(2) Where any enactment set out in the second column of the foregoing Table confers power on the Governor to make orders varying or repealing the duties of customs payable on the goods referred to in that enactment or imposing a new duty on such goods, the provisions of that enactment relating to the said power shall continue in force until the said first day of August, nineteen hundred and fifty-four, and the foregoing provisions of this section shall have effect subject to any orders made in pursuance of any such power (whether before or after the commencement of this Act) which are for the time being in force.

Short title and repeal.

4.—(1) This Act may be cited as the Isle of Man (Customs) Act, 1953.

(2) In subsection (1) of section five of the Act of 1949 the words " or component part of a mechanical lighter other than a flint " are hereby repealed.

CHAPTER 45

School Crossing Patrols Act, 1953

ARRANGEMENT OF SECTIONS

Section
1. Arrangements for patrolling school crossings.
2. Power of school crossing patrols to stop traffic.
3. Financial provisions.
4. Application to Scotland.
5. Short title and extent.
SCHEDULE—Areas and authorities for agreements under S.I. (5).

An Act to provide for the authorisation of measures for the control of traffic, at places where children cross roads on their way to or from school, by persons other than police constables. [31st July 1953.]

BE it enacted by the Queen'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:—

Arrangements for patrolling school crossings.

1.—(1) Arrangements may be made by the appropriate authority for the patrolling of places where children cross roads on their way to or from school, during periods between the hours of eight in the morning and half-past five in the afternoon when children are so on their way, by persons appointed by or on behalf of the appropriate authority, other than police constables.

(2) For the purposes of the preceding subsection the appropriate authority shall be—

(*a*) as respects places not in the metropolitan police district, other than places in the City of London, the council of the county or county borough in which the places in question are;

(*b*) as respects places in the City of London, the Common Council of the City; and

(*c*) as respects places in the metropolitan police district, the Commissioner of Police of the Metropolis.

(3) The functions of the appropriate authority for the purpose of arrangements under subsection (1) of this section shall include the duty to satisfy themselves of the adequate qualifications of persons appointed to patrol, and to provide requisite training of persons to be appointed.

(4) In taking decisions as to making arrangements under subsection (1) of this section the council of a county, and the said Commissioner, shall have regard to any representations made to them or him by local authorities for localities in the county, or in the said district, as the case may be.

(5) Any arrangements made under subsection (1) of this section as respects places in an area of a description mentioned in the first column of the Schedule to this Act, being arrangements made by the council mentioned in relation to that description of area in the second column of that Schedule, may include an agreement between the council and the police authority mentioned in relation thereto in the third column of that Schedule for the performance by the police authority, on such terms as may be specified in the agreement, of such functions for the purposes of the arrangements as may be so specified.

(6) A person appointed to patrol in accordance with arrangements under this section is in this Act referred to as a school crossing patrol.

Power of school crossing patrols to stop traffic.

2.—(1) When between the hours of eight in the morning and half-past five in the afternoon a vehicle is approaching a place in a road where children on their way to or from school are crossing or seeking to cross the road, a school crossing patrol shall (subject to subsection (3) of this section) have power, by exhibiting a prescribed sign, to require the person driving or propelling the vehicle to stop it.

(2) When a person has been required under the preceding subsection to stop a vehicle—

(*a*) he shall cause the vehicle to stop before reaching the place where the children are crossing or seeking to cross and so as not to stop or impede their crossing; and

(*b*) the vehicle shall not be put in motion again so as to reach the place in question so long as the sign continues to be exhibited.

Any person who fails to comply with paragraph (*a*) of this subsection, or who causes a vehicle to be put in motion in contravention of paragraph (*b*) thereof, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty pounds.

(3) On and after a date to be fixed by order of the Secretary of State the power conferred on a school crossing patrol by subsection (1) of this section shall be exercisable only if the patrol is wearing a uniform approved by the Secretary of State.

(4) The power conferred by paragraph (*a*) of subsection (1) of section six of the Road Traffic Act, 1930, on a court before which a person is convicted of any criminal offence in connection with the driving of a motor vehicle to order him to be disqualified for holding or obtaining a licence to drive a motor vehicle shall not be exercisable by virtue of the conviction of a person of an offence under subsection (2) of this section if it is his first or second conviction of an offence thereunder.

(5) In this Act—

" prescribed sign " means a sign of a size, colour and type prescribed by regulations made by the Minister of Transport, which may provide for the attachment of reflectors thereto or for the illumination thereof, and, if the said Minister authorises the use of signs of a description not so prescribed, includes a sign of that description;

" road " has the same meaning as in the Road Traffic Act, 1930, that is to say, means any highway and any other road to which the public has access, and includes bridges over which a road passes.

(6) For the purposes of this section—

(*a*) where it is proved that a sign was exhibited by a school crossing patrol, it shall be presumed to have been of a size, colour and type prescribed, or of a description authorised, as aforesaid, and, if it was exhibited in circumstances in which it was required by the regulations to be illuminated, to have been illuminated in the prescribed manner, unless the contrary is proved; and

(*b*) where it is proved that a school crossing patrol was wearing uniform, the uniform shall be presumed, unless the contrary is proved, to have been a uniform approved by the Secretary of State.

(7) The powers conferred by this section on the Secretary of State to fix a date for the purposes of subsection (3) thereof, and on the Minister of Transport to make regulations, shall be exercisable by statutory instrument, and a statutory instrument whereby the said power conferred on the Minister of Transport is exercised shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Financial provisions.

3.—(1) In respect of expenditure incurred by such a council as is mentioned in paragraph (*a*) or (*b*) of subsection (2) of section one of this Act for the purposes of arrangements made by the council under subsection (1) of that section, and in respect of expenditure directed (in accordance with subsection (3) of this section) to be paid out of the metropolitan police fund for the purposes of arrangements so made by the Commissioner of Police of the Metropolis, there shall be paid out of moneys provided by Parliament such sums not exceeding one-half of the expenditure as the Secretary of State may with the consent of the Treasury direct, and subject to such conditions as he may with the like consent determine.

(2) Sums paid under the preceding subsection shall—

(*a*) in the case of sums paid in respect of expenditure incurred by a council, be paid to the council;

(*b*) in the case of sums paid in respect of expenditure directed to be paid out of the metropolitan police fund, be paid into that fund.

(3) For the purposes of any arrangements made under subsection (1) of section one of this Act by the Commissioner of Police of the Metropolis, there shall be paid out of the metropolitan police fund such expenditure as the Secretary of State may direct to be so paid.

(4) There shall be paid out of moneys provided by Parliament—

(*a*) administrative expenses incurred by the Secretary of State for the purposes of this Act;

(*b*) any increase in the Exchequer Equalisation Grant payable under Part I or Part II of the Local Government Act, 1948, which is attributable to the provisions of this Act.

Application to Scotland.

4.—(1) The provisions of this section shall have effect for the purposes of the application of this Act to Scotland.

(2) For subsections (2), (4) and (5) of section one of this Act there shall be substituted the following subsections, that is to say—

"(2) For the purposes of the preceding subsection the appropriate authority shall be—

(*a*) as respects places in a county (exclusive of any large burgh, and inclusive of any small burgh, situated therein), the county council; and

(*b*) as respects places in a large burgh, the town council of the burgh".

"(4) In taking decisions as to making arrangements under subsection (1) of this section a county council shall have regard to any representations made to them by the council of any district or small burgh situated in the county, and the town council of a large burgh, other than a county of a city, shall have regard to any representations made to them by the education authority in whose area the burgh is situated".

"(5) Any arrangements made by a council under subsection (1) of this section may include an agreement between the council and any other local authority whose area for any purpose comprises the place to which the arrangements relate for the performance by that other local authority, on such terms as may be specified in the agreement, of such functions for the purposes of the arrangements as may be so specified".

(3) In this Act—

(*a*) "district", "large burgh" and "small burgh" have the same meanings respectively as in the Local Government (Scotland) Act, 1947;

(*b*) "education authority" has the same meaning as in the Education (Scotland) Act, 1946; and

(*c*) "local authority" has the same meaning as in the Local Government (Scotland) Act, 1947, save that it also includes a joint police committee constituted by virtue of the Police (Scotland) Act, 1946.

Short title and extent.

5.—(1) This Act may be cited as the School Crossing Patrols Act, 1953.

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

SCHEDULE

Section 1.

AREAS (IN ENGLAND OR WALES), AND AUTHORITIES, FOR AGREEMENTS UNDER S.1 (5)

Description of Area	Council	Police Authority
1. So much of any county as is comprised in a combined area.	The county council.	The combined police authority for the combined area.
2. A county borough comprised in a combined area.	The county borough council.	The combined police authority for the combined area.
3. A non-county borough which is a separate police area.	The council of the county comprising the borough.	The police authority for the borough.
4. A county borough whose police force is consolidated with a county police force.	The county borough council.	The police authority for the county.
5. So much of any county as is not within the metropolitan police district and does not fall within paragraph 1 or 3 of this Schedule.	The county council.	The police authority for the county.

In this Schedule the expression "combined area" has the same meaning as in the Police Act, 1946, references to the police authority for a county are references to the police authority for so much of the county as is not comprised in a police area other than the county, and the reference in paragraph 4 of this Schedule to the consolidation of a borough police force with a county police force is a reference to its being consolidated therewith in pursuance of a consolidation agreement within the meaning of section twelve of the Police Act, 1946.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Road Traffic Act, 1930	20 & 21 Geo. 5. c. 43.
Police Act, 1946	9 & 10 Geo. 6. c. 46.
Police (Scotland) Act, 1946	9 & 10 Geo. 6. c. 71.
Education (Scotland) Act, 1946	9 & 10 Geo. 6. c. 72.
Local Government (Scotland) Act, 1947... ...	10 & 11 Geo. 6. c. 43.
Local Government Act, 1948	11 & 12 Geo. 6. c. 26.