

GUERNSEY
STATUTORY INSTRUMENT

1950 No. 96

Amended - See S.I.
150 (1950)
~~S.I. No. 96 of 1950~~
Revoked by S.I. 172 of
1950

THE SOAP (LICENSING OF MANUFACTURERS AND RATIONING)
(BAILLIWICK OF GUERNSEY) ORDER, 1950.

As Competent Authorities as regards the Bailiwick of Guernsey excluding the Island of Alderney and as regards the Island of Alderney respectively in relation to Regulation 55 of the Defence (General) (Guernsey) Regulations, 1945, we hereby make the following Order:-

PART I.

INTERPRETATION.

Interpretation.

1. (1) In this Order -

"The Committee" means the States of Guernsey Committee for the Control of Essential Commodities;

"Abrasive soap" means a soap product in any form prepared for polishing and scouring purposes, containing not more than 6 per cent of anhydrous soap;

"Appropriate coupon" means -

- (a) any two squares arranged vertically, marked "SOAP" and bearing consecutive numbers, in a General Ration Book R.B.1, a Junior Ration Book R.B.4, or a Child's Ration Book R.B.2;
- (b) a coupon marked "SOAP" in any other ration document;
- (c) a coupon marked "K" in any ration document, except a Leave or Duty Ration Card R.B.8A;
- (d) a coupon marked "SPECIAL TWO" forming part of a Special Coupon Page R.G.42; or
- (e) a coupon marked "SOAP N.A.A."

"Catering establishment" and "institution" mean respectively a catering establishment or institution in respect of which a licence or authorisation has been granted under The Food (Licensing of Establishments) (Bailiwick of Guernsey) Order, 1948;

"Establishment" means a catering establishment or institution;

"Factory net weight" means in relation to any soap the net weight thereof immediately after the last process of manufacture to which it has been subjected, or in the case of pre-packed soap powder or soap flakes or chips, the net weight thereof immediately after such pre-packing;

"General Ration Book R.B.1" includes a ration book issued to personnel in H.M. Forces and known as "R.B.1/N.A.A.";

"Hard soap" and "toilet soap" mean soap (other than abrasive soap, dental soap (dentifrice), liquid soap, shampoo powder, shaving soap, soap flakes or chips, soap powder, and soft soap) containing respectively less than 70 per cent of fatty and resin acids (in the case of hard soap) and 70 per cent or more of fatty and resin acids (in the case of toilet soap);

"Manufacture" includes milling and any other form of processing or treatment of soap;

"No. 1 liquid soap" means liquid soap containing more than 12½ per cent of fatty and resin acids;

"No. 2 liquid soap" means liquid soap containing 12½ per cent or less of fatty and resin acids;

"No. 1 soap powder" means soap powder (other than shampoo powder) containing more than 28 per cent but not more than 56 per cent of anhydrous soap;

"No. 2 soap powder" means soap powder (other than shampoo powder) containing more than 6 per cent but not more than 28 per cent of anhydrous soap;

"Pre-packed" means packed or made up in advance ready for retail sale in a wrapper or container;

"Ration document" means -

- (a) any ration book, ration card, page of coupons, authorisation, permit, declaration, return, deposit slip, order form, or other document issued for the purposes of this Order or the previous Order by or on behalf of the Committee or authorised by or on behalf of the Committee to be used as a ration document for the purposes of this Order;
- (b) any of the following documents issued by the Ministry of Food in the United Kingdom, the Government of the Isle of Man or by the States of Jersey, that is to say a General Ration Book R.B.1, Junior Ration Book R.B.4, Child's Ration Book R.B.2, Weekly Seaman's Ration Book R.B.6, Form R.B.12, Special Coupon Page R.G.42 or coupon marked "SOAP N.A.A.";
- (c) any coupon, counterfoil, or other part of any such document as aforesaid.

"Ration period" means the period of four weeks beginning on the 21st day of May, 1950, and each successive period of four weeks thereafter;

"Soap" means soap of any kind or description and in any form, provided that for the purposes of Part III of this Order "soap" shall not include abrasive soap, dental soap (dentifrice), shampoo powder, shaving soap or any soap powder containing not more than 6 per cent of anhydrous soap;

"The previous Order" means The Soap (Licensing of Manufacturers and Rationing) (Bailiwick of Guernsey) Order, 1949, as amended (a);

"Week" means a period of seven days ending at midnight on any Saturday.

- (2) References in this Order to obtaining or supplying shall be construed as including references to agreeing, offering or attempting to obtain or supply.
- (3) Where, in connection with soap, a ration period is referred to by number in any Order of the Committee or in any ration document (other than a ration document relating to a period the whole or any part of which occurred prior to the 21st day of May, 1950), Ration Period No. 1 shall refer to the ration period beginning on the 21st day of May, 1950, and ration periods successively numbered shall refer to the ration periods thereafter in corresponding order.

- (4) The Interpretation (Guernsey) Law, 1948, applies to the interpretation of this Order as it applies to the interpretation of a Guernsey enactment.

PART II.

LICENSING OF MANUFACTURERS.

Licensing of Manufacturers.

2. Except under and in accordance with the terms of a licence granted for the purposes of this Order by or on behalf of the Committee, no person shall -
- (a) engage in the manufacture of any soap;
 - (b) engage in the pre-packing of any soap unless he is either -
 - (i) the manufacturer thereof; or
 - (ii) a retailer pre-packing the soap for the purpose of retail sale by him on the premises on which it is pre-packed.

PART III.

RATIONING.

Rationing of soap obtained otherwise than for resale.

3. (1) Subject to the provisions of this Article no person shall obtain or supply any soap except under the authority of a valid ration document issued by or on behalf of the Committee.
- (2) The provisions of this Article shall not apply to -
- (a) the supply of soap to -
 - (i) any person licensed under Part II of this Order to manufacture soap, obtaining the soap for the purpose of reselling it in the course of his business after subjecting it to a further process of manufacture; or
 - (ii) any person on any premises where washing facilities are available, for use on such premises for washing the person, such soap having been duly obtained by means of a ration document by the person supplying the same;
 - (b) the supply of soap to or by any Department of His Majesty's Government;
 - (c) the supply by way of gift by any person of soap duly obtained (otherwise than for the purposes of any trade or business) by him or on his behalf from a retailer by means of a ration document;

Provisions as to obtaining of soap by certain persons and as to quantity obtainable.

4. (1) Soap may be obtained by or supplied to the holder of a General Ration Book R.B.1, Junior Ration Book R.B.4, Child's Ration Book R.B.2, Weekly Seaman's Ration Book R.B.6, Form R.B.12, Special Coupon Page R.G.42 or a coupon marked "SOAP N.A.A.", only if the following provisions have been complied with:-

- (a) the person obtaining the soap shall have produced to the person supplying it a ration document being or containing a valid appropriate coupon against which the quantity of soap to be obtained and supplied is authorised under paragraph (2) of this Article to be so obtained and supplied; and
 - (b) the appropriate coupon representing the amount of soap obtained or supplied shall, in the case of a coupon marked "SOAP N.A.A.", be retained, or in the case of any other coupon, be detached and retained, by the person supplying the soap.
- (2) The maximum quantity which may be obtained or supplied against any appropriate coupon shall be the quantity prescribed in respect thereof in the Schedule to this Order.

Validity of Coupons.

5. (1) An appropriate coupon bearing the numbers 1 and 2 in a General Ration Book R.B.1, Junior Ration Book R.B.4, or Child's Ration Book R.B.2, shall relate to the period of two weeks beginning on the 21st day of May, 1950, and the coupons bearing successive pairs of numbers in such ration document shall relate to the periods of two weeks thereafter in corresponding order.
- (2) An appropriate coupon numbered 1 in a Weekly Seaman's Ration Book R.B.6 or a Special Coupon Page R.G.42, shall relate to the week beginning on the 21st day of May, 1950, and the coupons successively numbered in such ration documents shall relate to the weeks thereafter in corresponding order.
- (3) Any appropriate coupon in a General Ration Book R.B.1, Junior Ration Book R.B.4, Child's Ration Book R.B.2, or Special Coupon Page R.G.42, relating to any period of two weeks, or (as the case may be) to any week, shall be valid at any time during the ration period in which the two weeks, or (as the case may be) the week, occurs:

Provided that an appropriate coupon forming part of a Special Coupon Page R.G.42 shall be valid only when such page has been endorsed by or on behalf of the Committee with the words "Soap" and "Guernsey" or "Alderney". When a Special Coupon Page R.G.42 has been so endorsed, the appropriate coupons therein shall be valid with any trader notwithstanding that the holder is not registered with such trader.

- (4) An appropriate coupon in a Weekly Seaman's Ration Book R.B.6, relating to any week shall only be valid if the counterfoil in respect of that week has been duly signed and completed by the Master or owner of the vessel upon which the holder is employed, but when the said counterfoil has been so signed, the coupon shall be valid at any time.
- (5) Any appropriate coupon in a Form R.B.12, shall be valid only during the period specified on the form (or in the case of a double form on that half of the form of which the coupon forms part).
- (6) Any coupon marked "SOAP N.A.A." shall be valid at any time.

Supply of soap by a trader for purposes of his own household.

6. Where soap is not otherwise obtained for the purposes of his own household by a trader in soap, he may, out of any amount thereof held by him for the purposes of his trade or business, supply such soap for the purposes of his own household to a like extent and in the like manner and subject to the like conditions which would be applicable if he obtained such soap from another trader, but save as aforesaid no such trader shall use for the purposes of his own household any soap so held by him.

Rationing of soap obtained for resale.

7. (1) No person shall obtain any soap for the purpose of selling or reselling the same, except in accordance with the following provisions:-
- (a) a person who holds a Deposit Slip S.P.2 relating to any ration periods may during those ration periods obtain a total quantity of soap not exceeding that specified in line 3 in Part A of the deposit slip provided he has previously delivered to the person or persons supplying it a valid Order Form S.P.3 (to be obtained from the Committee) properly completed by the first-mentioned person for the amount of soap obtained by him; and
 - (b) any person may obtain soap (in addition to any quantity thereof obtained by him in accordance with sub-paragraph (a) of this paragraph) under the authority and in accordance with the terms of a permit or authorisation issued by or on behalf of the Committee for the purposes of this Order.
- (2) No person shall supply soap to any person for sale or resale by him except -
- (a) in accordance with the instructions contained in a valid Order Form S.P.3 previously delivered to the supplier by the person obtaining the soap; or
 - (b) under the authority and in accordance with the terms of a permit or authorisation issued by or on behalf of the Committee for the purposes of this Order.
- (3) The foregoing provisions of this Article shall not apply to the obtaining of soap by or the supply of soap to any person licensed under Part II of this Order to manufacture soap, for the purpose of the same being resold by that person after being subjected to a further process of manufacture, or to the obtaining or supply of soap by any person so licensed from or to another person so licensed.

Validity and use of Order Forms S.P.3.

8. (1) An Order Form S.P.3 shall be valid only -
- (a) when used by or on behalf of the person to whom it was issued by the Committee;
 - (b) so long as it has not been defaced in any way, and so long as no alteration or erasure has been made thereto otherwise than by or on behalf of the Committee; and
 - (c) if within the time specified on the form it is delivered to the supplier named thereon.
- (2) Except under the authority of the Committee no entry in or addition to any Order Form S.P.3 relating to any ration periods shall be made except by the person to whom the form was issued by the Committee who must also be the holder of a Deposit Slip S.P.2 relating to those periods; and, without prejudice to the generality of the foregoing, it shall not be lawful for the supplier named on any Order Form S.P.3 to make any entry therein or any addition thereto on behalf of the person to whom it was so issued.
- (3) Every person who completes an Order Form S.P.3 shall record in Part C of the corresponding deposit slip held by him the date when the form is completed, the name of the person from whom the soap is ordered and the number of domestic rations ordered.

(4) Not later than the end of the first week of Ration Period No. 2 and of each alternate ration period thereafter, any person who has in his possession any of the following documents, that is to say -

(a) any Deposit Slip S.P.2 or unused Order Form S.P.3 relating to such ration period and the following ration period; or

(b) any used Order Form S.P.3 or Buying Permit S.P.4 relating to any previous ration periods;

shall deliver such documents to the Committee.

Meaning of "domestic soap ration".

9. In any ration document or other document issued by or on behalf of the Committee, the expression "domestic soap ration" shall mean a quantity of soap ascertained in accordance with paragraph 2 of the Schedule to this Order.

Weight of soap to be specified on sales to traders.

10. Every manufacturer or other trader who sells any soap to any other trader, (otherwise than for the purposes of further manufacture by him) shall indicate in an invoice or other statement in writing which shall be furnished by him to such trader at the time of or before the delivery of the soap, the factory net weight of the cakes, bars, tablets or other packs in which the soap is so delivered, being, where such seller is not the trader who has subjected the soap to the last process of manufacture or in the case of pre-packed soap powder or soap flakes or chips who has pre-packed the same, such weight as is indicated in the invoice or other statement furnished to such seller.

Restriction on supply of soap under certain descriptions.

11. No person shall supply any product under the description "No. 1 Liquid Soap", "No. 2 Liquid Soap", "No. 1 Soap Powder" or "No. 2 Soap Powder" or a description so similar thereto as to be calculated to deceive, unless such product conforms to the definition of such liquid soap or soap powder (as the case may be) contained in Article 1 of this Order.

Invalidation by establishment of residents' coupons.

12. (1) Where a person spends twelve or more consecutive nights in an establishment the appropriate coupon or coupons in his ration document relating to the two weeks in which the first night so spent occurs, shall, at the end of the first twelve nights, be detached and retained by the licensee of the establishment and, at the end of every period of fourteen consecutive nights thereafter, the next succeeding coupon or coupons relating to a period of two weeks shall be similarly detached and retained.

(2) Where any coupon required to be invalidated under the preceding paragraph of this Article shall already have been invalidated, the next succeeding coupon which has not been invalidated shall be invalidated instead.

(3) The licensee of an establishment shall forthwith after the 17th day of June, 1950, and at the end of each successive period of eight weeks thereafter, deliver to the Committee all coupons detached and retained under the provisions of this Article.

(4) Where under the provisions of Article 12 of The Food Rationing (General Provisions) (Bailiwick of Guernsey) Order, 1950 (b), the licensee of an establishment is required to deliver to the Committee a person's ration document within the meaning of that Order, he shall at the same time deliver to the Committee that person's ration document within the meaning of this Order.

(5) Nothing in this Article shall require any person to detach and retain or to deliver any appropriate coupon forming part of a Special Coupon Page R.G.42.

PART IV.

RATION DOCUMENTS.

Validity of ration documents.

13. (1) A coupon or other ration document shall be invalid when it is cancelled by or on behalf of the Committee.
- (2) Subject to the provisions of this Order soap may be obtained by the use of any ration document only in accordance with any instructions or conditions specified thereon, and on any document issued in connection therewith.
- (3) A ration book or other ration document shall be valid only -
- (a) when used by or on behalf of the person in respect of whom it is issued and for the purpose of obtaining soap on his behalf; and
- (b) while such person is living and is in the British Islands or on board any ship other than a foreign-going ship.
- (4) Where a person obtains soap by the use of a ration document which by reason of the foregoing provisions of this Article is not valid for use by him, it shall be a defence to any trader charged with an infringement of this Order by supplying soap against that ration document, to prove that at the time of the commission of the alleged offence he had no reason to suspect that the ration document was by reason of this Article not valid for use by that person.
- (5) Any coupon, page or other part of any ration document (including any part thereof affixed thereto by or on behalf of the Committee) shall, except where otherwise provided by or under this Order or in any instructions on the ration document, be valid only so long as it forms part of such ration document.

Ration documents the property of the Committee and to be delivered up on request.

14. Every ration document is and shall remain the property of the Committee and any person in possession of any ration document shall if so requested by or on behalf of the Committee deliver the same to such person or to a person of such class or description, and within such time and in such manner, as may be specified or described in the request.

Lost ration documents.

15. Where a new ration document is issued by or on behalf of the Committee in place of a lost ration document it shall be the duty of the person to whom the new ration document has been issued, if he shall subsequently find the lost ration document, forthwith to return the lost ration document to the Committee.

Certain ration documents not to be used when soap is otherwise obtained.

16. (1) Where a ration document has been issued to any member of His Majesty's Forces or the forces of any of His Majesty's Allies or co-belligerents to enable him to obtain soap which is not supplied to him in kind as a member of such forces and subsequently soap is so supplied to him in kind, he shall not thereafter obtain soap by means of the said ration document but shall forthwith deliver the same to the appropriate Naval, Military or Air Force authority.

- (2) Where a ration document has been issued to any person to enable him to obtain on behalf of a member of His Majesty's Forces or the forces of His Majesty's Allies or co-belligerents, soap which is not otherwise supplied in kind to such member of the said forces and subsequently soap is otherwise supplied to him in kind, then the person to whom the ration document was issued shall not thereafter obtain soap by means thereof but shall forthwith deliver the same to the Naval, Military, Air Force or other authority by whom it was issued.

PART V.

GENERAL.

Purposes for which soap may be used.

17. Where any soap is authorised to be obtained or is obtained for the purposes of any trade or business or establishment or for any purpose specified on the relevant ration document or the application therefor or any other document issued in connection therewith, the soap shall not be used except for such purpose.

Persons under thirteen years of age and persons of unsound mind.

18. Any act required to be done by a person under this Order shall, in the case of a person under the age of thirteen years, if not done by such person, be done on his behalf by one of his parents or by his guardian or by the person having the custody of him, and in the case of a person of unsound mind or in respect of whom an order in lunacy has been made by the Royal Court, by his guardian or curator.

Records, returns and information.

19. Any person who carries on a soap undertaking shall -
- (a) keep such books, accounts and records relating to the undertaking as may be specified in a notice served upon him by or on behalf of the Committee under this Article;
 - (b) furnish, at such times, in such manner and in such form as may be so specified, such estimates, returns or information relating to the undertaking as may be so specified.

In this Article "soap undertaking" means any undertaking concerned by way of trade or business in the production, treatment, storage, movement, transport, distribution, acquisition, use or consumption of soap.

Offences.

20. (1) No person shall -
- (a) for the purpose of obtaining any soap or in furnishing any information for the purposes of this Order make any statement which he knows to be false in a material particular or recklessly make any statement which is false in a material particular, or produce, furnish, send or otherwise make use of any book, account, estimate, return, declaration or other document issued or used for the purposes of this Order which is false in a material particular;
 - (b) except when required or authorised so to do by or under this Order or any other Order or directions of the Committee, alter any ration document or any entry therein or deface any such document;
 - (c) personate or falsely represent himself to be the person to whom any ration document has been issued or applies;

- (d) except where he is required or authorised so to do by or under this Order or any other Order or directions of the Committee, obtain or use or retain any ration document other than a ration document issued to him;
 - (e) with intent to deceive, forge or use or lend to or allow to be used by any other person any ration document;
 - (f) with intent to deceive, make or cause to be made or have in his possession any document so closely resembling a ration document as to be calculated to deceive;
 - (g) use or dispose of any ration document otherwise than for the purposes and in accordance with the provisions of this Order or any other Order or directions of the Committee.
- (2) In this Article the expression "forge" means to make with intent to defraud or deceive, a false document in order that it may be used as genuine, and in the case of dies or stamps mentioned in this Order the counterfeiting of such dies or stamps.

Certificate of States Analyst.

21. (1) In any proceedings in respect of an infringement of this Order, the production by one of the parties of (i) a document purporting to be a certificate of the States Analyst or (ii) a document supplied to him by the other party as being a copy of such a certificate, shall be sufficient evidence of the facts stated therein, unless in the case mentioned under head (i) above, the other party requires that the person making the analysis shall be called as a witness.

(2) In any such proceedings -

- (a) if the prosecution intends to produce a certificate of the States Analyst a copy of such certificate shall be served with the summons; and
- (b) if a defendant intends to produce a certificate of the States Analyst or to require that the person making the analysis shall be called as a witness, he shall give to the other party at least three clear days' notice of his intention;

and if any of these requirements is not complied with, the Court may, if it thinks fit, adjourn the hearing on such terms as it deems proper.

Directions, licences and authorisations.

22. (1) The provisions of this Order are subject to any directions which may at any time be given by or on behalf of the Committee and to any licence or authorisation which may be granted by or on behalf of the Committee under this Order.
- (2) Every person holding a licence or authorisation granted under this Order shall comply with every condition imposed by such licence or authorisation.

Infringements.

23. Infringements of this Order are offences against the Defence (General) (Guernsey) Regulations, 1945.

Revocation.

24. (1) The Soap (Licensing of Manufacturers and Rationing) (Bailiwick of Guernsey) - 1647A Order, 1949, dated 21st May, 1949, The Soap (Licensing of Manufacturers and Rationing) (Bailiwick of Guernsey) (Amendment) Order, 1949, dated 8th - 55 25/6/49 July, 1949 (c) and The Soap (Licensing of Manufacturers and Rationing) (Bailiwick of Guernsey) (Amendment No. 2) Order, 1949, dated 15th October, 1949 (d) are hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof:

Provided that any licence or notice having effect under those Orders and subsisting immediately before the coming into force of this Order (and in particular the General Licence dated 19th July, 1947, relating to medicated soap) shall continue to have effect as though granted under this Order.

- (2) Any reference to the previous Order or to any provision thereof in any other Order of the Committee or in any document issued by or on behalf of the Committee for the purposes of any such Order, shall, unless a contrary intention appears, be construed as a reference to this Order or, as the case may be, to any corresponding provision of this Order.
- (3) A General Ration Book R.B.1, Junior Ration Book R.B.4, Child's Ration Book R.B.2 or Weekly Seaman's Ration Book R.B.6 issued for the purposes of the previous Order shall not be valid for the purposes of this Order.

Commencement and citation.

25. This Order shall come into operation on the 21st day of May, 1950, and may be cited as The Soap (Licensing of Manufacturers and Rationing) (Bailiwick of Guernsey) Order, 1950.

Dated this 20th day of May, 1950.

R. P. WALKER.

Chairman,
Alderney Committee for the Control
of Essential Commodities.

A. FALLA.

President,
States' Committee for the Control
of Essential Commodities.

THE SCHEDULE.

Amount of the Ration.

1. The quantity of soap which may be obtained or supplied against any appropriate coupon shall be as specified in the following table:-

<u>Appropriate Coupon.</u>	<u>No. of domestic rations.</u>
An appropriate coupon in a General Ration Book R.B.1 or Junior Ration Book R.B.4.	2
An appropriate coupon bearing the numbers 3 and 4, 11 and 12, 19 and 20, 27 and 28, 35 and 36, 43 and 44 or 51 and 52 in a Child's Ration Book R.B.2.	3
Any other appropriate coupon in a Child's Ration Book R.B.2.	2
An appropriate coupon in a Weekly Seaman's Ration Book R.B.6, a Form R.B.12 or a Special Coupon Page R.G.42.	1
A coupon marked "SOAP N.L.A."	1

THE SCHEDULE.

Amount of the Ration (Contd.)

2. (1) For the purposes of the above table, the expression "Domestic Ration" means a quantity of soap ascertained as follows:-

<u>Description of Soap.</u>	<u>Quantity.</u>
Hard Soap	4 oz.
or Toilet Soap	3 oz.
or Soft Soap	6 oz.
or No. 1 Liquid Soap.	$\frac{1}{2}$ pint.
or No. 2 Liquid Soap.	1 pint.
or No. 1 Soap Powder.	6 oz.
or No. 2 Soap Powder.	12 oz.
or Flakes or Chips (or soap powder containing more than 56 per cent anhydrous soap)... ..	3 oz.

(2) The above weights are factory net weights in the case of -

(a) hard soap or toilet soap; and

(b) soap powder and soap flakes or chips, when the same are pre-packed; and in any other case are actual net weights.

(3) The above specified quantities are alternative and accordingly more than one of the above-mentioned descriptions of soap may be obtained or supplied, provided that the quantities above specified in relation to the descriptions of soap obtained or supplied are proportionately reduced.

EXPLANATORY NOTE.

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

- 1644 A

This Order re-enacts The Soap (Licensing of Manufacturers and Rationing) (Bailiwick of Guernsey) Order, 1949, as amended, with the amendments necessary to provide for the use of the new ration documents valid for the rationing year beginning on 21st May, 1950.