

GUERNSEY
STATUTORY INSTRUMENT

1949 No. 102 *Revised by SI 1959 No 92*

THE GENERAL APPAREL AND TEXTILES (DISTRIBUTORS' MAXIMUM PRICES)
(BAILLIWICK OF GUERNSEY) ORDER, 1949.

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:-

INTERPRETATIONS.

1. (1) In this Order -

- "Goods" means with respect to this Order those specified or referred to in the First Schedule to this Order;
- "Importer" means a person who imports goods to which this Order applies, from a place outside the Channel Islands, the United Kingdom and the Isle of Man;
- "Landed cost" means in relation to goods an amount equal to the aggregate of -
- (a) the price (after all deductions by way of discount other than cash or settlement discounts not exceeding 5 per cent) paid or agreed to be paid by the importer; and
 - (b) all sums (insofar as they are not included under (a) above) paid or payable by the importer in respect of packing, insurance, freight to the port of entry, import duties and customs clearance charges;
- "Manufacturer" includes "maker-up" and means any person who carries out a process of manufacture or making-up, in relation to goods, or who procures or permits materials belonging to him to be subjected to any process other than "London shrinking", whereby goods are produced;
- "Maximum price" means the price payable before any deduction by way of discount except that in calculating the maximum price to be charged on a sale of any goods to a retail customer, the cost actually paid or incurred of delivering those goods to that retail customer may be excluded;
- "Purchase price" means the price after all deduction by way of discount other than cash or settlement discount not exceeding 5 per cent; and delivery charges may be included in the calculation of the purchase price of any goods except where the price of the goods purchased, or if the goods were included in a parcel comprising other articles, the price of the parcel (exclusive of delivery charges) did not exceed £2;
- "Retail customer" means a person to whom goods are offered for sale by retail;
- "Women's and maids' outerwear" does not include such articles of a kind suitable for young children's wear as are exempt from purchase tax in the United Kingdom.

- (2) References in this Order to any other Order shall be construed as references to that Order as amended by any subsequent Order, or to any other Order revoking and re-enacting that Order with or without further amendment.

MAXIMUM PRICES.

2. The maximum price to be charged in the course of the business of a retailer in respect of goods shall be the aggregate of the following amounts:-
- (a) the purchase price paid or agreed to be paid to the importer, manufacturer or wholesaler by the first purchaser (being a retailer);
 - (b) an amount equal to the appropriate percentage of such purchase price specified in Column 2 of the Second Schedule hereto;
 - (c) an amount equal to $2\frac{1}{2}$ per cent of the aggregate of the foregoing amounts; and
 - (d) the amount of import duty (if any) paid or payable in respect thereof.
3. The maximum price to be charged in the course of the business of an importer of goods in respect of such goods on a sale to a retail customer shall be the aggregate of the following amounts:-
- (a) the landed cost;
 - (b) an amount equal to the appropriate percentage of such landed cost specified in Column 3 of the Second Schedule hereto; and
 - (c) an amount equal to $2\frac{1}{2}$ per cent of the aggregate of the foregoing amounts.

ROUNDING PROVISIONS.

4. Notwithstanding anything contained in this Order on a sale of goods to a retail customer the maximum price computed in accordance with the appropriate foregoing provisions of this Order shall be rounded to the nearest halfpenny if that price does not exceed 5s. and to the nearest penny if that price exceeds 5s.

OFFENCES.

5. If any person -
- (a) sells, agrees to sell, or offers to sell, any goods; or
 - (b) performs, agrees to perform, or offers to perform any services;
- in contravention of the provisions of this Order, he shall be guilty of an offence under this Order.

REVOCATION.

6. The General Apparel, Furnishings and Textiles (Distributor's Maximum Prices and Charges) (Bailiwick of Guernsey) Order, 1949, dated 11th July, 1949, is hereby revoked but without prejudice to any proceedings in respect of any contravention thereof.

CITATION AND COMMENCEMENT.

7. This Order may be cited as The General Apparel and Textiles (Distributors' Maximum Prices) (Bailiwick of Guernsey) Order, 1949, and shall come into operation on the 12th day of October, 1949.

Dated this 10th day of October, 1949.

A. F. MINCHIN.

President,
Alderney Committee for the Control
of Essential Commodities.

A. FALLA.

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

FIRST SCHEDULE.

Goods to which the Order applies.

1. Goods of the descriptions mentioned in the Second Schedule to this Order not being -
 - (1) utility goods; or
 - (2) goods of a description for which maximum prices have been fixed (in relation to the business of an importer or a retailer with respect to such goods) by Orders (other than this Order) for the time being in force made by a Competent Authority under the Defence (General) (Guernsey) Regulations, 1945; or
 - (3) goods purchased by or on behalf of a Department of His Majesty's Government in respect of which the seller shall have notice in writing before or at the time of supply that they were being so purchased; or
 - (4) second-hand goods; or
 - (5) fabrics purchased by a maker-up for the purpose of being made up by him into apparel intended for export to a place outside the Channel Islands, the United Kingdom or the Isle of Man, being fabrics in respect of which the seller shall have notice in writing at or before the time of supply that they were being so purchased; or
 - (6) goods sold pursuant to an Order placed in the United States of America or the Dominion of Canada, and upon terms that payment is made in United States or Canadian dollars and that the goods are supplied to a person resident in the Bailiwick of Guernsey; or
 - (7) narrow fabrics, that is to say, fabrics of a width not exceeding 18 inches made wholly or mainly from any textile and produced (otherwise than by knitting) with two self edges or braided or plaited; or
 - (8) hand-woven cloth; or
 - (9) women's and maids' outerwear; or
 - (10) household and industrial overalls.

SECOND SCHEDULE.

1. <u>Description of Goods.</u>	2. <u>Retailer's percentage figure of price paid.</u>	3. <u>Importer's percentage figure of landed cost on a sale to a retail customer.</u>
	per cent.	per cent.
<u>PART I.</u>		
1. Outer clothing (other than headwear or footwear or goods made wholly or mainly of fur skin).	50.	55.
2. Men's, youths' and boys' underwear and nightwear.	42.86	47.86
3. Men's, youths and boys' shirts and boys' blouses.	50.	55.
4. Women's and maids' underwear and nightwear (other than corsets and brassieres).	42.86	47.86

SECOND SCHEDULE (Contd.)

1.	2.	3.
<u>Description of Goods.</u>	<u>Retailer's percentage figure of price paid.</u>	<u>Importer's percentage figure of landed cost on a sale to a retail customer.</u>
	per cent.	per cent.
<u>PART I (Contd.)</u>		
5. Infants', children's and girls' underwear and night-wear.	42.86	47.86
6. Corsets and brassieres.	50.	55.
7. Stockings and socks.	42.86	47.86
8. Gloves and other handwear.	50.	55.
9. All articles of apparel (other than headwear, braces, handkerchiefs or goods made wholly or mainly of fur skin) not specified in this Schedule.	50.	55.
<u>PART II.</u>		
1. Fabrics (whether woven or knitted, whether in the piece, shaped or partly made up and whether or not subjected to any process of finishing) the textile content of which comprises more than 15 per cent by weight of fibre from the coat or fleece of alpaca, camel, goat, hare, lamb, llama, rabbit, sheep, vicuna or yak or of horsehair. -		
(a) Fabric bought in the piece not less than 45 yards in length and being sold in a length not exceeding 7 yards.	42.86	47.86
(b) Pile fabric bought in the piece less than 45 yards but not less than 30 yards in length and being sold in a length not exceeding 7 yards.	42.86	47.86
(c) Fabric bought in the piece not less than 45 yards in length and being sold in a length exceeding 7 yards but not exceeding 30 yards.	42.86	47.86
(d) Pile fabric bought in the piece less than 45 yards but not less than 30 yards in length and being sold in a length exceeding 7 yards but not exceeding 15 yards.	42.86	47.86
(e) Any fabric bought and being sold otherwise than as specified in sub-head (a), (b), (c) and (d).	42.86	47.86
2. Hand-knitting yarn.	42.86	47.86

NOTE. The percentage figures specified in Column 2 are expressed as percentages of the price paid and in Column 3 as percentages of the landed cost. The equivalent percentage figures expressed as percentages of the selling price are as follows:-

Percentage figure of price
paid or landed cost.

Equivalent percentage figure
of selling price.

55
50
47.86
42.86

35.48
33 1/3rd.
32.38
30

EXPLANATORY NOTE.

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

This Order supersedes The General Apparel, Furnishings and Textiles (Distributor's Maximum Prices and Charges) (Bailiwick of Guernsey) Order, 1948. The following are the principal changes:-

The Order no longer applies to -

- (a) Cotton, linen, rayon, silk and jute cloths and handwoven cloth of any description.
- (b) Household textiles.
- (c) Soft furnishings of plastic, leather or rubber.
- (d) Bedding, blankets, pran rugs and travelling rugs.
- (e) Garments (other than handwear), made wholly or mainly of furskin.
- (f) Women's and maids' outerwear.
- (g) Headwear.
- (h) Braces.
- (i) Handkerchiefs.
- (j) Haberdashery.
- (k) Accessories for apparel.
- (l) Household and industrial overalls.

There are new definitions of manufacturer, maximum price and purchase price and new provisions in relation to delivery charges.