2. DEFENCE REGULATIONS (MODIFICATION)

1952 No. 2091

The Defence Regulations (No. 2) Order, 1952

Made - - - -	*4th December*, 1952
Laid before Parliament	*5th December*, 1952
Coming into Operation	*7th December*, 1952

At the Court at Buckingham Palace, the 4th day of December, 1952

Present,

The Queen's Most Excellent Majesty in Council.

Her 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 the Supplies and Services (Defence Purposes) Act, 1951(c), and continued in force by the Supplies and Services (Continuance) Order, 1951(d), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. The following Regulations of the Defence (General) Regulations, 1939, are hereby revoked, namely:—

Number of Regulation.	*Subject Matter.*
47 BB	Exemption of certain ships from provisions of Merchant Shipping Acts, 1894 to 1940, relating to passenger ships.
54 A	Power to permit nuisances where necessary.
58 AE	Training, etc., of persons employed in coal mines.
60	Safety and welfare of factory workers.
60 H	Modification of medical prescriptions.
62 AA	Penalty for allowing dogs to stray on allotments.
62 B	Suspension of restrictions on keeping pigs, hens and rabbits in Scotland.
66	Delegation of functions of Minister of Agriculture.
68 CA	Restriction on conversion of housing accommodation to use for non-residential purposes.
78	Supplementary provisions as to control of undertakings.

2. In sub-paragraph (*b*) of paragraph (1) of Regulation fifty-four B of the said Regulations (which sub-paragraph specifies the appointment of food control committees, the establishment and carrying on of community feeding centres and the heat treatment of milk as some of the matters with respect to which directions may be given under that Regulation to a local authority), the words " the establishment and carrying on of community feeding centres and the heat treatment of milk " are hereby revoked.

3. The following provisions of Regulation fifty-five of the said Regulations are hereby revoked, namely:—

(*a*) paragraph (1G) (which makes provision for securing that persons offending against certain provisions of the Regulation shall not be tried by a court of summary jurisdiction or, in certain circumstances, by a court of quarter sessions);

(a) 9 & 10 Geo. 6. c. 10. (b) 10 & 11 Geo. 6. c. 55. (c) 14 & 15 Geo. 6. c. 25.
(d) S.I. 1951/2116; 1951 III, p. 27.

(*b*) paragraph (4) (which empowers a competent authority to appoint a controller of an undertaking); and

(*c*) the proviso to paragraph (5), paragraph (5A) and sub-paragraph (*c*) of paragraph (7) (which relate to paragraphs (1G) and (4)).

4. The following provisions and words in Regulation fifty-five AB of the said Regulations are hereby revoked, namely:—

(*a*) paragraph (6) (which makes, in relation to that Regulation, the like provision as is made, in relation to Regulation fifty-five, by paragraph (1G) thereof);

(*b*) the proviso to paragraph (7) (which relates to paragraph (6));

(*c*) in paragraph (9), in sub-paragraph (*a*), the words "and the reference in paragraph (5) to Regulation fifty-five of these Regulations shall include a reference to this Regulation" and, in sub-paragraph (*c*), the words "and the Defence (Recovery of Fines) (Scotland) Regulations, 1942" and the words "of the first-mentioned Regulations" (being words which respectively became of no effect upon the revocation of the said paragraph (5) and the said Regulations of 1942); and

(*d*) in paragraph (10), sub-paragraph (*b*) (which relates to paragraph (6)).

5. The following provision and words in Regulation fifty-six of the said Regulations are hereby revoked, namely:—

(*a*) paragraph (1D) (which authorises the giving of directions and the making of orders under that Regulation in relation to an undertaking notwithstanding that it is being carried on under government control); and

(*b*) in paragraph (6), the words from "and as if in paragraph (1D)" to the end of the paragraph.

6. The following provisions of Regulation fifty-six A of the said Regulations are hereby revoked, namely:—

(*a*) paragraph (6G) (which makes, in relation to that Regulation, the like provision as is made, in relation to Regulation fifty-five, by paragraph (1G) thereof); and

(*b*) in paragraph (14), sub-paragraph (*d*) (which relates to paragraph (6G)).

7. The following words and provisions in Regulation fifty-eight A of the said Regulations (which confers upon the Minister of Labour and National Service powers with respect to the control of employment) are hereby revoked, namely:—

(*a*) in paragraph (4) the words "and the duration and situation of their employment, and for giving effect to the foregoing provisions of this Regulation", sub-paragraphs (*a*), (*b*) and (*c*), in sub-paragraph (*d*) the words "including, in particular, the entry and inspection of premises with a view to securing compliance with directions given under this Regulation", and the words from "and any such provision" to the end of the paragraph;

(*b*) paragraphs (4A), (4B) and (6);

and in paragraph (5) of that Regulation, for the words "and paragraphs (4) and (4A) shall, in their application to Northern Ireland", there shall be substituted the words "and paragraph (4) shall, in its application to Northern Ireland".

8. The following provisions and words in Regulation sixty-two of the said Regulations (which contains provisions with respect to the control of cultivation and the termination of agricultural tenancies) are hereby revoked, namely:—

(*a*) paragraph (1), (1A), (2A), (3), (4B) and (5); and

(*b*) in paragraph (6), in sub-paragraph (*b*), the words "and to section fifty-seven thereof", the word "respectively" and the words "and to section forty-nine thereof", and sub-paragraph (*bb*);

and for paragraph (7) of that Regulation there shall be substituted the following paragraph:—

"(7) This Regulation shall not extend to Northern Ireland".

9. The following provisions of Regulation sixty-two A of the said Regulations are hereby revoked, namely:—

(*a*) sub-paragraph (*c*) of paragraph (1), and paragraph (1A) (which empower a local authority to cultivate land for the purpose of raising thereon a crop of a kind approved by the Minister of Agriculture and Fisheries); and

(*b*) paragraph (4) and sub-paragraph (*d*) of paragraph (5) (which contain adaptations subject to which the provisions aforesaid have effect in their application to Scotland and Northern Ireland).

10.—(1) Regulations sixty-eight A and sixty-eight AA of the said Regulations (which relate to the reconditioning of housing accommodation for agricultural workers and homeless persons in England and Wales) are hereby revoked except in relation to houses in respect of which licences under the first-mentioned Regulation were in force immediately before the date of the coming into operation of this Order.

(2) Regulations sixty-eight B and sixty-eight BB (which relate to the reconditioning of housing accommodation for agricultural workers and homeless persons in Scotland) are hereby revoked except in relation to houses in respect of which licences under the first-mentioned Regulation were in force immediately before the date of the coming into operation of this Order.

11. Regulation sixty-eight CB of the said Regulations (which makes provision for facilitating lettings of parts of dwellings) is hereby revoked except in relation to accommodation registered thereunder immediately before the date of the coming into operation of this Order and accommodation in respect of which an application for the registration thereof under that Regulation has been made before that date.

12. The following words and provisions in Regulation seventy-two of the said Regulations (which modifies the enactments relating to road vehicles and drivers thereof) are hereby revoked, namely:—

(*a*) in paragraph (1) the words "or section seventy-seven" and the words "or by virtue of section ten of the London Hackney Carriages Act, 1843, or by virtue of section eight of the Metropolitan Public Carriage Act, 1869, as amended, extended or applied by, or by any order made under, any subsequent enactment"; and

(*b*) paragraph (1A).

13. In sub-paragraph (*c*) of paragraph (1) of Regulation eighty-five of the said Regulations (which empowers a person authorised by a competent authority to pass over any land for any purpose connected with the exercise

of powers conferred by or under Regulation fifty, fifty-one or sixty-two or those Regulations) the words "or Regulation sixty-two" are hereby revoked.

14. In paragraph (1) of Regulation ninety of the said Regulations (which penalizes a person who attempts to commit, conspires with another to commit or does any act preparatory to the commission of, an offence against any of those Regulations), the words "or does any act preparatory to the commission of" are hereby revoked.

15. In paragraph (1A) of Regulation ninety-three of the said Regulations the words "(including any provision requiring the consent of the Attorney General)" (being words which have ceased to have effect otherwise than by way of express revocation) are hereby revoked.

16. Paragraphs (2), (3) and (4) of Regulation ninety-nine of the said Regulations (which relate to the exercise of powers of the Attorney General and a chief officer of police) are hereby revoked.

17. The following provisions of Regulation one hundred of the said Regulations (which, by reason of the revocation of provisions of other Regulations have become of no effect) are hereby revoked, namely:—

(*a*) in paragraph (1), the definitions of "chief officer of police", "the enemy", "enemy alien", "evacuation plan", "fire brigade", "fish", "foreign-going ship", "home-trade ship", "immigration officer", "prisoner of war", "protected place", "road vehicle", "seaplane", "wireless transmitting apparatus" and "wireless receiving apparatus"; and

(*b*) paragraphs (1A) and (4).

18. Paragraph (2A) of Regulation one hundred and one of the said Regulations (which by reason aforesaid has become of no effect) is hereby revoked.

19. Paragraphs (5) and (6A) of Regulation one hundred and two of the said Regulations (which by reason aforesaid have become of no effect) are hereby revoked.

20. In the Third Schedule to the said Regulations (which relates to the manner in which proceedings may be instituted in respect of offences against the provisions of the Regulations therein mentioned), the words "Regulation 47BB" are hereby revoked.

21. The Defence (Encouragement of Exports) Regulations, 1940, are hereby revoked.

22. The following words and provisions in the Defence (Price Control) Regulations, 1945, are hereby revoked, namely:—

(*a*) in Regulation six, in paragraph (4), the words from "and the Defence (Recovery of Fines) (Scotland) Regulations, 1942, shall have effect" to the end of the paragraph (being words which became of no effect upon the revocation of the said Regulations of 1942); and

(*b*) paragraph (6) of Regulation six (which makes, in relation to those Regulations, the like provision as is made, in relation to Regulation fifty-five of the Defence (General) Regulations, 1939, by paragraph (1G) thereof) and paragraph (*a*) of Regulation eighteen and Regulation nineteen (which relate to the said paragraph (6)).

23. The following words and provision in the Defence (Recovery of Fines) Regulations, 1942 (which, by reason of the revocation of other provisions, have become of no effect), are hereby revoked, namely:—

(*a*) in Regulation twelve, the words "subject to the provisions of Regulation five of these Regulations"; and

(*b*) in Regulation fourteen:—

(i) in the definition of "sentenced to a large fine", the word "whether" and the words "or on conviction on indictment";

(ii) paragraph (i) of the definition of "sum sentenced to be paid".

24. This Order may be cited as the Defence Regulations (No. 2) Order, 1952, and shall come into operation on the seventh day of December, nineteen hundred and fifty-two.

F. J. Fernau.

1952 No. 2100

The Defence Regulations (No. 4) Order, 1952

Made - - - -	*4th December,* 1952
Laid before Parliament	*5th December,* 1952
Coming into Operation	*15th December,* 1952

At the Court at Buckingham Palace, the 4th day of December, 1952

Present

The Queen's Most Excellent Majesty in Council,

Her 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 the Supplies and Services (Defence Purposes) Act, 1951(**c**), and continued in force by the Supplies and Services (Continuance) Order, 1951(**d**), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. For sub-paragraph (*b*) of paragraph (2) of Regulation sixty J of the Defence (General) Regulations, 1939 (which enables an order under that Regulation to make provision for directions to the owner of household chattels stored in accordance with such an order, requiring him to remove them from store) there shall be substituted the following sub-paragraph:—

"(*b*) to give notice to the person appearing to a person authorised to act under the order to be entitled to any household chattels stored in accordance with the order that if the chattels are not removed from store within such time, not being less than six months from the giving of the notice, as may be specified therein, the chattels may be disposed of;".

2. At the end of sub-paragraph (*c*) of the said paragraph (2) (which enables an order under the said Regulation sixty J to provide for the disposal of unclaimed household chattels stored in accordance with such an order) there

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(a) 9 & 10 Geo. 6. c. 10. (b) 10 & 11 Geo. 6. c. 55.
(c) 14 & 15 Geo. 6. c. 25. (d) S.I. 1951/2116; 1951 III, p. 27.