SUPPLIES AND SERVICES

[NOTE.—For the continuance in force of certain Defence (General) Regulations, and other specified codes of Regulations, after the expiration of the Emergency Powers (Defence) Acts, 1939 to 1945 (Feb. 23, 1946), *see* the Supplies and Services (Transitional Powers) Act, 1945 (9 & 10 Geo. 6. c. 10), and the Orders in Council made thereunder, dated December 20, 1945 (S.R. & O. 1945 (Nos. 1615 to 1630) II, pp. 45-56), and the Supplies and Services (Extended Purposes) Act, 1947 (10 & 11 Geo. 6. c. 55). The Orders in Council schedule the Regulations so continued, with adaptations. The Regulations thus continued are subject to powers of H.M. in Council to revoke them in whole or in part or vary them.

Reprint of Regulations.—A reprint of the Defence (General) Regulations, 1939 (S.R. & O. 1939 (No. 927) I, p. 715), incorporating all current amendments, is periodically prepared in the Office of the Parliamentary Counsel and published by H.M. Stationery Office.

The last Edition (the 18th) revised to January 1, 1948, also includes the other codes of Defence Regulations and the relevant enactments applicable and remaining in force.]

1. *Defence (General) Regulations (Amendments).*

2. *Orders, &c., under Defence Regulations*, p. 22.
3. *Control Schemes Charges*, p. 710.

1. DEFENCE (GENERAL) REGULATIONS (AMENDMENTS)

The Defence Regulations (No. 2) Order, 1949

S.I. 1949/1202
Spent - see
S.I. 1954/1478.

1949 No. 1202

Made - - - -	30*th June*, 1949
Laid before Parliament	1*st July*, 1949
Coming into Operation—	
(*a*) *provisions other than Article* 2 (2)	1*st August*, 1949
(*b*) *Article* 2 (2)	1*st October*, 1949

At the Court at Buckingham Palace, the 30th day of June, 1949.

Present,

The King's Most Excellent Majesty in Council

His Majesty, in pursuance of section three of the Supplies and Services (Transitional Powers) Act, 1945(a), as extended by the Supplies and Services (Extended Purposes) Act, 1947(b), and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered as follows:—

1. Regulation fifty-six A of the Defence (General) Regulations, 1939 (which, relates to the control of building operations) shall be amended as follows:—

(*a*) for references in paragraphs (5) and (6) to the first three paragraphs of the Regulation there shall be substituted references to the first two paragraphs thereof;

(*b*) sub-paragraph (*b*) of paragraph (14) and sub-paragraph (*d*) of paragraph (15) shall be omitted.

(a) 9 & 10 Geo. 6. c. 10. (b) 10 & 11 Geo. 6. c. 55.

2.—(1) Paragraph 7 of Part I of the Sixth Schedule to the Defence (General) Regulations, 1939 (which specifies the Minister of Fuel and Power as the authority for authorising mining or quarrying operations), and paragraph 6 of Part IV of that Schedule (which makes similar provision for Scotland) shall be respectively amended by substituting for the words "mining or quarrying operations" the words "coal mining operations, including the working of open-cast coal".

(2) At the end of the said Part I there shall be added the following paragraph:—

"**8.** The discharge by a council of a county or a county borough of any of their functions under Part IV of the Agriculture Act, 1947, (which relates to smallholdings).	The Minister of Agriculture and Fisheries."

3.—(1) This Order may be cited as the Defence Regulations (No. 2) Order, 1949.

(2) This Order, except paragraph (2) of Article 2 thereof, shall come into operation on the first day of August, nineteen hundred and forty-nine; and the said paragraph (2) of Article 2 shall come into operation on the first day of October, nineteen hundred and forty-nine.

E. C. E. Leadbitter.

EXPLANATORY NOTE

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

Article 1 of this Order makes certain drafting amendments in Regulation 56A of the Defence (General) Regulations, 1939, which relates to the control of building operations. The amendments are consequential on the revocation of paragraph (3) of the Regulation by an earlier Order(**a**).

Paragraph (1) of Article 2 changes the department which controls building and other work to which Regulation 56A applies, when carried out for the purpose of certain mining and quarrying operations. Hitherto the Minister of Fuel and Power has been the authorising authority under paragraph (1) of Regulation 56A in relation to all mining and quarrying operations, but this amendment limits that Minister's powers to coal mining operations. The result will be that building and other work to which the Regulation applies, when carried out for the purpose of other mining and quarrying operations, will have to be licensed by the Minister of Works under paragraph (2) of the Regulation.

Paragraph (2) of Article 2 is an amendment consequential on Part IV of the Agriculture Act, 1947, under which the provision and improvement of buildings by smallholdings authorities require the approval of the Minister of Agriculture and Fisheries. Hitherto, as no other authority has been specified in the Sixth Schedule in relation to those operations, their authorisation has fallen to be dealt with under paragraph 1 of that Schedule by the Minister of Health. This amendment is brought into force by Article 3 on the 1st October, 1949, the appointed day fixed by Order in Council(**b**) for the commencement of Part IV.

(**a**) S.R. & O. 1945 (No. 502) II, p. 9.

(**b**) S.I. 1949 (No. 1201) I, p. 31.