NATIONAL ASSISTANCE

1952 No. 1334

The National Assistance (Adaptation of Enactments) Regulations, 1952*

Made - - - -	*7th May*, 1952
Coming into Operation	*28th July*, 1952

In exercise of the powers conferred by subsection (2) of section 62 of the National Assistance Act, 1948(**a**), and of all other powers in that behalf, the Secretary of State hereby makes the following regulations except in relation to the enactment specified in Part II of the Schedule to the regulations, and the Secretary of State and the Minister of Health jointly in relation to that enactment hereby make the following regulations:—

1.—(1) These regulations may be cited as the National Assistance (Adaptation of Enactments) Regulations, 1952, and shall come into operation on the fourteenth day after the day on which they were approved by Parliament.

(2) The Interpretation Act, 1889(**b**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

2. The enactments specified in the Schedule to these regulations shall have effect subject to the adaptations specified in the second column of the said Schedule.

Given under the Seal of the Secretary of State for Scotland this seventh day of May, 1952.

(L.S.)

James Stuart,
Secretary of State for Scotland.

St. Andrew's House,
Edinburgh, 1.

Given under the Official Seal of the Minister of Health this sixth day of May, 1952.

(L.S.)

Harry Crookshank,
Minister of Health.

Savile Row,
London, W.1.

---

* These Regulations were approved by Resolution of the House of Lords, 26th June, 1952, and the House of Commons, 14th July, 1952, in accordance with section 62(4) of the National Assistance Act, 1948.

(a) 11 & 12 Geo. 6. c. 29. (b) 52 & 53 Vict. c. 63.

SCHEDULE

PART I

Enactment	Adaptation
The Game (Scotland) Act, 1772 (13 Geo. 3 c. 54). Section 10.	The words " to the use of the poor of the parish or " and the words from " as the justices " to the end of the section shall be omitted.
The Game (Scotland) Act, 1832 (2 & 3 Will. 4 c. 68). Section 7.	For the words from " to the moderator " to the end of the section there shall be substituted the words " into the Exchequer ".
The Companies Clauses Consolidation (Scotland) Act, 1845 (8 & 9 Vict. c. 17). Section 154.	For the words from " shall award the remainder " to the end of the section there shall be substituted the words " the remainder shall be paid into the Exchequer ".
The Lands Clauses Consolidation (Scotland) Act, 1845 (8 & 9 Vict. c. 19). Section 135.	For the words from " shall award the remainder " to the end of the section there shall be substituted the words " the remainder shall be paid into the Exchequer ".
The Railway Clauses Consolidation (Scotland) Act, 1845 (8 & 9 Vict. c. 33). Section 23.	For the words from " the benefit of the poor " to the end of the section there shall be substituted the words " that fund of the local authority or water board to which their revenues in respect of water are appropriated or, in the case of an interruption of a supply of gas, shall be paid to the Area Gas Board ".
Section 142.	For the words from " shall award the remainder " to the end of the section there shall be substituted the words " the remainder shall be paid into the Exchequer ".
The Burial Grounds (Scotland) Act, 1855 (18 & 19 Vict. c. 68). Section 4.	For the words " persons assessed for relief of the poor " there shall be substituted the words " ratepayers residing ".
Section 10.	For the words " persons assessed for relief of the poor " there shall be substituted the words " ratepayers residing ".

Enactment	Adaptation
The Smoke Nuisance (Scotland) Act, 1857 (20 & 21 Vict. c. 73).	
Section 13.	For the words from " to the parochial board " to the end of the section there shall be substituted the words " into the Exchequer ".
The Pawnbrokers Act, 1872 (35 & 36 Vict. c. 93).	
Section 33.	For the words from " to the overseers of the poor " to the end of the section there shall be substituted the words " into the Exchequer ".
Section 35.	For the words from " to the overseers of the poor " to " poor thereof " there shall be substituted the words " into the Exchequer ".
Section 42.	In head (1) the words from " to one of the " to " business, and " shall be omitted and after the word " district " there shall be inserted the words " in which he intends to carry on business "; in head (2) after the word " place " where first occurring there shall be inserted the words " in which he intends to carry on business ".
Section 56.	In the application of the Act to Scotland the definition of the expression " overseers of the poor " shall be omitted.

PART II

Enactment	Adaptation
The Criminal Evidence Act, 1898 (61 & 62 Vict. c. 36).	At the end of the Schedule there shall be inserted the words " 11 & 12 Geo. 6 c. 29 National Assistance Act, 1948, section 51 ".

EXPLANATORY NOTE

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

The enactments specified in Part I of the Schedule to the Regulations other than those in the Burial Grounds (Scotland) Act, 1855, provide that fines imposed for offences against the Acts shall be applied for the benefit of the poor. In consequence of the replacement of the poor law by the provisions of the National Assistance Act, 1948, it is no longer possible for the fines to be so applied. The Regulations therefore provide that, except in two cases, the fines shall be paid to the Exchequer.

The two exceptions are Section 10 of the Game (Scotland) Act, 1772 (which provides that one half of any fine incurred for any offence against that Act is to be applied to the use of the poor of the parish or to the repair of roads), and section 23 of the Railway Clauses Consolidation (Scotland) Act, 1845. The Regulations provide that in the former case the half of the fine shall be applied only to the repair of roads and that in the latter the whole of any fine imposed for the interruption of water or gas supplies is to be paid to the appropriate water or gas authority.

The enactments in the Burial Grounds (Scotland) Act, 1855, specified in the Schedule relate to the persons who may, by way of petition, complain that a burial ground is a danger to health or secure the provision of a new burial ground on the closure of an old one. In view of the repeal of the poor law, the Regulations provide that these persons shall be " ratepayers " instead of " persons assessed for the relief of the poor ".

In further consequence of that repeal the Regulations delete from Sections 33, 35 and 36, as applied by section 56, of the Pawnbrokers Act, 1872, the reference to " inspectors of the poor " and make consequential amendments.

The enactment specified in Part II of the Schedule applies both to Scotland and to England. The National Assistance Act, 1948, repealed the provisions of the Vagrancy Act, 1824, and the Poor Law (Scotland) Act, 1845, which are referred to in the Schedule to the Criminal Evidence Act, 1898. The Regulations insert in that Schedule a reference to the National Assistance Act, 1948, in place of the references to the 1824 and 1845 Acts and thus continue the provision that where a person is charged with an offence arising from his refusal to maintain himself or his dependants, his wife may be called as a witness without his consent.

1952 No. 1100

The National Assistance (Charges for Accommodation) (Amendment) Regulations, 1952

Made - - - -	*3rd June*, 1952
Laid before Parliament	*4th June*, 1952
Coming into Operation	*16th June*, 1952

M.H. 177

The Minister of Health, in exercise of the powers conferred on him by section 22 of the National Assistance Act, 1948(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1.—(1) These regulations may be cited as the National Assistance (Charges for Accommodation) (Amendment) Regulations, 1952, and shall come into operation on the sixteenth day of June, 1952.

(2) These regulations shall be read as one with the National Assistance (Charges for Accommodation) Regulations, 1948(b), and may be cited together with those regulations as the National Assistance (Charges for Accommodation) Regulations, 1948 and 1952.

(3) The Interpretation Act, 1889(c), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(a) 11 & 12 Geo. 6. c. 29. (b) S.I. 1948/1385; Rev. XV, p. 260; 1948 I, p. 1987.
(c) 52 & 53 Vict. c. 63.