INDUSTRY

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AID TO INDUSTRY ORDER (NORTHERN IRELAND), 1957.

1957. No. 53. **[C]**

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, hereby make the following Order:

1. This Order shall be cited as the Aid to Industry Order (Northern Ireland), 1957.

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;

"coal" has the meaning assigned to it in the Act, namely:

(*a*) bituminous coal, cannel coal, coke, anthracite; and

(*b*) manufactured fuel (other than coke) which is carbonised to any extent in the process of manufacture and of which any of the substances mentioned in paragraph (*a*) hereof is the principal constituent;

"contributions" means the contributions towards the cost incurred in acquiring coal which are authorised by Subsection 1 of Section 1 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;

"person" includes a limited liability company, a corporation established by Act of Parliament or a Local Authority;

"Minister" means the Minister of Commerce;

"Ministry" means the Ministry of Commerce;

"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 (N.I.), 1953.

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 the manufacture of goods for sale or of a process or processes connected with the manufacture of goods for sale, and

(*b*) satisfies the Minister that the annual usage of coal in such manufacture or processing, either for consumption as fuel or other purpose 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 this purpose it has been determined on the basis of information supplied by gas and electricity undertakings as to their consumption of coal and their sales of gas and electricity as the case may be, that 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) Gas and electricity undertakings shall on request furnish to the Ministry information as to the quantity and cost of coal used in their undertakings and the quantities of gas and electricity sold.

(5) A registered person who does not in any period of two consecutive years ending on the 31st December in any year acquire as provided in this Article a quantity of coal exceeding

100 tons (or the equivalent supply of coal, 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.

Contributions

4.—(1) Subject to the terms of Section 3(2) of the Act and of paragraph (3) of this Article the sum in the financial year ending 31st March, 1958, provided by Parliament under the terms of the Act and the sum so provided in each succeeding financial year while the Act continues in force shall be distributed by the Ministry amongst registered persons in the proportions which the cost of coal severally acquired by such registered persons as shown on the returns provided for in paragraph (2) of this Article bear to the total cost of coal acquired by all registered persons who have furnished the said returns within the period prescribed in paragraph (2) of this Article or any extension thereof given by the Ministry under paragraph (3) save however where coal is used in the form of gas or electricity purchased by a registered person the cost of coal per cubic foot of gas or per unit of electricity, as the case may be, shall be calculated by the Ministry by relating the total cost of coal used by gas or electricity undertakings in Northern Ireland to the total number of cubic feet of gas or the total number of units of electricity as the case may be sold in Northern Ireland as a whole.

(2) Not later than the 30th June in each year each registered person claiming payment of a contribution under paragraph (1) of this Article shall furnish to the Ministry, in a form to be obtained from the Ministry, a return certified as correct by his Auditors, specifying the total cost and tonnage of coal acquired by him in connection with the business in respect of which he is registered during the calendar year ending on the preceding 31st December or such other accounting period as may in any particular case be approved by the Ministry, and the number of cubic feet of gas and number of units of electricity purchased by him during the said period.

(3) It shall be a condition precedent to the payment of any contribution that the particulars specified in paragraph (2) of this Article shall be furnished duly certified as therein and if in respect of any year ending 31st December or other approved accounting period a registered person shall fail to furnish such particulars certified as aforesaid within the time in this Order specified or any extension thereof given in writing by the Ministry, such registered person shall not in the financial year in which such specified time or extension expires participate in the moneys provided for the purposes of the Act; the Ministry may however at its discretion permit payment of contribution to be made to such registered person in the following financial year in respect of the cost of coal acquired during the year for which, because of such failure, no contribution was paid to him and