SUPPLIED FOR THE PUBLIC SERVICE



CHAPTER 119.

An Act to make provision for promoting economy and efficiency in the carrying on under war conditions of the work of certain chartered and other bodies not being local authorities; for enabling certain Universities and colleges to adapt themselves to war conditions; and for purposes connected with the matters aforesaid.

[16th November 1939.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Power to modify provisions of charters as to the constitution or functions of chartered corporations.

1. Subject to the provisions of this Act, His Majesty may by Order in Council authorise the Lord President of the Council to give, on the application of any corporation incorporated by Royal Charter, or of the governing body of any such corporation, directions modifying the provisions of any charter, byelaws, regulations, or other instruments as to the constitution of the corporation or of any body of persons formed for the purpose of discharging any of its functions, or as to the discharge of the functions of any such corporation or body, where the Lord President is satisfied that such directions are necessary or expedient for the purposes of securing

economy or efficiency in the carrying on of the work of the corporation under war conditions.

Power to reduce number of members of statutory bodies, &c.

2.—(1) Subject to the provisions of this Act, His Majesty may by Order in Council—

(*a*) on an application made on behalf of any corporation or body of persons constituted by any Act or Order in Council, or by any Minister of the Crown or government department acting in pursuance of any Act, make such provision for extending the term of office of members or officers of the corporation or body, or postponing the date of election of new members or officers of the corporation or body, or for the filling of vacancies among such members or officers; and

(*b*) make, with respect to any corporation or body of persons specified in the Schedule to this Act, such provision for reducing the number of persons required to constitute the corporation or body or to perform any of its functions,

as appears to His Majesty to be necessary or expedient for the purposes of securing economy or efficiency in the carrying on of the work of the corporation or body under war conditions.

(2) Any Order in Council made for the purposes specified in paragraph (*a*) of the last foregoing subsection, with respect to any corporation or body, may give such directions as to any special register of electors kept for the purpose of the election of members or officers of that body, as appear to His Majesty to be expedient; and any Order in Council made under this section may contain such incidental and consequential provisions, as appear to His Majesty to be expedient, and shall have effect notwithstanding the provisions of any enactment relating to the constitution or functions of the body to which the Order relates.

(3) If at any time the draft of an order, directing that the Schedule to this Act shall have effect as if the name of any corporation or body of persons were added thereto, is approved by a resolution passed by each House of Parliament, an order may be made in the terms of the draft and the said Schedule shall have effect accordingly.

Emergency statutes for Universities and colleges.

3.—(1) Subject to the provisions of this Act, His Majesty may, on an application made on behalf of any University or University college in Great Britain, by Order in Council make provision for enabling emergency statutes for the University or college, or for any college in the University, to be made, varied and revoked, subject to and in accordance with the provisions of the Order, by such bodies, in such manner, and for such purposes, as may appear to His Majesty to be necessary or expedient having regard to circumstances arising out of war conditions; and any such Order may enable emergency statutes to have effect notwithstanding any instrument or thing whatsoever (including any Act of Parliament) regulating the constitution, endowments, or functions of the University or college and may enable emergency statutes relating to such matters as may be specified in the Order to continue in operation notwithstanding the expiry of this Act until any date not later than one year after that expiry.

(2) In the application of this section to the University of London, references to a college in the University shall be construed as including references to a school of the University.

(3) This section shall not apply with respect to the University of Oxford or the University of Cambridge or any college in either of those Universities.

Date of operation, variation and revocation of instruments issued under Act.

4.—(1) Any direction given in pursuance of the powers conferred under section one of this Act, and any Order in Council made under section two of this Act, shall, if the direction or Order so provides, have effect as from such date as may be specified therein, not being a date earlier than the first day of September nineteen hundred and thirty-nine; and any Order in Council made under section three of this Act providing for the making of emergency statutes may enable such statutes to be made so as to have effect as from such date as may be allowed by the Order in Council, not being a date earlier than the said first day of September.

(2) Any direction given in pursuance of the powers conferred under section one of this Act, and any Order in Council made under the powers conferred by this Act, may be varied or revoked by a subsequent direction or Order made in like manner.

Savings.

5. The powers conferred by this Act shall not be exercised with respect to the corporation of any city or borough, or the council of any county, county borough, county district or rural parish, or with respect to the British Broadcasting Corporation; or, save as otherwise expressly provided by the last two foregoing sections, with respect to any University, University college or college in a University.

Orders in Council to be laid before Parliament.

6.—(1) Every Order in Council made under this Act shall be laid before Parliament as soon as may be after it is made, and if either House of Parliament, within the next twenty-eight days on which that House has sat after such an Order in Council as aforesaid is laid before it, resolves that the Order be annulled, the Order shall thereupon cease to have effect except as respects things previously done or omitted to be done, without prejudice, however, to the making of a new Order.

56 & 57 Vict. c. 66.

(2) Section one of the Rules Publication Act, 1893, shall not apply to any Order in Council made under this Act.

Application to Scotland.

7. In the application of this Act to Scotland, for references to a county borough and to a county district or rural parish there shall be substituted respectively references to a burgh and to a district, and any reference to a statute shall include a reference to an ordinance.

Short title, extent and duration.

8.—(1) This Act may be cited as the Chartered and Other Bodies (Temporary Provisions) Act, 1939.

(2) It is hereby declared that this Act extends to Northern Ireland so, however, that the powers thereby conferred shall not be exercised with respect to any corporation or body of persons by which functions are exercisable only in Northern Ireland.

(3) This Act shall continue in force until such date as His Majesty may by Order in Council declare to be the date on which the emergency that was the occasion of the passing of this Act came to an end, and shall then expire except as respects things previously done or omitted to be done.

SCHEDULE.

Section 2.

Name of corporation or body.	Act by or under which constitution is regulated.
The Electricity Commissioners.	The Electricity (Supply) Act, 1919.
The British Overseas Airways Corporation.	The British Overseas Airways Act, 1939.

Printed by EYRE AND SPOTTISWOODE LIMITED
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