1962. No. 48 **[C]**

AID TO INDUSTRY ORDER (NORTHERN IRELAND), 1962

ORDER*, DATED 7TH FEBRUARY, 1962, MADE BY THE MINISTER OF COMMERCE WITH THE APPROVAL OF THE MINISTER OF FINANCE UNDER SECTION ONE OF THE AID TO INDUSTRY ACT (NORTHERN IRELAND), 1961.

I, the Right Honourable J. L. O. Andrews, D.L., Minister of Commerce for Northern Ireland (hereinafter referred to as "the Minister") with the approval of Captain the Right Honourable Terence M. O'Neill, D.L., Minister of Finance for Northern Ireland, in exercise of the powers conferred upon me by the Aid to Industry Act (Northern Ireland), 1961(a), hereby make the following Order:

1. This Order may be cited as the Aid to Industry Order (Northern Ireland), 1962.

Interpretation

2. In this Order unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"the Act" means the Aid to Industry Act (Northern Ireland), 1961;

"contributions" means the contributions towards the cost incurred in acquiring coal, gas or electricity which are authorised by sub-section (1) of Section one of the Act;

"manufacturing" means making for sale any article or substance (including the making or repairing of a ship, vessel or aircraft) or part of any article or substance in the course of a trade or business;

"process connected with manufacture" includes the ornamenting, washing, preserving or adapting in the course of a trade or business of any manufactured article or substance for the purpose of making it saleable;

"registered" means registered by the Ministry in accordance with this Order or in accordance with an Order made under the provisions of the Aid to Industry Act (Northern Ireland), 1953(b);

"gas consumer" means a person who obtains from a gas undertaking a supply of gas for the purpose of manufacturing or for the purpose of a process connected with manufacture;

"electricity consumer" means a person who obtains from an electricity undertaking a supply of electric current for the purpose of manufacturing or for the purpose of a process connected with manufacture.

Registration

3.—(1) The Ministry of Commerce (hereinafter referred to as "the Ministry") shall maintain a register of persons for the purposes of the Act and may, subject to the provisions of this Order, register any person who applies for registration and who—

(a) 1961. c. 17. (b) 1953. c. 28.

*This Order was affirmed by resolutions of the Senate and of the House of Commons on the 13th day of March, 1962.

(*a*) carries on a trade or business consisting of manufacturing or of a process or processes connected with manufacture; and

(*b*) satisfies the Ministry that in such trade or business the annual usage of coal, gas and electricity, either for consumption as a fuel or for such other purpose as may be approved by the Minister, exceeds fifty tons. The quantity of gas and electricity for the purposes of this sub-paragraph shall be computed in accordance with the provisions of paragraph (3).

(2) Where a trade or business consists partly of manufacturing or a process connected with manufacture and partly of any other operation or process and the Ministry is satisfied, having regard to the quantity of coal, gas or electricity used for these respective purposes, that such other operation or process is negligible in effect the person carrying on the mixed trade or business may be registered in respect of the whole of his trade or business; otherwise the person carrying on the mixed trade or business may be registered in respect of the part of the trade or business which consists of manufacturing or a process connected with manufacture.

(3) For the purposes of sub-paragraph (1)(*b*) and paragraphs (4) and (5) of this Article 17,000 cubic feet of gas or 1,400 units of electricity shall be taken as equivalent to one ton of coal.

(4) A registered person who does not in any period of two consecutive years ending on the 31st December in any year acquire a quantity of coal, gas or electricity, which, in total, exceeds one hundred tons shall, subject to paragraph (5), cease to be registered.

(5) The Ministry may, for such period as it considers appropriate, continue the registration of a person failing to meet the requirement of paragraph (4) where the Ministry is satisfied that—

(*a*) the reduced acquisition of coal, gas or electricity has been brought about by a specific improvement in the method of utilisation; or

(*b*) the registered person would normally and necessarily use a quantity of coal or its equivalent in gas or electricity exceeding fifty tons per year for the purposes of his trade or business.

(6) If any registered person shall be convicted of an offence under the Act, or shall fail to comply with the terms of this Order, his registration shall thereupon be deemed to be revoked but it may be restored if the Minister so directs.

(7) A registered person shall notify the Ministry as soon as possible of an intention to discontinue the business in respect of which he is registered or an intention to change over to another fuel and thereby to discontinue or partially discontinue the use of coal, gas or electricity therein. Every such person shall further notify the Ministry that the business has been discontinued or that the use of coal, gas or electricity therein has been wholly or partially discontinued as aforesaid within fourteen days after the happening of any such event.

Applications for Registration

4.—(1) Applications for registration shall be made to the Ministry on a form provided by the Ministry; provided that any applications already submitted under an Order made under the provisions of the Aid to Industry Act (Northern Ireland), 1953, shall be deemed to be applications under this Order.