EXPLANATORY NOTE

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

This Order amends the Defence (General) Regulations by adding the Minister of Materials:

(1) to the list of competent authorities specified in Regulation 49 (1) for the purposes of Part IV (Essential Supplies and Work), and in Regulations 55 (5) and 55AB (7) for the purposes respectively of control of industry and price control of goods and services; and

(2) to the list of Ministers who may secure the transfer to themselves of the ownership of, or the disposal rights in, chattels outside the United Kingdom (Regulation 53 (3)).

The Defence Regulations (No. 4) Order, 1951

1951 No. 2113

Made - - - -	*4th December*, 1951
Laid before Parliament	*5th December*, 1951
Coming into Operation	*9th December*, 1951

At the Court at Buckingham Palace, the 4th day of December, 1951

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 the Supplies and Services (Defence Purposes) Act, 1951(**c**), and continued in force by the Supplies and Services (Continuance) Order, 1950(**d**), 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. Sub-paragraph (*c*) of paragraph (1) of Regulation fifty-four B of the Defence (General) Regulations, 1939 (which specifies the destruction of pests as one of the matters with respect to which directions may be given under that Regulation to a local authority) is hereby revoked.

2. In paragraph (1E) of Regulation fifty-five of the said Regulations (which paragraph contains provisions as to the amounts of the fines that are to be imposed on persons for certain offences) the words from " (i) in a case where " to " (ii) in any other case ", being words rendered unnecessary in consequence of the revocation of so much of the said Regulation fifty-five as related to price control, are hereby revoked.

3. Regulation sixty-one of the said Regulations (which penalizes persons who trespass on allotments or other agricultural land) is hereby revoked.

(a) 9 & 10 Geo. 6. c. 10. (b) 10 & 11 Geo. 6. c. 55 (c) 14 & 15 Geo. 6. c. 25.
(d) S.I. 1950 (No. 1769) III, p. 51.

4. Regulation sixty-two B of the said Regulations (which suspends restrictions on the keeping of pigs, hens and rabbits on land in Scotland or Northern Ireland), shall cease to have effect as respects land in Northern Ireland, and accordingly,—

(*a*) in paragraph (1), for the words from the beginning to " the occupier of any land " there shall be substituted the words " Notwithstanding any provision to the contrary in any lease or tenancy or in any covenant, contract or undertaking relating to the use to be made of any land in Scotland, and notwithstanding any restriction imposed by or under any enactment or any requirement imposed by or under any enactment or by virtue of the common law as to the presentation of a petition to a dean of guild court or to any body exercising the functions of a dean of guild court, it shall be lawful for the occupier of any such land " ;

(*b*) paragraphs (2A), (3) and (4) are hereby revoked.

5. Regulation sixty-eight of the said Regulations (which empowers certain Ministers to make provision by order for regulating and restricting the felling of trees, and the sale of growing trees for felling) shall cease to have effect except as respects trees in Northern Ireland, and accordingly—

(*a*) in paragraph (1), for the words " Without prejudice to their powers under any other of these Regulations, the Ministers may by order provide " there shall be substituted the words " Without prejudice to his powers under any other of these Regulations, the Secretary of State may, as respects Northern Ireland, by order provide " ;

(*b*) in paragraph (2) for the words " the part of the United Kingdom concerned " there shall be substituted the words " Northern Ireland " ;

(*c*) in paragraph (3), for the words " the appropriate Minister " and the words " the Minister ", in each place where they occur, there shall be substituted the words " the Secretary of State ", and after the words " any growing trees " there shall be inserted the words " in Northern Ireland " ; and

(*d*) paragraphs (4) and (5) are hereby revoked.

6. Paragraph (1A) of Regulation seventy of the said Regulations (which paragraph empowers the Minister of Transport by order to provide for the regulation of traffic on canals and inland navigations) is hereby revoked.

7. In paragraph (1) of Regulation eighty-eight A of the said Regulations (which provides for the entry and search of premises to obtain evidence of offences against Regulation fifty-five or fifty-five AB of those Regulations or against the Defence (Finance) Regulations, 1939), the words " or against the Defence (Finance) Regulations, 1939 " are hereby revoked.

8. This Order may be cited as the Defence Regulations (No. 4) Order, 1951, and shall come into operation on the ninth day of December, 1951.

F. J. Fernau.