GAS

[*See* also Class 6 of the Classified List of Local Instruments printed at the end of this volume, and Index to Vol. II for Instruments made under the Defence Regulations.]

1. Nationalisation. | *2. Orders, &c., under the Gas Regulation Act, 1920, p.* 1384.

1. NATIONALISATION

(1) *Area Boards and Gas Council.*
(2) *Notices*, p. 1374.
(3) *Stockholders' Representative*, p. 1376.

(1) AREA BOARDS AND GAS COUNCIL

The Gas (Area Boards and Gas Council) Regulations, 1948

1948 No. 2233

Made - - - - - *4th October*, 1948
Laid before Parliament *5th October*, 1948
Coming into Operation *18th October*, 1948

The Minister of Fuel and Power (in these Regulations referred to as "the Minister") in exercise of the powers conferred upon him by section five of the Gas Act, 1948 (in these Regulations referred to as "the Act"), and of all other powers him enabling, hereby makes the following Regulations:—

11 & 12 Geo. 6. c. 67.

Appointment and tenure of office.

1.—(1) Subject to the provisions of the Act and of these Regulations, the appointment of a member—

(*a*) of an Area Board, being a member appointed by the Minister in pursuance of paragraph (*a*) of subsection (2) of section five of the Act, and

(*b*) of the Gas Council, being a member appointed by the Minister in pursuance of paragraph (*a*) of subsection (4) of that section,

shall be for such term not exceeding five years as may be determined by the Minister before the appointment of such member, and upon such conditions as may be determined by the Minister, with the approval of the Treasury, either before the appointment of such member or, with his consent, at any time thereafter.

(2) Any such member as aforesaid shall be eligible for reappointment.

Disclosure of certain information to Minister.

2.—(1) Every member of an Area Board or of the Gas Council shall forthwith disclose to the Minister full particulars of:—

(*a*) any interest or securities in any undertaking carrying on a business similar to that at any time carried on by that Board or Council which he, whether in his own name or in the name of a nominee, for his own benefit holds or acquires or to which he is or becomes entitled for his own benefit under any will or succession;

(*b*) any trade or business in which he is or becomes engaged;

(*c*) any appointment by virtue of which he is or becomes a director or officer of any body corporate or an officer or servant of any organisation of workpeople.

(2) Any such member as aforesaid shall at any time, if so required by the Minister, sell or dispose of any interest or securities disclosed by him in pursuance of sub-paragraph (*a*) of the preceding paragraph to such extent and within such period as the Minister may direct.

(3) In this regulation the expression " securities " includes shares, stock, debentures and debenture stock.

Disclosure of interest in contracts to Board or Council.

3.—(1) Every member of an Area Board or of the Gas Council who is in any way, whether directly or indirectly, interested in any contract made or proposed to be made by that Board or Council shall disclose the nature of his interest at a meeting of that Board or Council and the disclosure shall forthwith be recorded in the minutes of that Board or Council; and such member shall not take part in any deliberation or decision of that Board or Council with respect to that contract.

(2) A general notice given by a member of an Area Board or of the Gas Council to the effect that he is a member of a specified company or firm, and is to be regarded as interested in any contract which may, after the date of the notice, be made with that company or firm shall, for the purposes of the preceding paragraph, be deemed to be a sufficient disclosure of the nature of his interest in relation to any contract made or proposed to be made as therein mentioned.

Vacation of office.

4.—(1) If any member of an Area Board or of the Gas Council mentioned in regulation one hereof—

(*a*) is absent from meetings of the Board or Council for more than six months consecutively except for some reason approved by the Minister,

(*b*) becomes in the opinion of the Minister unfit to continue in office or incapable of performing his duties, or

(*c*) at any time, after being notified of the Minister's disapproval thereof, either is engaged in any trade or business or holds any such appointment as is mentioned in sub-paragraph (*c*) of paragraph (1) of regulation two of these Regulations,

the Minister may declare the office of that member to be vacant and notify the fact in such manner as the Minister thinks fit; and thereupon that office shall become vacant.

(2) Any member of an Area Board or the Gas Council mentioned in regulation one hereof may resign his office by giving not less than three months' notice in writing to the Minister.

Quorum.

5.—(1) No meeting of an Area Board shall be held unless the chairman or the deputy chairman is present or, if neither of them is available, unless one of them has approved in writing of such a meeting being held. At any meeting of a Board four shall be a quorum.

(2) No meeting of the Gas Council shall be held unless the chairman or the deputy chairman is present or, if neither of them is available, unless one of them has approved in writing of such a meeting being held. At any meeting of the Council eight shall be a quorum.

Determinations.

6. Every determination of an Area Board or of the Gas Council at any meeting of the Board or Council shall be taken by the votes of the members of that Board or Council present and voting or, in the case of difference between them, of the majority of such members; if the votes of such members are equally divided, the person acting as chairman of the meeting shall have a second or casting vote.

Minutes.

7. Minutes shall be kept of the proceedings of Area Boards and of the Gas Council and any such minutes shall, if signed by a person purporting to have acted as chairman of the meeting to which the minutes relate, or of a meeting at which they were read, be evidence of those proceedings; and a meeting to which any such minutes relate shall, unless the contrary is proved, be deemed to have been regularly convened and constituted.

Deputies at meetings of Gas Council.

8. For the purposes of regulation three, paragraph (2) of regulation five and regulation six hereof, the deputy chairman of an Area Board attending a meeting of the Gas Council in pursuance of the proviso to subsection (4) of section five of the Act shall at that meeting be deemed to be a member of the Gas Council.

Validity of acts done at meetings of Boards and the Council.

9.—(1) Any Area Board and the Gas Council shall have the power to act notwithstanding a vacancy among the members thereof.

(2) All acts done at any meeting of an Area Board or of the Gas Council shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of a person purporting to be a member of that Board or Council, be valid as if that defect had not existed.

Authentication of seal.

10. The seal of an Area Board or of the Gas Council shall be authenticated by the signature of the chairman of that Board or Council, as the case may be, or of some other member of the said Board or Council authorised by that Board or Council to act in that behalf, and of the secretary or some other person authorised by the said Board or Council so to act.

Execution of instruments and mode of entering into contracts.

11. Any instrument or contract which, if executed or entered into by a person not being a body corporate, would not require to be under seal, may be executed or entered into on behalf of an Area Board or of the Gas Council by any member, officer or servant of that Board or Council, as the case may be, generally or specially authorised by resolution of that Board or Council in that behalf.

Proof of documents.

12. Every document purporting to be an instrument executed or issued by an Area Board or by the Gas Council, and to be sealed with the seal of that Board or Council, authenticated in the manner provided by regulation ten of these Regulations, or to be signed by any member, officer or servant of that Board or Council, as the case may be, authorised by that Board or Council to act in that behalf, shall be received in evidence and be deemed to be so executed or issued without further proof, unless the contrary is shown.

Application of Interpretation Act, 1889. 52 & 53 Vict. c. 63.

13. The Interpretation Act, 1889, shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Commencement and citation.

14. These Regulations shall come into operation on the eighteenth day of October, nineteen hundred and forty-eight; and may be cited as the Gas (Area Boards and Gas Council) Regulations, 1948.

Dated this fourth day of October, 1948.

Hugh Gaitskell,
Minister of Fuel and Power.

EXPLANATORY NOTE

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

These Regulations deal with the terms of appointment of members of Area Boards and of members of the Gas Council who are appointed by the Minister, and with the conditions of tenure of office of members.

Other provisions relate to the quorum and proceedings of the Area Boards and Gas Council, and to the execution of instruments by them and the proof of such instruments.

The Gas (Area Boards and Gas Council) (Amendment) Regulations, 1948

1948 No. 2465

Made - - - -	*15th November,* 1948
Laid before Parliament	*16th November,* 1948
Coming into Operation	*17th November,* 1948

The Minister of Fuel and Power (in these Regulations referred to as " the Minister ") in exercise of the powers conferred upon him by section five of the Gas Act, 1948, and of all other powers him enabling, hereby makes the following Regulations:— 11 & 12 Geo. 6. c. 67.

1. Paragraph (1) of regulation one of the Gas (Area Boards and Gas Council) Regulations, 1948(a), (which paragraph amongst other things provides that the appointment of certain members of the Area Boards and the Gas Council shall be for such term not exceeding five years as may be determined by the Minister) shall have effect as if at the end thereof there were inserted the words:—

> " so however that in the case of a member appointed before the vesting date nothing in this paragraph shall prohibit his appointment for a term not exceeding five years from the vesting date together with the period commencing on the date of the appointment and ending on the vesting date."

2. These Regulations shall come into operation on the seventeenth day of November, nineteen hundred and forty-eight and may be cited as the Gas (Area Boards and Gas Council) (Amendment) Regulations, 1948.

Dated this fifteenth day of November, nineteen hundred and forty-eight.

Hugh Gaitskell,
Minister of Fuel and Power.

(a) S.I. 1948 No. 2233, p. 1370 above.