EXPLANATORY NOTE

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

These Regulations amend and clarify the Government Oil Pipe-Lines Regulations, 1948. They provide that a Minister or other person entitled to use a government oil pipe-line shall have the powers of an undertaker within the meaning of the Water Act, 1945, and (in Scotland) of a local water authority within the meaning of the Water (Scotland) Act, 1946, in respect of the breaking up of highways for the purpose of repairing pipes thereunder. They also make provision for the necessary consequential amendments and make Regulations 7 and 8 of the 1948 Regulations apply to any Minister as defined by the Requisitioned Land and War Works Act, 1945.

RIVER BOARDS

1. *Constitution Orders.*
2. *Form of Transfer of Mortgages*, p. 3856.
3. *Sinking Funds*, p. 3857.

1. CONSTITUTION ORDERS

(1) *Avon and Dorset.*
(2) *Bristol Avon*, p. 3845.
(3) *Hull and East Yorkshire*, p. 3847.
(4) *Isle of Wight*, p. 3849.
(5) *Severn*, p. 3851.
(6) *Somerset*, p. 3854.

(1) AVON AND DORSET

The Avon and Dorset River Board Constitution Order, 1949

1949 No. 2374

Made - - - - 20th December, 1949

The Minister of Agriculture and Fisheries and the Minister of Health in exercise of the powers conferred upon them by sections 1, 2, 27 and 35 of the River Boards Act, 1948(a), and of every other power enabling them in that behalf, hereby order as follows :—

1. This Order may be cited as the Avon and Dorset River Board Constitution Order, 1949.

2.—(1) In this Order

" the Act " means the River Boards Act, 1948 ;

" the Ministers " means the Minister of Agriculture and Fisheries and the Minister of Health acting jointly ;

" the river board area " means the Avon and Dorset River Board Area defined by the Avon and Dorset River Board Area Order, 1949(b).

(a) 11 & 12 Geo. 6. c. 32. (b) S.I. 1949 No. 1959.

(2) The Interpretation Act, 1889(a) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

3.—(1) There shall be a river board (hereinafter referred to as "the river board") for the river board area which shall be known as the Avon and Dorset River Board and the number of members to be appointed thereto in pursuance of subsection (2) of section 2 of the Act shall be twenty one.

(2) Of those members, the number to be appointed in pursuance of paragraph (*b*) of subsection (2) of section 2 of the Act by the councils of the counties and county boroughs whose area, or any part of whose area, is included in the river board area shall be twelve.

4.—(1) The number of members of the river board to be appointed respectively by the councils of the counties and county borough named in the first column of the First Schedule to this Order, being the counties and county borough whose area, or part of whose area, is included in the river board area, shall be the number shown opposite the name of the county or county borough in the second column of that Schedule.

(2) One of the four members to be appointed by the council of the county of Dorset shall be appointed from among persons nominated by the council of the municipal borough of Poole.

5. The day (hereinafter referred to as "the appointed day") on which the functions referred to in section 4 of the Act are to become exercisable by the river board in relation to the river board area and are to cease to be exercisable by other bodies and on which any consequential vesting in the river board of property rights liabilities and obligations is to take place shall be the first day of April or the first day of October, whichever is the earlier, next following the day appointed by the Ministers for the first meeting of the river board.

6. As from the appointed day the bodies named in the Second Schedule hereto, being bodies whose functions wholly cease in consequence of this Order, shall be dissolved.

7. The river board shall as soon as practicable consult with each body from which functions are to be transferred to the river board by section 4 of the Act, being a body part only of whose area or district is included in the river board area, and with any other river board whose area includes any part of the area or district of any such body, as to the following matters:—

(*a*) what, if any, of the property, rights, liabilities and obligations of the body (being property, rights, liabilities and obligations which would, if the whole area or district of that body were included in the river board area, be transferred under subsection (1) of section 25 or under subsection (1) of section 26 of the Act) is to be transferred to the river board;

(*b*) in what cases liabilities of the body are to be apportioned and financial adjustments made between the river board and the body;

(*c*) the apportionment of any such liabilities and the making of any such financial adjustments;

(*d*) the amendment of any instrument affected by any such apportionment or adjustment;

(a) 52 & 53 Vict. c. 63.

and the said matters shall be determined by agreement between the river board and the body and, if the case requires, the other river board, or in default of agreement—

(i) if the body is a fishery board, by the Minister of Agriculture and Fisheries;

(ii) in any other case, by the Minister of Health.

In Witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this twentieth day of December, nineteen hundred and forty-nine.

(L.S.) *A. R. Manktelow,*
Under Secretary.

In Witness whereof the Official Seal of the Minister of Health is hereunto affixed this twentieth day of December, nineteen hundred and forty-nine.

(L.S.) *I. F. Armer,*
Under Secretary.

FIRST SCHEDULE

County	*Number of Members*
Devon	None
Dorset	Four
Somerset	None
Southampton	One
Wiltshire	Two
County Borough	
Bournemouth	Five

SECOND SCHEDULE

Avon and Stour Catchment Board.

Board of Conservators Frome Fishery District.

EXPLANATORY NOTE

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

The River Boards, Act, 1948 requires the Ministers by order to define river board areas and to establish river boards for those areas. The Avon and Dorset River Board Area having been defined by the Avon and Dorset River Board Area Order, 1949, this Order establishes the river board for that area.

As required by the Act, this Order specifies the total number of members of the Board, and the number of those members who are to be appointed by councils of counties and county boroughs. The Act itself provides for the appointment of the remainder.

As from the appointed day fixed by this Order in relation to the Avon and Dorset River Board Area the functions relating to land drainage, fisheries and river pollution which the Act transfers, become exercisable by the river board in relation to its area, and cease to be exercisable by other bodies.