1975 No. 323

CONTROL OF FUEL AND ELECTRICITY

Fuel Control (Modification of Enactments) (Speed Limits) Order (Northern Ireland) 1975

Made . . . . . 21*st November* 1975

Coming into operation . . . 1*st December* 1975

The Department of the Environment (in this Order referred to as "the Department") in exercise of the powers conferred by section 4(3A) of the Fuel and Electricity (Control) Act 1973(a) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Fuel Control (Modification of Enactments) (Speed Limits) Order (Northern Ireland) 1975 and shall come into operation on 1st December 1975.

(2) In this Order—

"the Act of 1970" means the Road Traffic Act (Northern Ireland) 1970(b);

"fuel" means a substance to which the Fuel and Electricity (Control) Act 1973 applies.

Revocation

2. The Fuel Control (Modification of Enactments) (Speed Limits) Order (Northern Ireland) 1974(c) is hereby revoked.

Modifications of the Act of 1970

3.—(1) The power of the Department under section 44 of the Act of 1970 to impose temporary speed limits on roads where it is satisfied that it is desirable to do so in the interests of safety or for the purpose of facilitating the movement of traffic shall be exercisable also where it is satisfied that it is desirable to do so in the interests of regulating the use of fuel.

(2) Where the Department exercises its power under section 44 of the Act of 1970 in the interests of regulating the use of fuel that section shall have effect as if—

(*a*) in subsection (1)—

(i) the requirement for the giving of public notice by the Department of its intention to impose a temporary speed limit did not apply, and

(ii) the reference to a period not exceeding four months was a reference to a period not exceding twelve months;

(*b*) subsection (4) were omitted therefrom; and

(*c*) in subsection (5) the words "made subject to the affirmative resolution" were omitted therefrom.

(a) 1973 c. 67, as modified by S.I. 1973/2090 (1973 III, p. 7238) and *see* 1973 c. 36 Sch. 5 Art. 8(2)
(b) 1970 c. 2 (N.I.)
(c) S.R. 1974 No. 310

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 21st November 1975.

(L.S.) *John F. Irvine*
Deputy Secretary

EXPLANATORY NOTE

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

This Order extends the power of the Department of the Environment for Northern Ireland under section 44 of the Road Traffic Act (Northern Ireland) 1970 to impose temporary speed limits in the interest of regulating the use of fuel and it—

(*a*) excludes the requirement to give public notice of the intention to do so;

(*b*) extends to twelve months the period during which the temporary limits may be operative; and

(*c*) removes the restriction on extending the period during which the temporary limits may remain in force and enables continuing orders to be made subject to negative resolution.