The Welland River Board Constitution Order, 1951

1951 No. 1993

Made - - - - 15th November, 1951

The Minister of Agriculture and Fisheries and the Minister of Housing and Local Government in exercise of the powers conferred upon them by sections 1, 2, 27 and 35 of the River Boards Act, 1948(a), and of every other power enabling them in that behalf, hereby order as follows:—

1. This Order may be cited as the Welland River Board Constitution Order, 1951.

2.—(1) In this Order

"the Act" means the River Boards Act, 1948;

"the Ministers" means the Minister of Agriculture and Fisheries and the Minister of Housing and Local Government acting jointly;

"the river board area" means the Welland River Board Area defined by the Welland River Board Area Order, 1951(b).

(2) The Interpretation Act, 1889(c), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

3.—(1) There shall be a river board (hereinafter referred to as "the river board") for the river board area which shall be known as the Welland River Board and the number of members to be appointed thereto in pursuance of subsection (2) of section 2 of the Act shall be nineteen.

(2) Of these members, the number to be appointed in pursuance of paragraph (*b*) of subsection (2) of section 2 of the Act by the councils of the counties and county boroughs whose area, or any part of whose area, is included in the river board area shall be eleven.

4.—(1) The number of members of the river board to be appointed respectively by the councils of the counties named in the first column of the First Schedule to this Order, being the counties whose area, or part of whose area, is included in the river board area, shall be the number shown opposite the name of the county in the second column of that Schedule.

(2) Of the members to be appointed by the councils of the counties named in the third column of the Second Schedule hereto, four shall, in pursuance of subsection (5) of section 2 of the Act, be appointed as follows, namely, the several numbers set out in the first column of the said Schedule shall respectively be appointed from among persons nominated by the council of the county district set out opposite that number in the second column of the said Schedule by the council of the county set out opposite that number in the third column of the said Schedule.

5. The day (hereinafter referred to as "the appointed day") on which the functions referred to in section 4 of the Act are to become exercisable by the river board in relation to the river board area and are to cease to be exercisable by other bodies and on which any consequential vesting in the river board of property rights liabilities and obligations is to take place shall be the first day of April or the first day of October, whichever is the earlier, next following the day appointed by the Ministers for the first meeting of the river board.

(a) 11 & 12 Geo. 6. c. 32. (b) S.I. 1951, No. 1664. (c) 52 & 53 Vict. c. 63.

6. As from the appointed day the River Welland Catchment Board, being a body whose functions wholly cease in consequence of this Order, shall be dissolved.

7. The river board shall as soon as practicable consult with each body from which functions are to be transferred to the river board by section 4 of the Act, being a body part only of whose area or district is included in the river board area, and with any other river board whose area includes any part of the area or district of any such body, as to the following matters:—

(*a*) what, if any, of the property, rights, liabilities and obligations of the body (being property, rights, liabilities and obligations which would, if the whole area or district of that body were included in the river board area, be transferred under subsection (1) of section 25 or under subsection (1) of section 26 of the Act) is to be transferred to the river board;

(*b*) in what cases liabilities of the body are to be apportioned and financial adjustments made between the river board and the body;

(*c*) the apportionment of any such liabilities and the making of any such financial adjustments;

(*d*) the amendment of any instrument affected by any such apportionment or adjustment;

and the said matters shall be determined by agreement between the river board and the body and, if the case requires, the other river board, or in default of agreement—

(i) if the body is a fishery board, by the Minister of Agriculture and Fisheries;

(ii) in any other case, by the Minister of Housing and Local Government.

In Witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this fifteenth day of November, nineteen hundred and fifty-one.

(L.S.) *J. A. Sutherland-Harris,*
Under Secretary.

In Witness whereof the Official Seal of the Minister of Housing and Local Government is hereunto affixed this fifteenth day of November, nineteen hundred and fifty-one.

(L.S.) *H. Symon,*
Under Secretary.

FIRST SCHEDULE

County	*Number of Members*
Leicester	Two
Lincoln, Parts of Holland	Two
Lincoln, Parts of Kesteven	Two
Northampton	One
Rutland	Two
Soke of Peterborough	Two

SECOND SCHEDULE

Number of Members	*County District*	*County*
One ...	Market Harborough Urban District	Leicester
One ...	Peterborough Municipal Borough...	Soke of Peterborough
One ...	Spalding Urban District	Lincoln, Parts of Holland
One ...	Stamford Municipal Borough ...	Lincoln, Parts of Kesteven

EXPLANATORY NOTE

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

The River Boards Act, 1948 requires the Ministers by order to define river board areas and to establish river boards for those areas. The Welland River Board Area having been defined by the Welland River Board Area Order, 1951, this Order establishes the river board for that area.

As required by the Act, this Order specifies the total number of members of the board, and the number of those members who are to be appointed by councils of counties and county boroughs. The Act itself provides for the appointment of the remainder.

As from the appointed day fixed by this Order in relation to the Welland River Board Area the functions relating to land drainage, fisheries and river pollution which the Act transfers, become exercisable by the river board in relation to its area, and cease to be exercisable by other bodies

ROAD TRAFFIC AND VEHICLES

GOODS VEHICLES

The Goods Vehicles (Licences and Prohibitions) (Amendment) Regulations, 1951

1951 No. 1427

Made - - - -	*2nd August*, 1951
Laid before Parliament	*3rd August*, 1951
Coming into Operation	*14th August*, 1951

The Minister of Transport in exercise of the powers conferred upon him by sections 15 and 25 of the Road and Rail Traffic Act, 1933(a), and of all other powers him enabling in that behalf hereby makes the following Regulations:—

1. The Goods Vehicles (Licences and Prohibitions) Regulations, 1936(b), shall have effect as though in Regulation 4 the following definition were substituted for the definition of " Tribunal ":—

" " Tribunal " means—

(*a*) the Appeal Tribunal constituted under section 15 of the Act in relation to any appeal brought before the day which is the appointed day for the purposes of the provisions of Part V of the Transport Act, 1947(c), relating to the transfer to the Transport Tribunal of jurisdiction under the said section 15, and

(a) 23 & 24 Geo. 5. c. 53. (b) S.R. & O. 1936 (No. 269) II, p. 2163.
(c) 10 & 11 Geo. 6. c. 49.