops and broken tops) supplied by him during that period in, or by export from, Great Britain, not being goods comprised in a sale by him by auction or raw wool or hair supplied by him by export from Great Britain or by delivery on board a vessel or aircraft for carriage to a place outside Great Britain ; and

(*b*) 1.7d. in respect of each 100 lbs. of the total weight of fibre containing more than 15 per cent. by weight of animal fibre (being tops and broken tops) supplied by him during that period in, or by export from, Great Britain.

(3) For the purposes of this Article, employment units shall be calculated in relation to any person and for the purposes of any charge by aggregating the total numbers of persons employed by him, under a contract of service, on the actual performance of any process comprised in the designated activities (other than the process of sorting fibre containing more than 15 per cent. by weight of animal fibre) or for purposes ancillary to such performance, during the whole or any part of each period of seven days ending on a Saturday comprised in the period in respect of which that charge is to be calculated.

Exemptions from payment of levies

5.—(1) A person shall not be required to pay that part of any charge which is calculated under Article 4 (1) (*d*) hereof if, during the period in respect of which that charge is to be calculated—

(*a*) he did not at any time carry on the designated activity specified in paragraph 2 of the Schedule hereto ; and

(*b*) he did not at any time employ any person under a contract of service in the actual performance of any process comprised in the designated activities specified in paragraph 1 of the Schedule hereto.

(2) A person shall not be required to pay that part of any charge which is calculated under head (*b*) or (*c*) of paragraph (1) of Article 4 hereof, if the total weight of the goods specified in those heads supplied by him during the period in respect of which that charge is to be calculated divided by the number of days comprised in that period, did not exceed 100 lbs.

(3) A person shall not be required to pay any charge which is calculated under paragraph (2) of Article 4 hereof if the total weight of the goods specified in that paragraph supplied by him during the period in respect of which that charge is to be calculated divided by the number of days comprised in that period, did not exceed 100 lbs.

Time for payment of levies

6.—(1) As soon as may be after the expiration of each period mentioned in Article 3 hereof the Board of Trade will by notice, given in such manner as they think best adapted for informing the persons affected, require the payment of the charges imposed by this Order in respect of that period.

(2) Every person liable to pay a charge imposed by this Order in respect of any period shall pay that charge within 30 days of the date on which the notice referred to in paragraph (1) of this Article is given in respect of that period.

(3) The amount of any such charge shall be recoverable by the Board of Trade as a debt.

(4) All monies received by the Board of Trade in respect of any such charge shall be paid by them into the Wool Textile Industry (Scientific Research Levy) Deposit Account, being an account opened by His Majesty's Paymaster General on behalf of the Board of Trade, and shall be issued thereout to the Wool Textile Research Council to meet any expenses incurred by it in respect of scientific research in connection with the wool textile industry.

Furnishing of information

7. The Board of Trade may by notice in writing require any person to whom this Order applies:—

(*a*) to furnish such returns and other information;

(*b*) to keep such records; and

(*c*) to produce for examination such books and other documents and records

as may appear to the Board of Trade to be reasonably requisite for the purpose of the recovery of any charge imposed by this Order.

Enforcement

8. Any person to whom this Order applies who is required by notice in writing by the Board of Trade under the provisions of Article 7 hereof to furnish returns or other information, to keep records, or to produce for examination books or other documents or records, shall furnish in such form and manner and within such time such returns or other information as may be specified in the notice, or, as the case may be, keep such records or produce at such time such books or other documents or records in his custody or under his control as may be so specified.

Penalties

9.—(1) If any person required under the provisions of Article 7 hereof to furnish returns or other information, to keep records or to produce for examination books or other documents or records fails to furnish, keep or produce them in accordance with the requirements he shall, unless he proves that he had reasonable excuse for the failure, be liable on summary conviction to a fine not exceeding five pounds for every day during which the failure continues.

(2) If any person in purporting to fulfil any requirement imposed under the provisions of Article 7 hereof to furnish returns or other information knowingly or recklessly makes any statement which is false in a material particular he shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds, or on conviction on indictment to imprisonment for a term not exceeding two years or to a fine not exceeding one hundred pounds or, in either case, to both such imprisonment and such fine.

Interpretation

10. In this Order the following expressions have the meanings respectively assigned to them:—

"animal fibre" means fibre (other than hatters' fur) from the coat or fleece of alpaca, camel, goat, hare, lamb, llama, rabbit, sheep or vicuna which has not been subjected to any process other than a process of a kind carried out in the preparation of fibre for manufacture into rovings, yarn or pressed felt; and includes such fibre which has been recovered and which has not been so subjected subsequent to recovery;

"carrying out on commission" means in relation to any person, the carrying out in pursuance of a contract of work and labour (with or without the provision of materials) of any of the processes specified in the Schedule hereto wholly or mainly upon or from materials owned in the course of his business by the person procuring the performance of the service;

"fibre containing more than 15 per cent. by weight of animal fibre" includes tops, broken tops, noils, shoddy, mungo and wastes of any description (other than wastes suitable only for manurial purposes), containing more than 15 per cent. by weight of animal fibre;

"rags" means any discarded or waste material containing more than 15 per cent. by weight of animal fibre, being—

(*a*) a garment or part of a garment; or

(*b*) woven, knitted, netted, crochetted or felted material, other than a thrum or a hosiery clip or overlock;

"raw wool or hair" means fibre from the coat or fleece of alpaca, camel, goat, hare, lamb, llama, rabbit, sheep or vicuna which has not been subjected to any process other than washing, scouring, carbonising or willeying (by whatever name known); and

"supplied" means supplied in pursuance of a contract of sale, sale or return, hire purchase or barter; and "acquired" has a corresponding meaning.

Short title and commencement

11.—(1) The Interpretation Act, 1889(a), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) This Order may be cited as the Wool Textile Industry (Scientific Research Levy) Order, 1950, and shall come into operation on the 1st day of November, 1950.

Dated this 27th day of October, 1950

Harold Wilson,
President of the Board of Trade.

(a) 52 & 53 Vict. c. 63.

SCHEDULE

The activities of which the wool textile industry consists are:—

1. The carrying out in Great Britain of any of the following processes:—

(*a*) any process—

(i) of sorting, treating, dyeing, using or consuming fibre containing more than 15 per cent. by weight of animal fibre; or

(ii) of treating or dyeing rags,

otherwise than for agricultural purposes or in the manufacture of flock, paper, felt hats, felt hat hoods, capelines or manchions;

(*b*) the process of combing or re-combing fibre containing more than 15 per cent. by weight of animal fibre;

(*c*) the process of making rovings or of spinning yarn containing more than 15 per cent. by weight of processed animal fibre;

(*d*) any of the processes of twisting, doubling, folding, winding, warping, beaming, sizing or dyeing yarn which after such process contains more than 15 per cent. by weight of processed animal fibre, or any other process in the preparation of such yarn for further processing, except in so far as any of those processes is performed on machinery which forms a subsidiary part of plant used for the production of hosiery or other knitted goods, carpets or narrow fabrics, and that process is ancillary to the main operations conducted on such plant;

(*e*) any process in the making up of yarn containing more than 15 per cent. by weight of processed animal fibre in the form of hanks, skeins, balls or the like of a kind normally sold by retail;

(*f*) any process in the manufacture of pressed felt (other than felt hats, felt hat hoods, capelines and manchions) containing more than 15 per cent. by weight of processed animal fibre carried out by a person who produces pressed felt;

(*g*) any process in the manufacture, dyeing, printing or finishing of woven tissues (excluding narrow fabrics and carpets and other floor coverings), woven felt, woven blankets or woven travelling rugs, containing more than 15 per cent. by weight of processed animal fibre;

(*h*) any process in the weaving of scarves or pram rugs containing more than 15 per cent. by weight of processed animal fibre.

2. Procuring the carrying out on commission in Great Britain of any one or more of the processes included in heads (*c*) and (*f*) of paragraph 1 hereof.

In this Schedule—

"narrow fabrics" means fabrics not exceeding 18 inches in width with two selvedges;

"processed animal fibre" means fibre (other than hatters' fur) from the coat or fleece of alpaca, camel, goat, hare, lamb, llama, rabbit, sheep or vicuna which has been subjected to any process of manufacture or recovery.

EXPLANATORY NOTE

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

This Order which is made under the Industrial Organisation and Development Act, 1947, imposes levies on persons carrying on business in the wool textile industry, and on persons dealing in the materials of that industry. The proceeds of the levies will be used to finance scientific research to be carried out in connection with the industry by the Wool Textile Research Council which is about to be established.