EXPLANATORY NOTE

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

The Order effects the transfer from the Board of Trade to the Minister of Materials of the administration, as from the 12th July, 1951, of the Orders specified in the Schedule to the Order.

The Minister of Materials' Control Orders (Exemptions) Order, 1951

1951 No. 1245

Made - - - -	11*th July*, 1951
Laid before Parliament	11*th July*, 1951
Coming into Operation	12*th July*, 1951

The Minister of Materials in exercise of the powers conferred on him by Regulations 55 and 98 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**), and the Supplies and Services (Defence Purposes) Act, 1951(**c**), and continued in force by the Supplies and Services (Continuance) Order, 1950(**d**)), hereby orders as follows:—

Exemptions for banking charges, etc.

1.—(1) Any provision relating to the acquisition or disposal or the giving or taking of delivery of any material or article, being a provision contained in any Order to which this Order applies, shall not apply to—

(*a*) the taking by or giving to an approved person of any charge upon or affecting that material or article, or

(*b*) the giving of possession of that material or article to or the taking of possession thereof by an approved person for the purpose of effecting that charge, or

(*c*) the taking of possession of that material or article by or at the instance of an approved person in pursuance of any power in that behalf (whether express or implied) conferred under or by virtue of any charge (whether such charge was created before or after the coming into operation of this Order), or

(*d*) the resumption by a person who has (whether before or after the coming into operation of this Order) given to an approved person a charge upon or affecting that material or article of possession thereof on the redemption or release of that charge ;

but nothing in this Article shall authorise—

(i) any approved person to sell deliver create any charge upon or otherwise dispose of (otherwise than by giving possession to the person entitled to resume possession as aforesaid) any material or article to which any such charge relates except subject to and in accordance with any provisions relating to the sale or disposal or delivery of such material or article contained in any such Order as aforesaid and for the time being in force ; or

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(a) 9 & 10 Geo. 6. c. 10.
(b) 10 & 11 Geo. 6. c. 55.
(c) 14 & 15 Geo. 6. c. 25.
(d) S.I. 1950 (No. 1769) III, p. 51.

(ii) any approved person to do anything in contravention of any limitation or condition subject to which approval was granted to him.

Resumption of Possession after charge, etc.

2.—(1) Where any person takes or resumes possession of any material or article in pursuance of the provisons of the preceding article he shall if so required by notice given to him by the Minister of Materials furnish in writing to the Minister of Materials such particulars relating thereto as may be required.

(2) Any notice given under this article may apply to any particular material or article or to a class or classes of materials or articles.

Orders to which this Order applies

3. This Order applies to (*a*) the Orders specified in Part I of the Schedule to the Board of Trade and the Minister of Materials (Various Controls) Order, 1951(**a**), and (*b*) any Order made by the Minister of Materials under Regulation 55 of the Defence (General) Regulations, 1939 (as from time to time in force), which shall not expressly otherwise provide.

Interpretation

4. In this Order the following expressions have the meanings hereby respectively assigned to them, that is to say—

(*a*) "charge" means any pledge, mortgage, or other charge, including any charge (whether specific fixed or floating) created to secure a debenture or series of debentures or debenture stock; and

(*b*) "approved person" means any banker or other person approved in writing by the Minister of Materials for the purposes of this Order and any person who is, at the time when this Order comes into operation, an approved person for the purposes of either the Ministry of Supply Control Orders (Exemptions) (No. 1) Order, 1940(**b**), or the Board of Trade Control Orders (Exemptions) Order, 1946(**c**), unless the Minister of Materials shall have given to him a notice revoking such approval.

Coming into Operation; Citation

5. This Order shall come into operation on the 12th day of July, 1951; and may be cited as the Minister of Materials' Control Orders (Exemptions) Order, 1951.

Dated this 11th day of July, 1951.

R. R. Stokes,
Minister of Materials.

EXPLANATORY NOTE

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

The above Order corresponds to the Ministry of Supply Control Orders (Exemptions) (No. 1) Order, 1940, and the Board of Trade Control Orders (Exemptions) Order, 1946, in exempting bank charges, etc., from certain requirements of Orders taken over by the Minister of Materials from the Board of Trade by virtue of the Board of Trade and the Minister of Materials (Various Controls) Order, 1951, and of such Orders made under Defence (General) Regulation 55 by the Minister of Materials as contain like provisions and do not expressly exclude the operation of the above Order.

(**a**) S.I. 1951 No. 1244, p. 490 above. (**b**) S.R. & O. 1940 (No. 1951) II, p. 1449.
(**c**) S.R. & O. 1946 (No. 468) II, p. 69.