(*b*) for any reference to the Local Loans Act, 1875, there shall be substituted a reference to the Local Authorities Loans (Scotland) Act, 1891; 54 & 55 Vict. c. 34.

(*c*) for any reference to the general rate fund there shall be substituted a reference to the burgh fund.

Short title, commencement and extent.

12.—(1) This Act may be cited as the Local Authorities Loans Act, 1945.

(2) This Act shall come into operation on such date as the Treasury may by order appoint.

(3) This Act shall not extend to Northern Ireland.

CHAPTER 19.

An Act to make further provision with respect to the appointment and functions of the Minister of Fuel and Power, and for purposes connected therewith.

[25th April 1945.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Appointment and functions of the Minister of Fuel and Power.

1.—(1) It shall be lawful for His Majesty to appoint a Minister of Fuel and Power (in this Act referred to as "the Minister") who shall be charged with the general duty of securing the effective and co-ordinated development of coal, petroleum and other minerals and sources of fuel and power in Great Britain, of maintaining and improving the safety, health and welfare of persons employed in or about mines and quarries therein, and of promoting economy and efficiency in the supply, distribution, use and consumption of fuel and power, whether produced in Great Britain or not.

(2) The functions specified in the First Schedule to this Act (being functions transferred to the Minister of Fuel and Power by the Ministers of the Crown (Minister of Fuel and Power) Order, 1942, made by His Majesty in Council under the Ministers of the Crown (Emergency Appointments) Act, 1939), and all other functions conferred or imposed on that Minister by virtue of any enactment, regulation, order or other instrument passed or made before the commencement of this Act, shall be functions of the Minister appointed under this Act, and the said Order in Council (including the consequential provisions incorporated therewith) shall continue in force by virtue of this Act with respect to the functions thereby transferred notwithstanding the 2 & 3 Geo 6. c. 77.

repeal of the Ministers of the Crown (Emergency Appointments) Act, 1939, or the expiration of any Order in Council (whether made under that Act or under the Emergency Powers (Defence) Acts, 1939 and 1940) by which those functions were previously transferred.

(3) Subject to the provisions of the last foregoing subsection, the Ministers of the Crown (Emergency Appointments) Act, 1939, shall, as from the date upon which a Minister is first appointed under this Act, cease to apply to the Minister of Fuel and Power.

Oath of allegiance and official oath. 31 & 32 Vict. c. 72.

2. The Minister shall take the oath of allegiance and the official oath, and the Promissory Oaths Act, 1868, shall have effect as if the name of the Minister were included in the first Part of the Schedule to that Act.

Appointment of officers, remuneration and expenses.

3.—(1) Subject to the provisions of this section, the Minister may appoint a Parliamentary Secretary and such other secretaries, officers and servants as he may, with the consent of the Treasury, determine.

(2) There shall be paid—

(*a*) to the Minister, an annual salary not exceeding five thousand pounds;

(*b*) to the Parliamentary Secretary appointed by the Minister, and to any other secretaries, officers and servants appointed by the Minister, such salaries or remuneration as the Treasury may determine,

1 Edw. 8 & 1 Geo. 6. c. 38.

and for the purposes of section six of the Ministers of the Crown Act, 1937 (which makes provision against duplicate salaries), any salary payable under this subsection to the Minister or to the Parliamentary Secretary appointed by him shall be deemed to be a salary payable under that Act.

(3) The salary of the Minister and his expenses (including any salaries or remuneration payable under paragraph (*b*) of the last foregoing subsection) shall be defrayed out of moneys provided by Parliament.

5 & 6 Geo. 6. c. 11.

(4) Until the date upon which the repeal of the Ministers of the Crown (Emergency Appointments) Act, 1939, takes effect under section three of the Ministers of the Crown and House of Commons Disqualification Act, 1942, two persons may hold office together as Parliamentary Secretaries to the Ministry of Fuel and Power, and accordingly the foregoing provisions of this section shall have effect, until that date, as if in subsection (1) for the words "a Parliamentary Secretary" there were substituted the words "not more than two Parliamentary Secretaries," and as if in subsection (2) for the words "the Parliamentary Secretary," in both places where those words occur, there were substituted the words "any Parliamentary Secretary".

4. A person holding office as Minister of Fuel and Power, or as Parliamentary Secretary to the Ministry, shall not thereby be rendered incapable of being elected as a member of the Commons House of Parliament, or of sitting or voting as such a member. Capacity to sit in House of Commons.

5.—(1) The Minister shall for all purposes be a corporation sole, and shall have an official seal, which shall be authenticated by the signature of the Minister or of a secretary to the Ministry or of any person authorised by the Minister to act in that behalf. Seal, style and acts of Minister.

(2) The seal of the Minister shall be officially and judicially noticed, and every document purporting to be an instrument made or issued by the Minister, and to be sealed with the seal of the Minister authenticated in the manner provided by this section, or to be signed by a secretary to the Ministry or any person authorised as aforesaid, shall be received in evidence and be deemed to be so made or issued without further proof, unless the contrary is shown.

(3) A certificate signed by the Minister that any instrument purporting to be made or issued by him was so made or issued shall be conclusive evidence of that fact.

(4) The Documentary Evidence Act, 1868, shall apply to the Minister as if his name were included in the first column of the Schedule to that Act, and as if he or a secretary to the Ministry or any person authorised by him to act on his behalf were mentioned in the second column of that Schedule, and as if the regulations referred to in that Act included any document issued by the Minister. 31 & 32 Vict. c. 37.

6.—(1) For the purposes of subsection (1) of section one of this Act, the expressions "coal" and "petroleum" respectively include products of coal and products of petroleum. Interpretation.

(2) For the removal of doubt it is hereby declared that the functions transferred to the Minister of Fuel and Power by virtue of the Ministers of the Crown (Minister of Fuel and Power) Order, 1942, do not include functions under section thirteen of the Public Health Acts Amendment Act, 1890, or under the Railways (Electrical Power) Act, 1903, (which respectively enable the Minister of War Transport to exercise powers relating to the making of byelaws for the prevention of danger from telegraph wires and other apparatus in and over streets and to the electrification of railways) or functions of the Board of Trade under section twenty of the Petroleum (Consolidation) Act, 1928 (which relates to apparatus for the testing of petroleum). 53 & 54 Vict. c. 59. 3 Edw. 7. c. 30. 18 & 19 Geo. 5. c. 32.

(3) It is hereby declared that the reference in section one of this Act to any regulation, order or other instrument made before the commencement of this Act includes a reference to any such instrument in its application to Northern Ireland, and to any such instrument which relates to Northern Ireland only.

Consequential amendments and repeals.

7.—(1) Subject to the provisions of this section, the enactments specified in the Second Schedule to this Act shall have effect subject to the amendments set out in relation thereto in the second column of that Schedule, and the enactments set out in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(2) The amendments effected by subsection (1) of this section shall be without prejudice to any amendment of any enactment set out in the said Second Schedule effected, whether before or after the commencement of this Act, by Regulations made under the Emergency Powers (Defence) Acts, 1939 and 1940, so long as such Regulations remain in force.

62 & 63 Vict. c. 19.

(3) The reference in the said Third Schedule to section seventy-two of the Schedule to the Electric Lighting (Clauses) Act, 1899, shall be construed as including a reference to that section as incorporated with any special Act or order passed or confirmed before the passing of this Act, and to any corresponding provision of any such Act or order with which that Schedule is not incorporated; and so much of any special Act, provisional order or special order relating to gas undertakings or the supply of gas as provides for the performance by specified officers of functions formerly exercisable by the Board of Trade thereunder shall cease to have effect.

Short title.

8. This Act may be cited as the Ministry of Fuel and Power Act, 1945.

SCHEDULES.

Section 1.

FIRST SCHEDULE.

FUNCTIONS TRANSFERRED TO THE MINISTER OF FUEL AND POWER BY THE MINISTERS OF THE CROWN (MINISTER OF FUEL AND POWER) ORDER, 1942 (S.R. & O. 1942 No. 1132).

All functions exercisable by the Board of Trade, whether under any enactment or otherwise, in relation to—

(*a*) coal, minerals, mines and the mining industry, quarries and petroleum, other than functions exercisable under the enactments relating to weights and measures;

(*b*) gas undertakings and the supply of gas, including functions exercisable in relation to gas under the enactments relating to weights and measures;

(*c*) electricity undertakings and the supply of electricity, including functions relating to the Electricity Commissioners; and

1ST SCH. —*cont.*

(*d*) hydraulic power undertakings and the supply of hydraulic power,

but not including functions conferred on the Board of Trade by or under Regulations made under the Emergency Powers (Defence) Acts, 1939 and 1940, other than the functions referred to in Regulation 3 of the Defence (Functions of Ministers) Regulations, 1941 (by which the functions of the Minister of War Transport in relation to electricity undertakings and the supply of electricity, including functions relating to the Electricity Commissioners, were transferred to the Board of Trade).

SECOND SCHEDULE.

Section 7

CONSEQUENTIAL AMENDMENTS.

Enactments Amended.	Amendments.
The Ministers of the Crown Act, 1937 (1 Edw. 8. & 1 Geo. 6. c. 38).	In paragraph (*b*) of subsection (2) of section one, the words "the Secretary for Mines and of" and the word "each" shall cease to have effect. In paragraph (*b*) of subsection (2) of section two, for the word "three" there shall be substituted the word "two", and the words "the Secretary for Mines and" shall cease to have effect. In paragraph (*c*) of subsection (1) of section nine, as amended by section one of the Ministry of Supply Act, 1939, for the words "twenty-one" there shall be substituted the word "twenty".
The Finance Act, 1942 (5 & 6 Geo. 6. c. 21).	In section nine, for the words "the Board of Trade", and the words "the Board", in the second place where those words occur, there shall be substituted the words "the Minister of Fuel and Power"; and for the words "the Board are" there shall be substituted the words "the Minister is".

Section 7.

THIRD SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short title	Extent of Repeal.
62 & 63 Vict. c. 19.	The Electric Lighting (Clauses) Act, 1899.	Section seventy-two of the Schedule.
9 & 10 Geo. 5. c. 100.	The Electricity (Supply) Act, 1919.	The proviso to subsection (1) of section thirty-nine.
10 & 11 Geo. 5. c. 28.	The Gas Regulation Act, 1920.	Section seventeen.
10 & 11 Geo. 5. c. 50.	The Mining Industry Act, 1920.	Section one, subsection (2) of section two, and subsection (2) of section five.
24 & 25 Geo. 5. c. 28.	The Gas Undertakings Act, 1934.	In subsection (2) of section twenty-eight the words "and seventeen" and the words "and to the exercise of the powers of the Board"; and so much of Part I of the Second Schedule as amends section seventeen of the Gas Regulation Act, 1920.
24 & 25 Geo. 5. c. 36.	The Petroleum (Production) Act, 1934.	Section eight.
1 Edw. 8 & 1 Geo. 6. c. 38.	The Ministers of the Crown Act, 1937.	In paragraph (*b*) of subsection (2) of section one the words "the Secretary for Mines and of" and the word "each"; and in paragraph (*b*) of subsection (2) of section two the words "the Secretary for Mines and".

CHAPTER 20.

An Act to increase the amounts payable out of moneys provided by Parliament for the purposes of schemes under section one of the Colonial Development and Welfare Act, 1940, to extend the period during which certain of such schemes may continue in force, and to amend subsection (2) of the said section as respects the Aden Protectorate. [25th April 1945.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and