The Defence Regulations (No. 6) Order, 1948

1948 No. 1329

Made - - - -	*22nd June*, 1948
Laid before Parliament	*22nd June*, 1948
Coming into Operation	*1st July*, 1948

At the Court at Buckingham Palace, the 22nd day of June, 1948

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.—(1) The Sixth Schedule to the Defence (General) Regulations, 1939(c) (which determines the authorities who may authorise certain building and other operations) shall be amended in accordance with the following provisions of this Article.

(2) In Part I of the said Sixth Schedule for paragraphs 3 and 4, there shall be substituted the following paragraphs:—

" 3. The discharge by a local education authority of any of their functions.	The Minister of Education.
4. The discharge by the managers or governors of a voluntary school of functions vested in them as such managers or governors.	The Minister of Education."

(3) In the said Part I, in paragraph 6. in the second column for the words " The Electricity Commissioners " there shall be substituted the words " The Minister of Fuel and Power ".

(4) In Part IV of the said Schedule paragraph 2 (both columns) shall be revoked and for sub-paragraph (*a*) of paragraph 5 there shall be substituted the following sub-paragraph:—

" (*a*) (i) An undertaking for the supply of electricity in the North of Scotland District as for the time being existing for the purposes of the Electricity Act, 1947.	The Secretary of State.
(ii) An undertaking for the supply of electricity in any other part of Scotland.	The Minister of Fuel and Power."

2. Any operation authorised by the Electricity Commissioners before the coming into operation of this Order shall be treated for the purposes of Regulation fifty-six A of the Defence (General) Regulations (which makes unlawful the execution of certain building and other operations which has not been duly authorised) as respects the period after the coming into operation of this Order as having been authorised by the Minister of Fuel and Power or the Secretary of State for Scotland, as the case may be.

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

(c) *See* Note, p. 15 above.

3.—(1) This Order may be cited as the Defence Regulations (No. 6) Order, 1948.

(2) This Order shall come into operation on the 1st day of July, 1948.

E. C. E. Leadbitter.

EXPLANATORY NOTE

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

Paragraph (1) of Regulation 56A of the Defence (General) Regulations, 1939, provides that building and other operations of the kinds set out in Part II of the Sixth Schedule to those Regulations, when carried out for any of the purposes set out in the first column of Part I of that Schedule, shall require the authority of the Government department or other body set out in the second column of Part I. Part IV of the Schedule contains provisions which apply in Scotland and correspond to those of Part I.

Article 1 of this Order amends Parts I and IV of the Schedule.

Paragraphs 3 and 4 of Part I of the Schedule provide that building for certain educational purposes shall require the authority of the Minister of Education. Article 1 (2) of this Order brings the language of those paragraphs into conformity with the terms of the Education Act, 1944.

Paragraph 6 of Part I of the Schedule provides that building by electricity undertakers shall require the authority of the Electricity Commissioners. Article 1 (3) of this Order transfers their functions under that paragraph to the Minister of Fuel and Power.

Paragraphs 2 and 5 (*a*) of Part IV of the Schedule provide that building by electricity undertakers in Scotland shall require the authority of the Electricity Commissioners. Paragraph 2 of Part IV of the Schedule deals with electricity undertakings in the hands of local authorities. These undertakings have been taken away from local authorities under the Electricity Act, 1947. The paragraph is accordingly now unnecessary, and is revoked by Article 1 (4) of this Order. Article 1 (4) of this Order also transfers the functions of the Electricity Commissioners under paragraph 5 (*a*) of Part IV of the Schedule to the Minister of Fuel and Power, except in the district of the North of Scotland Hydro-Electric Board, where their functions are to be exercised by the Secretary of State for Scotland.

Article 2 of this Order contains transitional provisions consequential on Articles 1 (3) and 1 (4) of the Order.

The Defence Regulations (No. 8) Order, 1948

1948 No. 2343 (S. 190)

Made - - - -	*25th October,* 1948
Laid before Parliament	*25th October,* 1948
Coming into Operation	*1st November,* 1948

At the Court at Buckingham Palace, the 25th day of October, 1948

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

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.