

RESTRICTION OF RESALENew Board of Trade Order

The Board of Trade have, after consultation with the Central Price Regulation Committee, made an Order under Section 4 of the Goods and Services (Price Control) Act, 1941, revoking the existing Price-Controlled Goods (Restriction of Resale) Order, 1942 (S.R. & O. 1942, No. 64). The new Order re-enacts the main provisions of the previous Order with certain important changes. Under the new Order it is no longer a defence, for a trader charged with selling by wholesale goods which he has bought from another wholesaler, to prove that such transactions are a usage to his trade. Instead, he will have to prove (a) that, at all times since March 1939, he was himself selling similar goods bought in this way otherwise than by retail, and (b) that he had reasonable cause to think that the goods he is charged with re-selling were either imported by his supplier or bought by him directly from the manufacturer or importer. Subject to this exception, the re-sale by wholesale, without a licence under the Order, of goods bought from a wholesaler or factor is prohibited. Sales by wholesale include sales to retailers. Manufacturers who sell goods which are not of their own manufacture expose their wholesale customers to the risk of prosecution and should draw their attention to this fact.

With the important change mentioned above, the main provisions of the earlier Order are re-enacted. The commercial re-sale of goods bought by retail is still prohibited. The proviso which in effect permitted one retailer to oblige another, provided that the second retailer re-sold at cost, is omitted; but this is because such "accommodation" sales, both by wholesalers and by retailers, are specifically permitted under Section 4 of the Goods and Services (Price Control) Act, 1941. The Order applies to all price-controlled goods, that is, to all goods for which maximum prices have been fixed by the Board under the Act and to all goods price-regulated under the Prices of Goods Act, 1939. An up-to-date list of the latter will be found in the Prices of Goods (Price Regulated Goods) Order, 1942, which came into force on May 11.

Applications for licences should be addressed to the Assistant Secretary, Industries and Manufactures Department, Division 1, Board of Trade, Millbank, London, S.W. 1.

The Order, known as the Price-Controlled Goods (Restriction of resale) (No. 2) Order, 1942 (S.R. & O. 1942, No. 958), comes into force on 8th June. Copies will shortly be available from H.M. Stationery Office or through any bookseller.

BOARD OF TRADE

Note to the Press. It is suggested that the words "Restriction of Resale" should be used in the title of matter published for this release. It may be necessary to issue further announcements from time to time on matters relating to the administration and enforcement of this Order, and the use of a common heading might help to bring these to the attention of the trading community.

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