the expression "the appropriate fire authority" in relation to an authority for the purposes of the Act of 1938 means the fire authority for the area including the area of that authority.

11.—(1) These Regulations may be cited as the Fire Services (Transfer of Property) Regulations, 1948, and shall come into operation on the fifteenth day of March, 1948.

(2) These Regulations shall not extend to Scotland.

J. Chuter Ede,
One of His Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
8th March, 1948.

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

These Regulations provide for the transfer to the appropriate new fire authorities of land and other property used for National Fire Service purposes and of rights and liabilities incurred on behalf of His Majesty for those purposes, unless, in any case, notice to the contrary is given before the appointed day. Where property used for those purposes is vested in a former fire authority which will not become a new fire authority on that day, that authority is given a right to retain it by agreement in certain cases subject to user by the appropriate new fire authority. The Regulations further provide for the carrying on by new fire authorities of certain arrangements whereunder payments have been made on behalf of the Crown to former fire authorities, and for new fire authorities to reimburse to such former authorities the amount of payments in respect of interest and redemption charges on moneys borrowed for fire-fighting purposes.

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(2) SCOTLAND

The Fire Services (Transfer of Property) (Scotland) Regulations, 1948

1948 No. 943 (S. 66)

Made - - - -	*1st May*, 1948
Laid before Parliament	*4th May*, 1948
Coming into Operation	*5th May*, 1948

In exercise of the powers conferred on me by paragraphs 3, 7, 8 and 9 of the Fifth Schedule to the Fire Services Act, 1947(a), I hereby make the following Regulations:—

1.—(1) These Regulations may be cited as the Fire Services (Transfer of Property) (Scotland) Regulations, 1948, and shall come into operation on the fifth day of May, 1948.

(2) These Regulations shall extend to Scotland only.

(a) 10 & 11 Geo. 7. c. 41.

2.—(1) The Interpretation Act, 1889(a), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(2) In these Regulations—

the expression " authority for the purposes of the Act of 1938 " means an authority which is a fire authority within the meaning of the said Act;

the expression " the Act of 1938 " means the Fire Brigades Act, 1938(b);

the expression " the Act of 1947 " means the Fire Services Act, 1947(c);

the expression " fire authority " means the council of a county or a large burgh and does not include a joint committee of members of fire authorities; and

the expression " the appropriate fire authority " in relation to an authority for the purposes of the Act of 1938 means the fire authority for the area including the area of that authority.

3. Subject to the provisions of Regulation 6 of these Regulations, all property vested immediately before the appointed day on behalf of His Majesty for the purposes of the National Fire Service, and all rights and liabilities in relation to the said property enjoyed or incurred on behalf of His Majesty for the said purposes and existing immediately before the said day shall, on the said day, by virtue of this Regulation, be transferred to the fire authority for the area in which the said property is situated:

Provided that nothing in this Regulation shall operate to transfer any property, or any rights or liabilities in relation to property, as respects which notification has been given before the appointed day on behalf of the Secretary of State to the authority which will on the said day become the fire authority for the area in which the said property is situated that the property, or, as the case may be, the rights or liabilities, shall not be transferred to that authority.

4.—(1) Subject to the provisions of this Regulation, all property which, immediately before the appointed day, is used on behalf of His Majesty for the purposes of the National Fire Service, being property vested in an authority for the purposes of the Act of 1938 which does not on the said day become a fire authority shall, by virtue of this Regulation, be vested in the appropriate fire authority:

Provided that nothing in this Regulation shall operate to vest in the appropriate fire authority any property as respects which that authority has, within a period of three months after the appointed day, notified the authority for the purposes of the Act of 1938 in which the property is vested that it should remain vested in the said last-mentioned authority.

(2) Notwithstanding anything in paragraph (1) of this Regulation, where within a period of three months after the appointed day it is agreed between an authority for the purposes of the Act of 1938 and the appropriate fire authority in relation to any property used on behalf of His Majesty for the purposes of the National Fire Service but vested in the said authority for the purposes of the Act of 1938 either—

(*a*) that the property cannot conveniently be severed from other property, whether or not forming part of the same building, and that, having regard to the nature of the whole premises and the uses to which they are put, it is expedient that the said property should remain vested in the authority for the purposes of the Act of 1938, or

(a) 52 & 53 Vict. c. 63. (b) 1 & 2 Geo. 6. c. 72.
(c) 10 & 11 Geo. 6. c. 41.

(*b*) that immediately before the property was first used on behalf of His Majesty as aforesaid it was not intended by the authority for the purposes of the Act of 1938 that it should permanently be appropriated for the purposes of their functions under the Act of 1938 and that by reason thereof it is expedient that the said property should remain vested as aforesaid,

the said property shall not be deemed to have been vested on the appointed day in the appropriate fire authority, but may from the said day be used by the joint committee of members of fire authorities for the area including the area of the appropriate fire authority for the purposes of their functions under the Act of 1947 on such terms (including terms as to payments) as may be agreed between the authority for the purposes of the Act of 1938 and the joint committee.

(3) In default of agreement on any matter arising under paragraph (2) of this Regulation between an authority for the purposes of the Act of 1938 and the appropriate fire authority, or, as the case may be, a joint committee of members of fire authorities, the question shall be referred to, and determined by, the Secretary of State; and in the said paragraph (2) references to any matter being agreed between any two such authorities, and to an agreement between any two such authorities, or between an authority for the purposes of the Act of 1938 and a joint committee, shall be construed respectively as including references to that matter being determined by the Secretary of State and to a determination by him.

5. Subject to the provisions of Regulation 6 of these Regulations, all rights and liabilities, other than rights and liabilities transferred to a fire authority by virtue of any of the foregoing Regulations, enjoyed or incurred on behalf of His Majesty for the purposes of the National Fire Service in connection with the performance of the functions of the said Service within an area which will on the appointed day become the area of a fire authority and existing immediately before the said day, shall, on the said day, by virtue of this Regulation, be transferred to that fire authority.

6. Nothing in these Regulations shall operate to transfer any right or liability arising out of anything done on behalf of His Majesty in the exercise of emergency powers for the purposes of the Compensation (Defence) Act, 1939(a), as subsequently amended.

7. In the case of any transfer under these Regulations to a fire authority of a right or liability, being a right or liability to receive or pay—

(*a*) any sum in respect of goods supplied or work done, there shall be transferred a right to receive or a liability to pay only so much of the sum as represents goods supplied or work done on or after the date of the transfer, whenever the sum falls due or is paid,

(*b*) any sum in respect of rent, rates, insurance premiums, or other periodical payments (not being payments in respect of goods supplied or work done), the sum shall be deemed to accrue due from day to day, and there shall be transferred a right to receive or a liability to pay only so much of the sum as accrues due accordingly on or after the date of the transfer.

8. Where immediately before the appointed day there are in existence arrangements entered into on behalf of the Crown for the purposes of the National Fire Service whereunder payments are made by or on behalf of the Crown to an authority for the purposes of the Act of 1938 which does not on

(a) 2 & 3 Geo. 6. c. 75.

the said day become a fire authority, being payments in respect of something done by that authority in pursuance of a direction given to them under the Fire Services (Emergency Provisions) Act, 1941(a), the arrangements shall, on and after the said day, instead of being carried on by the Crown, be carried on by the appropriate fire authority on the same terms, and for the same period, as provided for in the arrangements before the said day, unless it is at any time otherwise agreed between the two said authorities, and the said fire authority shall make the payments under the arrangements accordingly.

9.—(1) Where an authority for the purposes of the Act of 1938 which does not on the appointed day become a fire authority is on or after the said day liable to make payments in respect of interest or redemption charges on moneys borrowed for fire-fighting purposes or in connection with property which by virtue of sub-paragraph (2) of paragraph 8 of the Fifth Schedule to the Act of 1947 becomes vested in the appropriate fire authority, the said fire authority shall reimburse to the said authority for the purposes of the Act of 1938 the amount of the payments:

Provided that nothing in this Regulation shall apply in relation to moneys borrowed by an authority for the purposes of the Act of 1938 in connection with property which by virtue of paragraph (2) or (3) of Regulation 2 of these Regulations does not become vested in a fire authority.

(2) For the purposes of this Regulation a liability to make payments in respect of interest and redemption charges shall be deemed to accrue from day to day.

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
1st May, 1948.

EXPLANATORY NOTE

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

These Regulations provide for the transfer to the appropriate new fire authorities of property used for National Fire Service purposes and of rights and liabilities incurred on behalf of His Majesty for those purposes, unless, in any case, notice to the contrary is given before the appointed day. Where property used for those purposes is vested in a former fire authority which will not become a new fire authority on that day, that authority is given a right to retain it by agreement in certain cases subject to user by the appropriate joint committee of members of fire authorities. The Regulations further provide for the carrying on by new fire authorities of certain arrangements whereunder payments have been made on behalf of the Crown to former fire authorities, and for new fire authorities to reimburse to such former authorities the amount of payments in respect of interest and redemption charges on moneys borrowed for fire-fighting purposes.

(a) 4 & 5 Geo. 6. c. 22.

FISHERIES

[*See* also Class 10 of the Classified List of Local Instruments printed at the end of this volume.]

1. *Sea Fishing.* | 2. *Whaling Industry*, p. 1198.

1. SEA FISHING

The Sea-Fishing Industry (Immature Sea-Fish) Order, 1948

1948 No. 1480

Made - - - - 23*rd June*, 1948
Laid before Parliament 1*st July*, 1948
Coming into Operation 1*st August*, 1948

The Minister of Agriculture and Fisheries and the Secretary of State for Scotland in pursuance of Section 4 of the Sea-Fishing Industry Act, 1933, as amended by Section 38 of the Sea Fish Industry Act, 1938, hereby order as follows:— 23 & 24 Geo. 5. c. 45.

1. No person shall in Great Britain land, sell, expose or offer for sale, or have in his possession for the purpose of sale, any sea-fish of the following descriptions of less than the following measurements, that is to say:— 1 & 2 Geo. 6. c. 30.

Fish	Size limit for whole fish measured from tip of snout to extreme end of tail fin
	Inches long
Cod (Gadus Calarias)	12
Haddock (Gadus Aeglefinus)	11
Hake (Merluccius merluccius)	12
Plaice (Pleuronectes platessa)	10
Witches (Glyptocephalus cynoglossus)	11½
Lemon soles (Microstomus kitt)	10
Soles (Solea solea)	9½
Turbot (Scophthalmus maximus)	12
Brill (Scophthalmus rhombus)	12
Megrims (Lepidorhombus whiff)	10
Whitings (Gadus merlangus)	8
Dabs (Pleuronectes limanda)	8

2. This Order shall come into operation on the first day of August, 1948, and may be cited as the Sea-Fishing Industry (Immature Sea-Fish) Order, 1948.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this 19th day of June, 1948.

(L.S.) *T. Williams.*

Given under the Seal of the Secretary of State for Scotland this 23rd day of June, 1948.

(L.S.) *Arthur Woodburn.*

EXPLANATORY NOTE

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

This Order prohibits the landing, sale or possession for sale in Great Britain of immature sea-fish of the descriptions specified in the Order and prescribes the minimum sizes below which the Order applies.