(18) ELECTRICITY

The Electric Lighting (Restriction) Order, 1949

1949 No. 633

Made - - - - 31*st March*, 1949
Laid before Parliament 31*st March*, 1949
Coming into Operation, noon, 2nd April, 1949

The Minister of Fuel and Power (in this order referred to as "the Minister") in pursuance of regulations fifty-five, fifty-five AA, fifty-six and ninety-eight of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945,(a) as extended by the Supplies and Services (Extended Purposes) Act, 1947,(b) hereby makes the following order:—

Restriction on use of electricity for advertisement.

1.—(1) During the periods in any year respectively before the first Saturday in April and after the first Saturday in October, no person shall between the hours of seven in the forenoon and seven in the afternoon on any day of the week other than Saturday or Sunday cause or allow the use for the purpose of advertisement in the course of any business of any lighting fitting which occasions the use of electricity supplied by an Electricity Board, unless that first mentioned use is authorised by a licence granted by the Minister under this order.

(2) For the purposes of this article the expression "advertisement" shall be construed as including the display of any article in the course of any business.

(3) Nothing in the foregoing paragraphs shall restrict the use at any time—

(*a*) of electricity obtained from a storage battery not charged at a time prohibited under paragraph (1);

(*b*) of electricity used in a theatre or cinema duly licensed as such for the purpose of projecting any film or slide on to a screen.

Restriction on power of electric lamps used in certain places.

2.—(1) During the periods and between the hours specified in the foregoing article, no person shall, with respect to any building or structure, or part of a building or structure, used as a shop, hotel, restaurant, place of entertainment or sport, or meeting place, cause or allow the use directly or indirectly for the purpose of illumination of any electricity otherwise than by means of lamps whereby the aggregate power used does not exceed, for each square foot of the area for the time being illuminated (within the meaning of the following paragraph),—

(*a*) in the case of any sale room, restaurant or kitchen in a shop, and any dining room, kitchen or public room in a hotel or restaurant, one and one half watts, or

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(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1618 and 1625) II, pp. 48 and 56.
(b) 10 & 11 Geo. 6. c. 55.

(*b*) in any other case, one watt,

unless that use is authorised by a licence granted by the Minister under this order:

Provided that nothing in this paragraph shall restrict the use of electricity—

(i) to illuminate any stage;

(ii) for projector lighting; or

(iii) in any part of a shop used as a work room.

(2) For the purposes of the foregoing paragraph, the area for the time being illuminated—

(*a*) shall be ascertained by measurements in a horizontal plane of the aggregate area of the floor, and of any platform, gallery or balcony normally used in connection therewith, so illuminated;

(*b*) in the case of a room or space enclosed by walls or partitions of any material whatsoever, whether or not any such wall or partition contains any aperture or movable partition, shall exclude any room or space beyond the said walls or partitions notwithstanding that that room or space is in whole or in part illuminated by a lamp situate in the first mentioned room or space; and

(*c*) in the case of a stall in a covered or uncovered market in which there is no general lighting, shall include, in addition to the area occupied by the holder of the stall, so much of any passage way (over which the public normally pass) between that area and the area occupied by the holder of an adjacent stall as is equal in width to three feet or to half the width of the passage, whichever is the less.

Provisions concerning licences.

3.—(1) Every person applying for any licence under this order shall furnish all such information as may be required by the Minister with respect to that application.

(2) Any licence granted under this order may relate to persons, areas, types of lamp or fitting, or other matters, either generally or in particular or by reference to any class or description of any of them.

(3) The Minister may vary or revoke any licence granted under this order.

Interpretation.

4. In this order—

(*a*) the expression "place of entertainment or sport" means any theatre, cinema, concert hall, dance hall, fun fair or other place normally used for any entertainment or sport;

(*b*) the expression "meeting place" means any building or structure used for public meetings, whether or not the public are present at the relevant time, not being—

(i) a museum, picture gallery, hospital, or school or other educational institution, or

(ii) a place to which sub-paragraph (*a*) applies.

Revocation.

5.—(1) The Control of Fuel (No. 3) Order, 1942,(a) as amended by the Control of Fuel Order, 1943,(b) and the Control of Fuel Order, 1948,(c), is hereby revoked.

(a) S.R. & O. 1942 (No. 2510) II, p. 1662.
(b) S.R. & O. 1943 (No. 218) II, p. 1595.
(c) S.I. 1948 No. 1078.

(2) Any licence or permit granted under the order aforesaid, or under any direction given thereunder, in operation at the coming into operation of this order, shall, in so far as it authorises anything which, unless authorised by a licence granted by the Minister, is prohibited under this order, be deemed to be such a licence and, subject to any terms or conditions contained therein, shall have effect accordingly.

Commencement, citation and extent.

6.—(1) This order shall come into operation at noon on the second day of April, nineteen hundred and forty-nine, and may be cited as the Electric Lighting (Restriction) Order, 1949.

(2) This order shall not extend to Northern Ireland.

Dated this thirty-first day of March, nineteen hundred and forty-nine.

Hugh Gaitskell,
Minister of Fuel and Power.

EXPLANATORY NOTE

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

This order revokes the Control of Fuel (No. 3) Order, 1942, and replaces it by a restriction on the use during the winter (first Saturday in October to first Saturday in April) between 7.0 a.m. and 7.0 p.m. on any day of the week except Saturday or Sunday for the purposes of advertisement of electric lights using electricity supplied by an Electricity Board.

The order also imposes during that period and between those hours the same restrictions on the wattage of electric lamps used in shops, hotels, restaurants, places of entertainment and sport and meeting places as were imposed by the General Directions (Standard of Lighting) given under the revoked order.

For these purposes licences and permits granted under the revoked order or under those General Directions, are, to the extent that they authorise what is restricted under the new order, deemed to be licences granted under the new order.

General Directions, given under the revoked order, which now cease to have effect are:—

(*a*) General Direction (Standard of Lighting) No. 1 (S.R. & O. 1943 (No. 1210) II, p. 1603) as amended by General Direction (Standard of Lighting) No. 2 (S.R. & O. 1944 (No. 234) II, p. 1203);

(*b*) General Direction (Central Heating and Hot Water Plants) No. 1 (S.R. & O. 1943 (No. 451) II, p. 1596) as amended by the Control of Fuel (Restriction of Heating) Order, 1947 (S.R. & O. 1947 No. 765);

(*c*) General Direction (Glasshouse Heating) No. 2 (S.R. & O. 1943 (No. 1743) II, p. 1601) as amended by General Direction (Glass-House Heating) No. 3 (S.R. & O. 1945 (No. 1291) II, p. 1061).