1955 No. 240

The Transfer of Functions (Justices of the Peace) (Scotland) Order, 1955

Made - - - -	10*th February*, 1955
Laid before Parliament	15*th February*, 1955
Coming into Operation	1*st April*, 1955

At the Court at Buckingham Palace, the 10th day of February, 1955

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of the Ministers of the Crown (Transfer of Functions) Act, 1946(**a**), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :—

1.—(1) This Order may be cited as the Transfer of Functions (Justices of the Peace) (Scotland) Order, 1955.

(2) This Order shall come into operation on the 1st day of April, 1955.

(3) The Interpretation Act, 1889(**b**), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. The following functions of the Lord Chancellor, that is to say—

(*a*) the appointment and removal from office of Justices of the Peace in Scotland ;

(*b*) the power to make rules under subsection (3) of section 51 of the Children and Young Persons (Scotland) Act, 1937(**c**) ; and

(*c*) the functions exercisable in relation to Scotland under Part I of the Justices of the Peace Act, 1949(**d**) ;

are hereby transferred to the Secretary of State.

3.—(1) Nothing done by or in relation to the Lord Chancellor in connection with the said functions which has been completed before the coming into operation of this Order shall be invalidated by the coming into operation thereof.

(2) Anything in process of being done by or in relation to the Lord Chancellor in connection with the said functions at the time of the coming into operation of this Order may be continued by or in relation to the Lord Chancellor or the Secretary of State as the case may require.

(3) Authorities and appointments given or made by the Lord Chancellor in connection with the said functions shall, on the coming into operation of this Order, continue in force as if made or given by the Secretary of State:

Provided that nothing in this paragraph shall prevent any authority being terminated as from the coming into operation of this Order.

(4) Any Act of Parliament or instrument shall, so far as may be necessary for or in consequence of the transfers effected by this Order, have effect as if references to, or which are to be construed as references to, the Lord Chancellor or any of his officers were references to the Secretary of State or any of his officers.

W. G. Agnew.

(a) 9 & 10 Geo. 6. c. 31.
(b) 52 & 53 Vict. c. 63.
(c) 1 Edw. 8 & 1 Geo. 6. c. 37.
(d) 12, 13 & 14 Geo. 6. c. 101.

EXPLANATORY NOTE

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

This Order in Council, made under the Ministers of the Crown (Transfer of Functions) Act, 1946, provides for the transfer of the following functions from the Lord Chancellor to the Secretary of State:—

(*a*) the appointment and removal from office of Justices of the Peace in Scotland;

(*b*) the power to make rules under subsection (3) of section 51 of the Children and Young Persons (Scotland) Act, 1937; and

(*c*) the functions exercisable in Scotland under Part I of the Justices of the Peace Act, 1949, which include *inter alia* functions relating to the residence qualification of justices and to the entry of names of justices on supplemental lists.

1955 No. 554

The Transfer of Functions (Ministry of Food) Order, 1955

Laid before Parliament in draft

Made - - - - *7th April,* 1955

Coming into Operation *7th April,* 1955

At the Court at Buckingham Palace, the 7th day of April, 1955

Present,

The Queen's Most Excellent Majesty in Council

Whereas copies of the draft of this Order have been laid before Parliament in pursuance of section three of the Ministers of the Crown (Transfer of Functions) Act, 1946(**a**), and each House has presented an Address to Her Majesty praying that the Order may be made:

Now, therefore, Her Majesty, in pursuance of sections one and two of that Act, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Preliminary

1.—(1) This Order may be cited as the Transfer of Functions (Ministry of Food) Order, 1955.

(2) The Interpretation Act, 1889(**b**), applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(3) In this Order, "instrument" (without prejudice to the generality of that expression) includes in particular an Order in Council, order, rule, regulation, byelaw, judgment, decree, award, contract, certificate, licence or other document, and "made", in relation to an instrument, shall be construed accordingly.

(4) Any reference in this Order to an enactment or instrument is a reference thereto as amended by or under any other enactment or instrument.

Dissolution of Ministry of Food and distribution of functions

2.—(1) The Ministry of Food is hereby dissolved, and the functions of the Minister of Food are hereby distributed in accordance with the following provisions of this Article.

(2) The functions of the Minister of Food under or by virtue of the enactments and instruments described in the first column of Part I of the First Schedule to this Order shall, to the extent specified in the second column of that Part, be transferred to the Secretary of State.

(**a**) 9 & 10 Geo. 6. c. 31. (**b**) 52 & 53 Vict. c. 63.