FURNITURE

Control

THE FURNITURE (CONTROL OF MANUFACTURE AND SUPPLY) (NORTHERN IRELAND) ORDER, 1945, DATED 16TH FEBRUARY, 1945, MADE BY THE MINISTRY OF COMMERCE FOR NORTHERN IRELAND UNDER REGULATIONS 55, 55AA AND 98 OF THE DEFENCE (GENERAL) REGULATIONS, 1939.

1945. No. 20

The Ministry of Commerce for Northern Ireland (in this Order referred to as " the Ministry ") by virtue and in exercise of the powers under Regulations 55, 55AA and 98 of the Defence (General) Regulations, 1939, delegated to it by, and for the purposes mentioned in, an Instrument of Delegation dated the 15th day of September, 1944, made by the Board of Trade under the said Regulations hereby orders as follows :—

PART I

Controlled Goods

Controlled Goods.

1. This Part of this Order shall relate to the manufacture, and to the supply by the manufacturer, of controlled goods, that is to say, goods of any description specified in the First Schedule hereto.

Licensing of manufacturers.

2. No manufacturer shall manufacture any controlled goods or supply any controlled goods manufactured by him except under the authority of a licence granted by the Ministry under this Article and in accordance with any condition attaching thereto :

Provided that where any controlled goods are submitted for repair to the person who originally manufactured them, this Article shall not restrict the supply of those goods by the manufacturer to the person so submitting them if he has carried out those repairs but has not then carried out any process of manufacture.

Computation of value.

3.—(1) The provisions of this Article shall, in a case where a licence issued under Article 2 of this Order controls the quantity of goods which may be supplied by reference to the value thereof, apply to the computation of such value, but subject to any condition in the licence inconsistent therewith.

(2) In a case where controlled goods are supplied in pursuance of a contract of sale, or for work labour and materials, and the supplier and the person supplied are not associated in business, the value shall, unless the Ministry otherwise direct, be taken to be the price at which the goods are invoiced to the person supplied after deduction of all discounts, commissions and allowances to be credited to that person and any expenses incurred by the supplier in or about the delivery of the goods, and excluding any sum in respect of the Purchase Tax.

(3) In any other case (unless otherwise authorised by the Ministry) the value shall be taken to be the price (excluding any sum payable in respect of the Purchase Tax) which the goods would fetch on a sale in the open market at the date of the supply being a sale where—

(*a*) the goods are to be delivered forthwith at the premises of the seller for payment in cash,

(*b*) the price is the sole consideration for the sale of the goods, and

(*c*) the buyer and the seller are not associated in business.

Relief for composite businesses.

4.—(1) Subject to the provisions of paragraph (2) of this Article, where a person carries on a business which includes—

(*a*) a manufacturing branch and

(*b*) a wholesale branch, a retail branch, or both, in which no manufacture of controlled goods takes place (whether or not in different premises or under different names or styles),

he may give notice in writing to the Ministry that he desires the provisions of this Article to apply to him. Thereupon, if the Ministry consent to his application, the following provisions shall have effect in relation to his business for the purposes of this Order :—

(i) when he transfers any controlled goods manufactured by him from any manufacturing branch to any such wholesale or retail branch, he shall be deemed to supply them,

(ii) when he supplies or transfers any controlled goods manufactured by him from any such wholesale branch or retail branch, he shall not be deemed to supply controlled goods manufactured by him,

(iii) he shall keep the accounts and records of his manufacturing branch separate from those of any such wholesale or retail branch and they shall show clearly the transfer or supply of any goods from the manufacturing branch.

(2) Unless the Ministry otherwise direct, sub-paragraphs (i), (ii) and (iii) of the preceding paragraph shall have effect in relation to the business of any person to whom Article 5 of the Domestic Furniture (Control of Manufacture and Supply) (No. 2) Order, 1942, applied.

Government contracts.

5. Nothing in this Order shall affect the manufacture or supply of controlled goods ordered by or for the purposes of a department of the Imperial Government or of the Government of Northern Ireland.

PART II

Utility and Other Domestic Furniture

Furniture to which Part II applies.

6. This Part of this Order shall apply to controlled goods of descriptions included in the First Schedule to this Order.

Directions to manufacturers.

7.—(1) A manufacturer shall comply with any Direction issued by or on behalf of the Ministry regulating the manufacture by him of goods to which this Part applies specified in any licence issued to him under Article 2 of this Order, or the supply by him of any such goods notwithstanding anything inconsistent with that Direction in that licence.

(2) Without prejudice to the generality of the foregoing paragraph the Directions issued thereunder may include Directions—

(*a*) regulating the descriptions of goods which may be manufactured from a specified material or prohibiting the manufacture of any description of goods from a specified material,

(*b*) regulating the materials which may be used in the manufacture of any goods or the manner of use thereof, or prohibiting the use of any material therein or such use in any manner,

(*c*) regulating the processes and methods of manufacture which may be employed in the manufacture of any goods or prohibiting the employment of any process or any method of manufacture therein.

Utility Furniture.

8.—(1) Where any licence issued under Article 2 of this Order authorises the manufacture of any goods to which the Part applies referred to therein as " utility furniture ", the manufacturer shall apply to any such goods manufactured by him in pursuance of that licence the mark shown in the Second Schedule hereto (in this Order referred to as " the utility mark "). Any goods to which the utility mark has been applied in pursuance of this paragraph are for the purposes of this Order referred to as " utility furniture ".

(2) Any person required by the last foregoing paragraph to apply the utility mark to any goods shall comply with any Direction issued by the Ministry requiring—

(*a*) any number or other marking to be applied to utility furniture for the purpose of identifying the description or origin thereof, or

(*b*) the utility mark or any such number or other marking to be applied at any time or in any manner specified in the Direction.

(3) Any person who subjects utility furniture to any process of manufacture whereby the utility mark or any such number or other marking as aforesaid thereon is obscured shall apply again thereto in the prescribed manner that mark, number or marking as soon as may be.

(4) No person shall apply the utility mark to any goods of any description whatsoever except in accordance with this Order or any other Order made by the Ministry providing for the application of that mark.

(5) No person shall remove, deface or, with intent to deceive, obscure the utility mark duly applied to any goods to which this Part applies.

(6) No person shall supply, offer to supply or advertise goods not being utility furniture, upon or in relation to which the word "utility" or any word resembling that word is used, without taking sufficient steps to prevent the use thereof from importing a reference to utility furniture.

(7) A person shall comply with any Directions issued by the Ministry requiring the application of the utility mark to any article designed or adapted for use as a component part of any utility furniture, and the preceding provisions of this Article shall apply in relation to any such article in like manner as if that article were utility furniture.

(8) Nothing in this Article shall prevent the doing of any act under the authority of an exemption granted by the Ministry and in accordance with any condition attaching thereto.

Maximum prices for utility furniture.

9. A manufacturer who manufactures any utility furniture under the authority of a licence granted to him under Article 2 of this Order shall not charge in respect of the sale of any article thereof a gross price exceeding such price specified in relation to that article in the second or third column of the Third Schedule hereto as is appropriate to that sale. Provided that where an order for any furniture of a description numbered 22, 23, 24, 25, 26, 27, 34, 35, 46, 47 and 59 in the Schedule was received by the manufacturer

(*a*) from a retail customer before the date of the commencement of this Order, or

(*b*) from a person who is not a retail customer, before the 27th day of February, 1945

the gross price chargeable by the manufacturer in respect thereof shall be computed as if this Order had not been made.

Invoices.

10.—(1) A manufacturer who has supplied any utility furniture manufactured by him, to a person carrying on a business of supplying furniture, in pursuance of a contract of sale shall within seven days of that supply furnish to that person an invoice containing the following particulars, that is to say :—

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

(*b*) the name of the buyer and, if another person, of the person to whom the goods are being or will be sent, and the address to which the goods are being or will be sent ;

(*c*) a description of the goods to which the invoice relates (including such particulars as are specified in the first column of the Third Schedule hereto in relation to each article) and the quantities of each article ;

(*d*) the price paid or payable in respect of each item in the invoice ;

(*e*) the appropriate number of units in relation to the reserved utility furniture (if any) to which the invoice relates ;

(*f*) any delivery charges payable by the buyer in respect of any item in the invoice ;

(*g*) the date of the sale of, or agreement to sell, each item in the invoice, and the date on which the invoice is furnished.

(2) Where any such invoice has been furnished in accordance with this Article—

(*a*) the person furnishing the invoice shall preserve a copy thereof for a period of twelve months after its despatch ;

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

(3) If a trader, within fourteen days of the delivery to him or to his order of any utility furniture from the manufacturer thereof, has not received an invoice containing the particulars specified in paragraph (1) of this Article, he shall forthwith notify that fact in writing to the Secretary of the Price Regulation Committee for Northern Ireland.

PART III

Miscellaneous

Miscellaneous provisions.

11.—(1) Any Directions issued under this Order may apply to persons generally or to any particular person or class of persons.

(2) A person disposing by way of liquidation of any assets of any business which comprised the supply of controlled goods shall be deemed to be carrying on that business, and any licence issued in respect of that business shall have effect as if it had been issued to that person.

(3) Where a person procures the subjection of materials belonging to him to any process by another person whereof the product is controlled goods, both those persons shall be deemed to have carried out that process.

Declarations.

12. Where by virtue of any provision of this Order or of any Direction, licence or exemption issued thereunder a person is authorised to supply controlled goods against the surrender of any declaration, he shall retain any declaration against which he supplies such goods for a period of 18 months from the date of the surrender thereof to him.

Interpretation.

13.—(1) For the purpose of this Order :—

" gross price " means the price inclusive of all delivery charges payable by the buyer before any deductions by way of discount have been made ;

" manufacture " means, in relation to any goods, the carrying out of any process of production, reconstruction or conversion in relation thereto ;

" manufacturer " means a person carrying on in Northern Ireland the business of supplying controlled goods manufactured by him ;

" reserved utility furniture " and " appropriate number of units " have the meanings respectively assigned to them in the Utility Furniture (Supply and Acquisition) (Northern Ireland) Order, 1944 (**a**) ;

" supply " means supply in pursuance of a contract of sale, work labour and materials, sale or return, hire, hire-purchase, barter, or a contract of any other description and supply as a gift.

(2) The Interpretation Act, 1921, shall apply to this Order in like manner as it applies to the interpretation of an Act of Parliament.

14.—(1) The Furniture (Control of Manufacture and Supply) (Northern Ireland) Order, 1944, (**b**) is hereby revoked.

Provided that any Directions licences or exemptions issued by the Board of Trade under the Domestic Furniture (Control of Manufacture and Supply) (No. 2) Order, 1942, or by the Ministry under the Furniture (Control of Manufacture and Supply) (Northern Ireland) Order, 1944, in relation to goods of any description, and in force immediately before the commencement of this Order shall continue in force in relation to goods of that description in like manner as if they had been issued under the corresponding provisions of this Order, but nothing herein contained shall prejudice the right of the Ministry to vary or revoke any such instrument at any time. Revocation citation and commencement.

(2) This Order may be cited as the Furniture (Control of Manufacture and Supply) (Northern Ireland) Order, 1945, and shall come into operation on the 23rd day of February, 1945.

Dated this 16th day of February, 1945.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland in the presence of

(L.S.)

H. E. Jones,
An Assistant Secretary of the Ministry of Commerce for Northern Ireland.

(a) S. R. & O. (N.I.) 1944 No. 96.
(b) S. R. & O. (N.I.) 1944 No. 95.

FIRST SCHEDULE.

Any furniture of a kind commonly used for domestic purposes, including wire and spring mattresses, and hearth furniture being curbs, boxes or baskets containing not more than 10 per cent. of metal calculated by weight, but not including any other goods being—

(*a*) articles made wholly or mainly of metal ;

(*b*) hearth furniture ;

(*c*) mattresses, bolsters, pillows, cushions, down quilts and other household textile articles containing stuffing ;

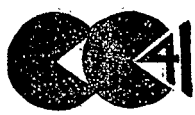
(*d*) articles made wholly of textile material, glass or any pottery or other shaped and fired clay products ;

(*e*) floor coverings ; or

(*f*) musical instruments, including gramophones, radio gramophones, pianos, player pianos and other similar instruments, wireless receiving sets, sound amplification apparatus and loud speakers.

SECOND SCHEDULE.

THE UTILITY MARK.



THIRD SCHEDULE.

	1		2	3
	Description of Goods.		Manufacturer's maximum price per article on sale otherwise than to a retail customer.	Manufacturer's maximum price per article on sale to a retail customer.
	Type of Article.	Model No.	* Indicates exterior timber or veneer of mahogany. † Indicates exterior timber or veneer not of mahogany.	
			£ s d	£ s d
1	Wardrobe 4′	* 1	14 4 3	18 19 3
2	Wardrobe 4′	† 1	13 1 0	17 8 3
3	Wardrobe 4′	1A	13 1 0	17 8 3
4	Wardrobe 4′	1B	12 0 0	16 0 0
5	Wardrobe 3′	2	10 16 9	14 9 0
6	Wardrobe 3′	* 2A	11 11 0	15 8 0
7	Wardrobe 3′	† 2A	10 16 9	14 9 0
8	Dressing Chest (with mirror) 3′	* 3	8 13 3	11 11 0
9	Dressing Chest (without mirror) 3′	* 3	7 14 0	10 5 6
10	Dressing Chest (with mirror) 3′	† 3	8 1 0	10 14 6
11	Dressing Chest (without mirror) 3′	† 3	7 1 6	9 9 0
12	Dressing Chest (with mirror) 3′	3A	7 13 0	10 3 9
13	Dressing Chest (without mirror) 3′	3A	6 13 9	8 18 3
14	Dressing Chest (with mirror) 2′ 6″	* 4	7 11 9	10 2 6
15	Dressing Chest (without mirror) 2′ 6″	* 4	6 15 3	9 0 6
16	Dressing Chest (with mirror) 2′ 6″	† 4	7 1 0	9 8 0
17	Dressing Chest (without mirror) 2′ 6″	† 4	6 4 6	8 6 0
18	Dressing Chest (without mirror) 2′ 6″	4A	4 5 6	5 14 0
19	Tallboy 2′ 9″	* 5	8 7 3	11 2 9

THIRD SCHEDULE.—*Continued.*

1			2	3
	Description of Goods.		Manufacturer's maximum price per article on sale otherwise than to a retail customer.	Manufacturer's maximum price per article on sale to a retail customer.
	Type of Article.	Model No.	* Indicates exterior timber or veneer of mahogany. † Indicates exterior timber or veneer not of mahogany.	
20	Tallboy 2′ 9″	† 5	7 13 0	10 3 9
21	Tallboy 2′ 9″	5A	7 13 0	10 3 9
22	Bedstead 3′ (rigid mattress) ...	* 6	2 15 9	3 14 3
23	Bedstead 4′ ditto ...	* 6	3 13 0	4 17 3
24	Bedstead 4′ 6″ ditto ...	* 6	3 18 0	5 4 0
25	Bedstead 3′ ditto ...	† 6	2 14 6	3 12 6
26	Bedstead 4′ ditto ...	† 6	3 11 9	4 15 9
27	Bedstead 4′ 6″ ditto ...	† 6	3 16 9	5 2 3
28	Bedstead 3′	6A	2 0 0	2 13 3
29	Bedstead 4′	6A	2 16 9	3 15 9
30	Bedstead 4′ 6″	6A	2 18 3	3 17 9
31	Bed-settee	4	11 2 0	14 16 0
32	Divan 2′ 6″	5	4 13 6	6 4 9
33	Divan 3′	5A	5 2 0	6 16 0
34	Kitchen Table 4′ x 3′	1	3 6 0	4 8 0
35	Kitchen Table 3′ 6″ x 2′ ...	2	2 9 6	3 6 0
36	Kitchen Cabinet (Complete) ...	3	9 10 0	12 13 6
37	Kitchen Cabinet (top part only) ...	3A	3 9 9	4 13 0
38	Kitchen Cabinet (bottom part only)	3B	6 9 9	8 13 0
39	Kitchen Chair	4	11 9	15 9
40	Kitchen Chair	4A	11 9	15 9
41	Kitchen Chair	4B	10 3	13 9
42	Sideboard	1	8 10 9	11 7 9
43	Sideboard	1A	8 10 9	11 7 9
44	Sideboard	1B	8 10 9	11 7 9
45	Sideboard	1C	6 1 0	8 1 3
46	Dining Table	2	5 5 6	7 0 9
47	Dining Table	2A	5 5 6	7 0 9
48	Dining Table	2B	3 17 0	5 2 9
49	Dining Chair	3	1 4 9	1 13 0
50	Dining Chair	3A	1 4 0	1 12 0
51	Dining Chair	3B	1 1 0	1 8 0
52	Dining Chair	3C	1 4 0	1 12 0
53	Dining Chair	3D	19 0	1 5 3
54	Open-arm Easy Chair	2	3 2 9	4 3 6
55	Stuff-over Easy Chair	2A	4 18 3	6 11 0
56	Adjustible Fireside Chair ...	1	2 11 0	3 7 9
57	Fireside Chair	1A	2 8 9	3 5 0
58	Bed Chair	3A	4 13 3	6 4 3
59	Set of Shelves	6	1 16 3	2 8 6
60	Occasional Table	7	1 6 9	1 15 6
61	Curb 4′	8	14 0	18 9
62	Curb 3′ 6″	8	13 0	17 3
63	Curb 3′	8	11 9	15 9
64	Cot (with mesh)	1	2 1 0	2 14 9
65	Cot (with mesh)...	1A	1 16 3	2 8 6
66	Playpen	2	1 12 6	2 3 6
67	High Chair	3	1 9 9	1 19 6
68	Convertible High Chair	4	1 17 9	2 10 0
69	Child's low Chair	5	18 0	1 4 0

Explanatory Note.

This Order revokes and substantially re-enacts the Furniture (Control of Manufacture and Supply) (Northern Ireland) Order, 1944.

The principal changes in the Order are :

(1) a provision is inserted authorising the manufacture and supply of controlled goods to, or for the order of a department of the Imperial Government or of the Government of Northern Ireland ;

(2) amendments are effected in the Third Schedule increasing the maximum selling prices of bedsteads, kitchen tables, dining tables and sets of shelves. The new prices only apply—

(*a*) in the case of sales to retail customers, to articles ordered by customers on and after the 23rd February, 1945 ;

(*b*) in the case of sales by manufacturers to distributors, to orders placed with the manufacturers on and after the 27th February, 1945.

Orders received before the relevant dates remain subject to the maximum prices of the Furniture (Control of Manufacture and Supply) (Northern Ireland) Order, 1944.

THE FURNITURE (CONTROL OF MANUFACTURE AND SUPPLY) (NORTHERN IRELAND) (NO. 2) ORDER, 1945, DATED 3RD NOVEMBER, 1945, MADE BY THE MINISTRY OF COMMERCE FOR NORTHERN IRELAND UNDER REGULATION 55 OF THE DEFENCE (GENERAL) REGULATIONS, 1939.

1945. No. 122

The Ministry of Commerce for Northern Ireland by virtue and in exercise of the powers under Regulation 55, of the Defence (General) Regulations, 1939, delegated to it by, and for the purposes mentioned in an Instrument of Delegation dated the 15th day of September, 1944, made by the Board of Trade under the said Regulations hereby orders as follows :—

1. The Furniture (Control of Manufacture and Supply) (Northern Ireland) Order, 1945 (a) shall have effect subject to the following amendments :—

(1) The items in the Schedule to this Order shall be substituted respectively for the items relating to the furniture of the like types and model numbers in the Third Schedule thereto.

(2) Item No. 41 in the Third Schedule thereto shall be deleted.

2. This Order may be cited as the Furniture (Control of Manufacture and Supply) (Northern Ireland) (No. 2) Order, 1945, and shall come into operation on the ninth day of November, 1945.

Dated this third day of November, 1945.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland in the presence of

(L.S.) *H. E. Jones,*
An Assistant Secretary of the Ministry of Commerce for Northern Ireland.

(a) S. R. & O. 1945, No. 20.