(28) POTTERY

1952 No. 1456

The Domestic and Ornamental Pottery (Manufacture, Marking and Supply) (Revocation) Order, 1952

Made - - - -	1*st August*, 1952
Laid before Parliament	1*st August*, 1952
Coming into Operation	6*th August*, 1952

The Board of Trade in pursuance of the powers conferred upon them by Regulations 55 and 55AA 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, 1951(**d**), hereby order as follows:—

1. The Domestic and Ornamental Pottery (Manufacture, Marking and Supply) Order, 1950(**e**), and the Domestic and Ornamental Pottery (Manufacture, Marking and Supply) (Amendment) Order, 1951(**f**), are hereby revoked.

2. This Order may be cited as the Domestic and Ornamental Pottery (Manufacture, Marking and Supply) (Revocation) Order, 1952, and shall come into operation on the 6th day of August, 1952.

Dated this 1st day of August, 1952.

Peter Thorneycroft,
President of the Board of Trade.

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(29) ROAD TRAFFIC AND VEHICLES

1952 No. 1395

The Road Vehicles and Drivers Order, 1952

Made - - - -	25*th July*, 1952
Laid before Parliament	26*th July*, 1952
Coming into Operation	1*st August*, 1952

The Minister of Transport (hereinafter referred to as "the Minister") in pursuance of the powers conferred upon him by Regulations 56 and 72 of the Defence (General) Regulations, 1939, as having effect by virtue of

(**a**) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945/1611, 1618; 1945 II, pp. 39, 48.
(**b**) 10 & 11 Geo. 6. c. 55. (**c**) 14 & 15 Geo. 6. c. 25. (**d**) S.I. 1951/2116; 1951 III, p. 27.
(**e**) S.I. 1950/1130; 1950 III, p. 844. (**f**) S.I. 1951/595; 1951 III, p. 543.

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, 1951(d)), and of all other powers him enabling in that behalf hereby orders as follows :—

Commencement, Citation, Interpretation and Revocation

1.—(1) This Order shall come into operation on the 1st day of August, 1952, and may be cited as "The Road Vehicles and Drivers Order, 1952".

(2) In this Order unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:—

"regulation" means a regulation of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945, as extended by the Supplies and Services (Extended Purposes) Act, 1947, and the Supplies and Services (Defence Purposes) Act, 1951, and continued in force by the Supplies and Services (Continuance) Order, 1951;

"Commissioner" means a person appointed by the Minister to be a Regional Transport Commissioner or Deputy Regional Transport Commissioner;

"public service vehicle" and "public service vehicle licence" have the meanings respectively assigned to them by the Road Traffic Act, 1930(e);

"carrier's licence" means a licence under Part I of the Road and Rail Traffic Act, 1933(f);

"the Order of 1950" means the Road Vehicles and Drivers Order, 1950(g), as amended by the Road Vehicles and Drivers (Amendment) Order, 1951(h);

"previous Order" means the Emergency Powers (Defence) Road Vehicles and Drivers Order, 1939(i), the Emergency Powers (Defence) Road Vehicles and Drivers Order, 1940(j), the Emergency Powers (Defence) Road Vehicles and Drivers Order, 1941(k), the Emergency Powers (Defence) Road Vehicles and Drivers Order, 1942(l) as amended(m), the Emergency Powers (Defence) Road Vehicles and Drivers Order, 1943(n) as amended(o), or the Road Vehicles and Drivers Order, 1949(p) as amended(q).

(3) The Order of 1950 is hereby revoked.

Drivers and Conductors

2.—(1) The holder of a licence issued by virtue of section 77 of the Road Traffic Act, 1930, enabling him to act as a driver of a public service vehicle, is hereby authorised to act as a conductor of such a vehicle up to and including the 31st October, 1952, or the date when paragraph (1A)

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945/1623; 1945 II, p. 53.
(b) 10 & 11 Geo. 6. c. 55.
(c) 14 & 15 Geo. 6. c. 25.
(d) S.I. 1951/2116; 1951 III, p. 27.
(e) 20 & 21 Geo. 5. c. 43.
(f) 23 & 24 Geo. 5. c. 53.
(g) S.I. 1950/1166; 1950 III, p. 860.
(h) S.I. 1951/1113; 1951 III, p. 547.
(i) S.R. & O. 1939/1338; 1939 I, p. 1189.
(j) S.R. & O. 1940/741; noted 1940 II, p. 973.
(k) S.R. & O. 1941/304; 1941 II, p. 1501.
(l) S.R. & O. 1942/1535; 1942 II, p. 1966.
(m) S.R. & O. 1942/1933; 1943/963: 1942 II, p. 1975.
(n) S.R. & O. 1943/1055; 1943 II, p. 1804.
(o) S.R. & O. 1944/873; 1945/193, 904; 1946/123, 1077, 1347; 1947/1405; S.I. 1948/1226: 1944 II, p. 1408; 1945 II, pp. 1216, 1218; 1946 II, pp. 1402, 1403, 1404; 1947 II, p. 1244; 1948 II, p. 995.
(p) S.I. 1949/1324; 1949 II, p. 648.
(q) S.I. 1950/344.

of Regulation 72 ceases to have effect whichever is the earlier: Provided that nothing in this paragraph shall be deemed to authorise the holder of such a licence to act at the same time as driver and conductor of a vehicle in any case whereby or under any enactment a conductor is required to be carried on the vehicle in addition to a driver.

(2) The holder of a licence to drive vehicles included in Group A of the Second Schedule to the Motor Vehicles (Driving Licences) Regulations, 1950(a) as amended(b), is hereby authorised to drive any heavy goods vehicle within the meaning of section 31 of the Road Traffic Act, 1934(c), unless by reason of his age he is debarred from driving it by virtue of the provisions of section 9 of the Road Traffic Act, 1930.

Public Service Vehicles

3. Notwithstanding the revocation of the Order of 1950 by this Order any permit in lieu of a public service vehicle licence issued under Article 4 of the Order of 1950 or under any corresponding provision of any previous Order which is in force on the 31st July, 1952, shall continue in force and have effect in accordance with the provisions of this Order as though the period of validity therein specified were a period expiring on the 31st October, 1952, or the date when paragraph (2) of Regulation 72 ceases to have effect whichever is the earlier.

4. It shall be a condition of every permit to which Article 3 of this Order applies—

(*a*) that it shall be returned on demand to the Commissioner who issued it; and

(*b*) that the provisions of Regulations 8, 12, 20 and 21 of the Public Service Vehicles (Licences and Certificates) Regulations, 1952(d), shall be complied with as though the permit were a licence within the meaning of those Regulations and as though the expression "The Commissioner" were substituted for the expression "the Licensing Authority for Public Service Vehicles" wherever the last mentioned expression occurs in those Regulations.

5. A Commissioner may at any time revoke or suspend any permit to which Article 3 of this Order applies.

6. If a certifying officer or public service vehicle examiner appointed under section 69 of the Road Traffic Act, 1930, is of opinion that a public service vehicle owing to any defects therein is, or is likely to become, unfit for service until the defects have been remedied, he may serve upon the person authorised to use the vehicle by virtue of a permit to which Article 3 of this Order applies a notice forbidding the use of the vehicle until the defects have been remedied, and thereupon the authority of the permit shall be suspended until a certifying officer or a public service vehicle examiner has withdrawn the notice:

Provided that, where in the opinion of such officer or examiner the defects are such as can be remedied within forty-eight hours, and are not defects which involve danger to the public, the notice shall not operate before the expiration of forty-eight hours and shall not operate after the expiration of that period, if such officer or examiner, being satisfied that the defects have been or are in the course of being remedied, withdraws the notice before the expiration of that period; and

(a) S.I. 1950/333; 1950 II, p. 737.
(b) S.I. 1950/2108; 1950 II, p. 749.
(c) 24 & 25 Geo. 5. c. 50.
(d) S.I. 1952/900, p. 2907 above.

Provided further that the provisions of subsection (4) of section 71 of the Road Traffic Act, 1930, shall apply as though the permit were a public service vehicle licence, and the expression "the Commissioner" were substituted for the expression "the Licensing Authority for Public Service Vehicles".

7. A Commissioner, if he is satisfied that a permit to which Article 3 applies which is still in force has been lost, destroyed or defaced, may issue on payment of a fee of 2s. 6d. a duplicate so marked, and the duplicate so issued shall have the same effect as the original.

8. Every permit to which Article 3 of this Order applies shall cease to have effect on the date when a public service vehicle licence is issued in respect of the vehicle to which it relates.

9. In any proceedings which may be taken in respect of the use of a vehicle on any occasion in contravention of section 67 of the Road Traffic Act, 1930, it shall be a defence to prove that the vehicle was on that occasion being used under the authority of a permit to which Article 3 of this Order applies.

Goods Vehicles

10. Notwithstanding any conditions attached to a carrier's licence, the holder thereof may use any vehicle authorised to be used under the licence for the carriage of goods for hire or reward in accordance with the terms of the written authority of a Commissioner, who may at any time suspend or revoke that authority.

Given under the Official Seal of the Minister of Transport this twenty-fifth day of July, 1952.

(L.S.) *Alan Lennox-Boyd,*
The Minister of Transport.

EXPLANATORY NOTE

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

This Order supersedes the Road Vehicles and Drivers Order, 1950, as amended by the Road Vehicles and Drivers (Amendment) Order, 1951.

The principal changes are:—

(1) The period of validity of certain permits granted in lieu of public service vehicle licences, if in force on 31st July, 1952, is extended until 31st October, 1952, or the expiry of the relevant Defence Regulation, if earlier; and

(2) The provision whereby persons licensed under section 77 of the Road Traffic Act, 1930, to drive public service vehicles may also act as conductors of such vehicles without being licensed as conductors which would have expired on 31st July, 1952, is continued in force until 31st October, 1952, or the expiry of the relevant Defence Regulation, if earlier.

The period of validity of other permits and authorisations to act as driver or conductor of public service vehicles and of permits granted in lieu of road service licences which was extended until 31st July, 1952, under the Order of 1950, as amended, is not further extended. In consequence of the expiry of permits in lieu of road service licences the provision authorising local authorities to operate public service vehicles outside their boundaries under authority of such permits ceases to have effect.

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(30) SALES BY AUCTION AND SALES BY TENDER

1952 No. 102

The Sales by Auction and Tender (Control) (Revocation) Order, 1952

Made - - - -	21*st January*, 1952
Laid before Parliament	22*nd January*, 1952
Coming into Operation	28*th January*, 1952

The Board of Trade in pursuance of the powers conferred upon them by Regulation 55 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, 1951(**d**), hereby order as follows:—

1. The Sales by Auction and Tender (Control) Order, 1949(**e**), (which controls the sale by auction or by tender of certain goods described therein) is hereby revoked.

2. This Order may be cited as the Sales by Auction and Tender (Control) (Revocation) Order, 1952, and shall come into operation on the 28th day of January, 1952.

Dated this 21st day of January, 1952.

Peter Thorneycroft,
President of the Board of Trade.

(**a**) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945/1618; 1945 II, p. 48.
(**b**) 10 & 11 Geo. 6. c. 55. (**c**) 14 & 15 Geo. 6. c. 25.
(**d**) S.I. 1951/2116; 1951 III, p. 27. (**e**) S.I. 1949/1152; 1949 II, p. 658.