1959. No. 119 **[C]**

INDUSTRIAL AID AND DEVELOPMENT

ORDER, DATED 10TH JULY, 1959, 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), 1953.

I, the Right Honourable Lord Glentoran, H.M.L., Minister of Commerce for Northern Ireland, with the approval of Capt. the Right Honourable Terence M. O'Neill, Minister of Finance for Northern Ireland, in exercise of the powers conferred upon me by the Aid to Industry Act (Northern Ireland), 1953(a), hereby make the following Order:

1. This Order may be cited as the Aid to Industry Order (Northern Ireland), 1959.

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), 1953;

"contributions" means the contributions towards the cost incurred in acquiring coal 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 for the making of which the use of heat derived from coal or the use of machinery operated by heat or power derived from coal is required or used;

"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;

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

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

"registered" means registered by the Ministry in accordance with this Order or in accordance with the Aid to Industry Order (Northern Ireland), 1957(b).

Registration

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

(a) 1953, c. 28. (b) S.R. & O. (N.I.) 1957, No. 53.

(*b*) satisfies the Minister that the annual usage of coal in such trade or business, either for consumption as fuel or for such other purpose as may be approved by the Minister, exceeds 50 tons.

(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 Minister is satisfied, having regard to the quantity of coal used for the purpose of the respective operations or processes, that such other operations or processes are negligible in effect he may cause the person carrying on the mixed trade or business to be registered in respect of the whole of his trade or business; or where the Minister is satisfied that the quantity of coal used for manufacturing and processes connected with manufacture can be ascertained separately from the quantity of coal used for the other operations and processes he may cause the person carrying on the mixed trade or business to be registered in respect of the part of the business which consists of manufacturing and processes connected with manufacture.

(3) Consumers of gas or electricity or both shall for the purposes of this Order be treated as consuming coal to the extent of the quantity of coal required in the production of the gas or electricity so used. For the purpose of this paragraph the consumption of 17,000 cubic feet of gas or 1,400 units of electricity shall be taken as equivalent to the consumption of 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 exceeding 100 tons (or the equivalent in gas and electricity) shall cease to be registered. The Ministry may register a person who has ceased to be registered if the Minister is satisfied that that person is normally and necessarily using a quantity of coal exceeding 50 tons per year for the purpose of his trade or business and that the other requirements of this Article are fulfilled.

(5) 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.

Contributions

4.—(1) Subject to sub-section (2) of section three of the Act and paragraph (5) of this Article the sum provided under the Act by Parliament in respect of the financial year ending 31st March, 1960, and each succeeding year while this Order continues in force shall be distributed among registered persons and gas and electricity undertakings as follows:—

Contributions to registered persons shall be in the proportions which the cost of coal severally acquired by such persons (as shown in the returns provided for in paragraph (4)) shall bear to the total cost of coal acquired by all registered persons who have furnished the said returns and used by gas and electricity undertakings to produce gas and electricity purchased by such persons.