Utility Furniture, Supply and Acquisition

THE UTILITY FURNITURE (SUPPLY AND ACQUISITION) (NORTHERN IRELAND) ORDER, 1946, DATED JULY 15, 1946, MADE BY THE MINISTRY OF COMMERCE FOR NORTHERN IRELAND UNDER REGULATIONS 55, 55AA AND 98 OF THE DEFENCE (GENERAL) REGULATIONS, 1939.

1946. No. 99

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 2nd day of July, 1946, made by the Board of Trade under the said Regulations as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945 (a), hereby orders as follows :—

Reserved utility furniture.

1. This Order applies to the supply and acquisition of utility furniture of a description specified in the Schedule hereto, hereinafter referred to as " reserved utility furniture."

Supply of reserved utility furniture to retail customers.

2.—(1) No trader shall supply any reserved utility furniture to a retail customer unless there has been duly surrendered to him the appropriate number of units in relation to that supply by that customer, being the person to whom those units were issued, or by a person acting on his behalf.

(2) For the purposes of this Article units shall not be deemed to have been duly surrendered unless—

(*a*) a buying permit has been delivered, by post or otherwise, to the trader at premises at which he carries on a business of supplying furniture by retail, upon or after the order of reserved utility furniture from that trader ;

(*b*) the units were surrendered within six months from the commencement of validity thereof or within such other period as may be stamped on the permit or units by the authority or person who issued the permit ; and

(*c*) where the number of units appropriate to all the reserved utility furniture ordered from that trader in respect of that permit is less than the number of units attached to that permit when received by the trader, he has detached therefrom the appropriate number of units.

(3) No retail customer shall use, for the purpose of obtaining reserved utility furniture, any buying permit unless there is inserted thereon—

(a) 9 and 10 Geo. 6. C. 10 ; and S. R. & O. 1945, No. 1618.

(*a*) if it was issued to a body corporate or unincorporated, the name of the body and the address of its registered office or principal place of business ;

(*b*) if it was issued to a person in whole-time service as a member of the armed forces of the Crown, of the Women's Royal Naval Service, of Queen Alexandra's Royal Navy Nursing Service, of any Voluntary Aid Detachment, or of any allied or associated force, his name, rank and branch of the service, and his military identification card number or official number (if any) ;

(*c*) if it was issued to a member of the Mercantile Marine, his name and Dis. A number (as entered on his British Seaman's Identity Card) ;

(*d*) in any other case, the name, address and National Registration Identity Number of the person to whom it was issued.

No trader shall detach any units from, or accept the surrender of, any buying permit not so completed.

Supply of reserved utility furniture to traders.

3. No trader shall supply any reserved utility furniture to another trader, unless there has been surrendered to him the appropriate number of units in relation to that supply by the trader to be supplied.

Acquisition of furniture and transfers of buying permits and units.

4.—(1) No person shall acquire any reserved utility furniture from a trader in circumstances in which that trader is prohibited by the last two preceding Articles of this Order from supplying that furniture to him.

(2) If a trader uses or appropriates reserved utility furniture held by him for the purposes of his business for, or to, any other purpose, he shall be deemed to supply that furniture to a retail customer.

(3) No person shall surrender any buying permit or unit except upon or after the order of reserved utility furniture in accordance with the last two preceding Articles of this Order.

(4) Except as referred to in the last preceding paragraph, no person shall, with intent to enable any other person to acquire (otherwise than on his behalf) reserved utility furniture, transfer any buying permit or unit to any other person.

(5) No retail customer shall leave any unit on deposit with a trader, and no trader shall retain any unit on deposit.

(6) Nothing in this Article shall prevent a manufacturer of reserved utility furniture, who for any reason is unable to execute in whole or in part an order placed with him therefor, from returning any units to a trader who surrenders them to him.

Miscellaneous provisions as to buying permits and units.

5.—(1) Every buying permit or unit, issued by or on behalf of the Ministry for the purposes of this Order, shall remain the property of the Ministry.

(2) Notwithstanding anything in this Order, any person in possession of a buying permit or unit shall, if so requested by a general or special direction issued by the Ministry, deliver any such permit or unit to any person in any manner and at any time specified in the direction.

(3) Any person who produces a written authorisation of the Ministry in that behalf, or any officer or member of the Royal Ulster Constabulary, may require any person in possession of any buying permit or unit to produce it to him, and may seize any such permit or unit which he has reasonable grounds for believing to be evidence of the commission of an offence under this Order.

(4) No person shall, with intent to obtain reserved utility furniture in contravention of the provisions of this Order, have in his possession any buying permit or unit issued to another person or duly surrendered in accordance with this Order to another person.

(5) A person to whom any buying permit has been issued by or on behalf of the Ministry shall—

(*a*) after the expiration of 6 months from the commencement of validity of any units thereon or if a different period of validity of the units has been stamped thereon by the authority or person who issued it, after the expiration of that period, or

(*b*) upon any change of the circumstances referred to in his application for that permit,

forthwith deliver up those units to that authority or person unless an order for reserved utility furniture has, at that time, been placed by him with a trader in respect of those units.

Miscellaneous restrictions on supply.

6.—(1) No trader shall supply any part of an article of reserved utility furniture separately from the remainder thereof.

(2) No trader shall, on the order from him of any reserved utility furniture by a retail customer, impose any condition upon his acceptance of such order whereby that customer is required to order from that trader any other such furniture.

(3) For the purposes of this Article, the top and bottom parts of a kitchen cabinet shall be deemed each to be a separate article of reserved utility furniture.

Records.

7. A trader who has supplied to a retail customer any reserved utility furniture in accordance with this Order, shall keep a record showing the number of the buying permit delivered to him in relation to the supply of that furniture, the quantity and description of that furniture, the date on which it was supplied, the name of the person to whom it was supplied, and the place at which delivery thereof was taken by that person.

8. Notwithstanding anything in Article 2 or Article 3 of this Order, where the owner of any reserved utility furniture has submitted it to a trader for repair, the trader who carries out the repairs may supply it back to the owner or to any trader through whom it was submitted to him without the surrender of units in relation thereto, and the latter trader may so supply it back to that owner. Repaired furniture.

9. Nothing in this Order shall restrict the doing of anything authorised by a licence issued by the Ministry under this Article and in accordance with any condition attaching thereto; and if any such licence authorises the supply of reserved utility furniture upon the due surrender of a number of units specified in that licence, the number so specified shall, for the purpose of this Order, be the appropriate number of units in relation to that supply. Licences.

10.—(1) For the purposes of this Order, subject to any licence granted thereunder, the appropriate number of units in relation to the supply of reserved utility furniture shall be the number calculated in respect of those goods in accordance with the table contained in the Schedule hereto. Determination of the appropriate number of units.

(2) Where any buying permit or unit is issued subject to a restriction as to the use which may be made thereof, no person shall use that buying permit or unit otherwise than in accordance with that restriction.

11. For the purpose of this Order, the commencement of validity of any units shall be the date on which they were issued. Commencement of validity.

12. In this Order :— Definitions.

(*a*) " buying permit " means a permit issued by or on behalf of the Ministry of Commerce for the purposes of this Order ;

(*b*) " retail customer ", in relation to the supply of any reserved utility furniture, means a person who is not acquiring that furniture for the purposes of his business as a trader ;

(*c*) " trader " means a person carrying on a business of supplying furniture whether manufactured by him or not ;

(*d*) " unit " means a coupon which forms or has formed part of a buying permit.

13.—(1) The provisions of the Furniture (Control of Manufacture and Supply) (Northern Ireland) Order, 1945 (**b**) as amended by the Furniture (Control of Manufacture and Supply) (Northern Ireland) Order, 1946 (**c**), and the Furniture (Control of Manufacture and Supply) (Northern Ireland) No. 2 Order, 1946 (**d**) shall apply to this Order as though this Order were part of that Order, and the expression " furniture " in this Order means goods to which Part II of that Order applies. Construction, revocation, citation and commencement.

(**b**) S. R. & O. (N.I.) 1945, No. 20.
(**c**) S. R. & O. (N.I.) 1946, No. 29.
(**d**) S. R. & O. (N.I.) 1946, No. 98.

(2) The Utility Furniture (Supply and Acquisition) (Northern Ireland) Order, 1944 (e) and the Utility Furniture (Supply and Acquisition) (Northern Ireland) Amendment Order, 1945 (f) are hereby revoked.

(3) This Order may be cited as the Utility Furniture (Supply and Acquisition) (Northern Ireland) Order, 1946, and shall come into operation on the 23rd day of July, 1946.

Dated this 15th day of July, 1946.

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

(L.S.)

G. H. E. Parr,
Secretary of the Ministry of Commerce for Northern Ireland.

SCHEDULE.

Item	*Units*
Wardrobe 4′	12
Wardrobe 3′ 6″	*11*
Wardrobe 3′	10
Dressing Chest 3′ 4″	*9*
Dressing Chest 3′	8
Dressing Chest 2′ 6″	6
Tallboy 2′ 9″	8
Tallboy 2′ 3″	*6*
Bedstead *or Metal Bedstead* (4′ or 4′ 6″)	*5*
Bedstead *or Metal Bedstead* (3′)	*3*
Kitchen Table (4′ x 3′)	6
Kitchen Table (3′ 6″ x 2′)	4
Kitchen Cabinet (complete)	8
Kitchen Cabinet (top part only)	3
Kitchen Cabinet (bottom part only)	5
Kitchen Chair	1
Sideboard	8
Dining Table	6
Dining Chair	1
Set of Shelves	3
Occasional Table	3
Curb	1

EXPLANATORY NOTE.

This Order revokes and substantially re-enacts the Utility Furniture (Supply and Acquisition) (Northern Ireland) Order, 1944, and the Utility Furniture (Supply and Acquisition) (Northern Ireland) Order, 1945, and includes in the Schedule provision for certain new items of reserved utility furniture.

The new items are printed in italics.

(e) S. R. & O. (N.I.) 1944, No. 96.
(f) S. R. & O. (N.I.) 1945, No. 29.