specified in paragraph (*a*) thereof or to institute proceedings for foreclosure or for sale in lieu of foreclosure shall, subject to paragraph (6) of this Rule, be by originating summons.

(2) The summons shall include a statement to the effect of Form No. 8.

(3) The summons shall be issued out of the Division of the High Court which ordinarily deals with proceedings of which the subject-matter is similar to the subject-matter of the application:

Provided that where a summons has been issued out of a Division which, in the opinion of the court or judge, is inappropriate, the court or judge may order that the proceedings shall either continue in that Division or be transferred to the Division out of which the summons ought to have been issued, as the court or judge thinks fit.

(4) The respondent shall not be required to enter an appearance to the originating summons, and accordingly Rule 4E of Order LIV shall apply thereto.

(5) In the Chancery Division any application under the Act affecting mortgaged land and any action affecting the same mortgaged land shall be assigned to the same judge.

(6) Where in the course of proceedings relating to any property (whether before or after judgment) a party to the proceedings desires to apply under paragraph (*a*) of subsection (2) for leave to exercise in relation to that property any remedy specified in that paragraph, the application may, if the respondent thereto is a party to the proceedings, be made by summons in the proceedings, and for the purpose of any such application the summons shall include a statement to the effect of Form No. 8.

(7) An application under paragraph (*b*) of subsection (2) for leave to take a step in proceedings for foreclosure or sale in lieu of foreclosure shall be by summons in the proceedings to the effect of Form No. 7.

(8) Where an originating summons for leave to distrain, or to exercise any other remedy under paragraph (*a*) of subsection (2), relates to land within the district of a District Registry, the originating summons may be issued in the District Registry:

Provided that nothing in this paragraph shall be construed as restricting the jurisdiction of the District Registry at Liverpool of Manchester.

Service.

15.—(1) Except as otherwise provided in this Rule service on the defendant or respondent of every notice and summons under this Part of these Rules shall be personal service, and accordingly the Rules of the Supreme Court relating to

personal service including Order LXVII Rules 5 and 6 (which relate to the manner of service and substituted service) shall apply.

(2) No proof of service of a notice under Rule 8 (1) shall be required if the defendant by his solicitor undertakes in writing to accept service thereof and also of the writ or originating summons to which the notice relates and either to enter an appearance or to give a counter-notice under that Rule.

(3) Where an application is made under Rule 14 (1), no proof of service of the originating summons shall be required if the respondent by his solicitor undertakes in writing to accept service and to attend upon the hearing.

(4) Where in any action a notice or summons may under these Rules be served by the plaintiff on the defendant in the course of the proceedings, the following provisions shall apply:—

(*a*) If the defendant has entered an appearance, the notice or summons may, before the final judgment or order in the action, be delivered or sent to the address given for service instead of being served personally.

(*b*) If the defendant has given a counter-notice under Rule 8 (3), the notice or summons may, whether before or after judgment, be delivered or sent to the address given for service instead of being served personally.

(5) Where the remedy or relief claimed in an originating or other summons under the Act relates to land, the summons may, by leave of the court or a judge, in a case of vacant possession, if service cannot otherwise be effected, be served by posting a copy of the summons upon the door of the dwelling-house or upon some conspicuous part of the property, or, if the application relates to more than one dwelling-house or property, upon the door of every dwelling-house, or upon some conspicuous part of every property, to which the application relates.

(6) Where, since the commencement of the Act—

(*a*) a mortgagor has voluntarily given up possession or has surrendered possession of the mortgaged land to the mortgagee, or

(*b*) the mortgagee has taken possession of the mortgaged land with the leave of the court under the Act, or

(*c*) the court has given leave under the Act to enforce an order for possession of the mortgaged land,

the court or a judge may dispense with service of an application under subsection (2) (*a*) (iv) for leave to realise the security by sale of the land.

(7) The court or a judge may dispense with service of any application under the Act on any defendant or respondent who is an enemy within the meaning of the Trading with the Enemy Act, 1939.

PART III.

Courts other than High Court and County Court.

16.—(1) In proceedings to which subsection (1) applies in a court of summary jurisdiction—

(*a*) an application for leave to proceed may be made at the time when judgment is given in the presence of the defendant or his solicitor or counsel or if, at the request of the complainant, a notice to the effect of Form No. 3 has been served on the defendant with the summons; and

(*b*) if judgment has been given against the defendant, an application for leave to proceed may be made at the hearing of a summons in a form adapted from Form No. 4.

(2) The Summary Jurisdiction Rules for the time being in force shall apply to such proceedings subject to the foregoing provisions of this Rule.

17.—(1) In proceedings for the recovery of rates, the application for leave to levy a distress may be made at the hearing of the summons for non-payment of rates if a notice to the effect of Form No. 9 has been served on the defendant in the manner in which such a summons may be served not less than two clear days before the hearing of the summons.

(2) No warrant of distress for rates shall issue unless the court is satisfied that a notice has been served in accordance with the provisions of the last preceding paragraph.

(3) If a warrant of distress for rates has, whether before or after the commencement of the Act, been issued without leave having been given under the Act, and the distress has not been levied, an application for leave to levy the distress may be made to the court at the hearing of a summons in a form adapted from Form No. 4 and served on the defendant in the manner in which a summons for non-payment of rates may be served.

18. Rules 7 to 13 and 15 and the forms prescribed therein shall apply with such modifications as may be necessary to courts other than the High Court, the County Courts and Courts of Summary Jurisdiction.

PART IV.

General.

19. The court may suspend, discharge or vary an order made under section 1 if, having regard to circumstances subsequent to the order, the court thinks if just to do so.

20. The court may at any stage of the proceedings on an application under section 1 order that the case shall thenceforward be heard in private.

21.—(1) In these Rules, unless the context otherwise requires—

"the Act" means the Courts (Emergency Powers) Act, 1939;

a section referred to by number means the section so numbered in the Act;

a subsection referred to by number means the subsection so numbered in section 1 of the Act;

a rule referred to by number means the rule so numbered in these Rules;

a form referred to by number means the form so numbered in the Appendix to these Rules;

"leave to proceed" means leave to proceed to execution or otherwise to the enforcement of the judgment or order,

(2) The Interpretation Act, 1889, shall apply for the interpretation of these Rules as if they were an Act of Parliament.

22.—(1) The Courts (Emergence Powers) Rules, 1939, the Courts (Emergency Powers) (No. 2) Rules, 1939, and the Courts (Emergency Powers) (No. 1) Rules, 1940, are hereby revoked.

(2) These Rules may be cited as the Courts (Emergency Powers) (Consolidation) Rules, 1940, and shall come into operation on the 1st day of April, 1940.

APPENDIX.

Forms.

1.

Notice to be served with Writ of Summons.

(*Title of Action as in Writ of Summons.*)

Take notice that under the Courts (Emergency Powers) Act, 1939, a person is not entitled, except with the leave of the court, to proceed to execution on or otherwise to the enforcement of any judgment or order to which the Act applies, and that if the court is of opinion that the person liable to pay the debt or perform the obligation in question is unable immediately to do so by reason of circumstances directly or indirectly attributable to the present war, the court may refuse leave to enforce the judgment or order or may give leave to enforce it subject to such restrictions and conditions as the court thinks proper.

If you decide to defend the action, you should enter an appearance in the action as directed by the Writ of Summons.

But if, while not desiring to defend the action, you wish to avail yourself of the protection afforded by the said Act, you should, instead of entering an

appearance, fill up, sign and detach the subjoined form of counter-notice stating your desire to avail yourself of the said protection and giving a postal address at which notices may be sent to you, and you should either file such counter-notice at the Writ Department, Central Office, or send it by post to the Senior Clerk, Writ Department, Central Office, Royal Courts of Justice, London, W.C. 2 [*in the case on an action in a District Registry or Regional Court substitute the address of the Registry or Regional Office*], so that in either case it may be received within 8 days after the service of this notice on you inclusive of the day of service, or such other time as may be fixed for appearance.

If you carry out these instructions, there will be posted to you at the address given in the counter-notice reasonable notice of any application that may be made for leave to enforce any judgment given in the action.

If you do not either enter an appearance in the action or file or send a counter-notice in accordance with these instructions, it will be assumed that you have no ground under the said Act for opposing the enforcement of any judgment given in the action, and the court may give leave to enforce the judgment on an ex parte application without any further notice.

To the Defendant.

2.

Counter-notice to accompany Form No. 1.

(*Title of Action as in Writ of Summons.*)

Take notice that I (or We) (*giving name*) defendant(s) in this action, while not entering an appearance in or defending the action, desire to take advantage of the protection afforded by the Courts (Emergency Powers) Act, 1939, to prevent the enforcement of any judgment or order that may be made against me (us)

And I (we) give the postal address following, namely (*add postal address*), as the postal address to which should be sent any notice of application under the said Act for leave to enforce such judgment or order.

Dated

(*Signed*) *Signature of defendant*)

N. B.—This notice is to be filed at the Central Office or sent by post to the Senior Clerk, Writ Department, Central Office, Royal Courts of Justice, London, W. C. 2 (*in the case of an action in a District Registry or Regional Court substitute the address of the District Registry or Regional Office*) within 8 days after the service of this notice on you, inclusive of the day of service, or such other time as may be fixed for appearance in the action.

3.

Notice of intention to apply for leave to proceed at the time when judgment is given.

(*Title of Action.*)

(*First paragraph as in Form No 1.*)

And further take notice that if judgment is given for the plaintiff in this action, the plaintiff intends to apply at the time when judgment is given for leave to proceed to execution or otherwise to the enforcement of the judgment. If you desire to take advantage of the protection afforded by the said Act and appear at the trial or hearing, in person or by counsel, or, if the hearing is in chambers, in person or by solicitor or counsel, you will have an opportunity of showing cause why the discretion of the court should be exercised in your favour.

To the Defendant.

4.

Summons for leave to proceed.

(*Title of action or matter.*)

Let all parties concerned attend Master at the Chambers of Mr. Justice in Room No. (or the Master in Chambers, Central Office), Royal Courts of Justice, Strand, London, on the day of , 19 , at o'clock in the noon, on the hearing of an application under the Courts (Emergency Powers) Act, 1939, for leave to proceed to execution or otherwise to the enforcement of (*set out particulars of the judgment or order sought to be enforced*).

Under the Courts (Emergency Powers) Act, 1939, if the court is of opinion that the person liable to satisfy the judgment or order is unable immediately to do so by reason of circumstances directly or indirectly attributable to the present war, the court may refuse leave to enforce the judgment or order or may give leave to enforce it subject to such restrictions and conditions as the court thinks proper.

If the person liable to satisfy the judgment or order desires to take advantage of the protection afforded by the said Act, he should attend in person or by his solicitor or counsel at the place and time abovementioned, when he will have an opportunity of showing cause why the discretion of the court should be exercised in his favour.

5.

Notice to accompany a Judgment Summons.

(*Title as in Judgment Summons.*)

Under the Courts (Emergency Powers) Act, 1939, a person is not entitled,

except with the leave of the court, to proceed to the enforcement of a judgment or order to which the Act applies, and if the court is of opinion that the person liable to satisfy the judgment or order is unable immediately to do so by reason of circumstances directly or indirectly attributable to the present war, the court may refuse leave to enforce the judgment or order or may give leave to enforce it subject to such restrictions and conditions as the court thinks proper.

If you desire to take advantage of the protection afforded by the said Act, and attend the hearing of the accompanying judgment summons, you will have an opportunity of showing cause why the discretion of the court should be exercised in your favour.

To the Judgment Debtor.

6.

Notice to accompany Garnishee Order Nisi, etc.

(*Title as in Order or Summons.*)

(*First paragraph as in Form No 5.*)

If you desire to take advantage of the protection afforded by the said Act, and attend the hearing of the accompanying Garnishee (*or* Charging) Order Nisi (*or* Summons for the Appointment of a Receiver by way of Equitable Execution) in person or by your solicitor or counsel, you will have an opportunity of showing cause why the discretion of the court should be exercised in your favour.

To the Judgment Debtor.

7.

Summons in Pending Action of Foreclosure or Sale in Lieu of Foreclosure.

(*Title of Action.*)

Let all parties attend Master at the Chambers of Mr. Justice at on the day of , 1939, at the hour of in the noon on the hearing of an application by the plaintiff for leave to proceed in the above-mentioned action.

Under the Courts (Emergency Powers) Act, 1939, a person is not entitled, except with the leave of the court, to take any step in any proceedings for foreclosure (or for sale in lieu of foreclosure) instituted before the commencement of the Act, and if the court is of opinion that the person liable to pay the debt or perform the obligation in question is unable to do so by reason of circumstances directly or indirectly attributable to the present war, the court may refuse leave to take any step in the action, or may give leave

to proceed therein subject to such restrictions and conditions as the court thinks proper.

If the defendant desires to take advantage of the protection afforded by the said Act, and attends the hearing of this summons, he will then have an opportunity of showing cause why the discretion of the court should be exercised in his favour.

8.

Statement to be included in an Originating Summons under Section 1 (2) of the Courts (Emergency Powers) Act, 1939.

Under the Courts (Emergency Powers) Act, 1939, certain remedies, including the remedy to which this summons relates, may not be exercised without the leave of the court, and if the court is of opinion that the person liable to pay the rent or other debt or perform the obligation in question is unable immediately to do so by reason of circumstances directly or indirectly attributable to the present war, the court may refuse leave to exercise the remedy or may give leave to exercise it subject to such restrictions and conditions as the court thinks proper.

If the respondent desires to take advantage of the protection afforded by the said Act, and attends the hearing of the summons, he will have an opportunity of showing cause why the discretion of the court should be exercised in his favour.

9.

Notice to accompany Summons for Rates.

(*Title as in Summons.*)

Under the Courts (Emergency Powers) Act, 1939, a person is not entitled to exercise a remedy by way of the levying of distress except with leave of the court, and if the court is of opinion that the person liable to pay the sum in question is unable immediately to do so by reason of circumstances directly or indirectly attributable to the present war, the court may refuse leave to exercise the remedy, or may give leave to exercise it subject to such restrictions and conditions as the court thinks proper.

If you desire to the advantage of the protection afforded by the said Act and attend the hearing of this summons [*or* the accompanying summons] [*or*, the summons served upon you on the day of , 19], you will have an opportunity of showing cause why the discretion of the court should be exercised in your favour.

Rules of the Supreme Court (No. 1).

No. 439 / L. 7, 27th March, 1940.

1. The following words shall be added at the end of Order XIII, Rule 8 (which relates to judgement in default of appearance in an action for recovery of land):—

", upon the production of a certificate by the solicitor for the plaintiff or, in the case of a plaintiff in person, of an affidavit that the action is not one to which Rule 17 of this Order applies.".

2. These Rules may be cited as the Rules of the Supreme Court (No. 1), 1940, and shall come into operation on the 1st day of April, 1940.

County Court (Emergency Powers) (Consolidation) Rules.

No. 531 / L. 8, 9th April, 1940.

PART I.

Appropriate Court.

1. The appropriate court for the giving of the leave required by section 1 shall be the court prescribed in Rules 2, 3, 4, 5 and 6:

Provided that nothing in this Part of these Rules shall prejudice any power of transferring an action or matter from one court to another.

2. Under subsection (1), for proceeding to execution of a judgment or order for the payment or recovery of a sum of money or for enforcing any such judgment or order otherwise than under the Debtors Act, 1869, the appropriate court shall be the court by which the judgment or order has been given or made, or in which the judgment or order is being sought, and for enforcing any such judgment or order under the Debtors Act, 1869, the appropriate court shall be the court in which the enforcement is being sought.

3. Under subsection (2), for instituting or taking any step in proceedings for foreclosure or for sale in lieu of foreclosure, the appropriate court shall be the court in which the proceedings are sought to be instituted or are pending.

4.—(1) For exercising any remedy referred to in paragraph (*a*) of subsection (2), the appropriate court shall, subject to the provisions of this and the next following Rule, be the High Court in any case, or the county court as an alternative to the High Court in the following cases:—

(*a*) For the levying of distress, where the amount for which distress is sought to be levied does not exceed £100.

(*b*) For entering into possession of land or for the appointment of a receiver of land or for re-entry upon land, where neither the value of the land nor the rent payable in respect thereof exceeds £100 a year.

(*c*) For the realisation of any security, where the amount owing in respect of the mortgage charge or lien does not exceed £500.

(*d*) For taking possession of any property other than land or for the appointment of a receiver of any such property, where the sum sought to be recovered does not exceed £100.

(*e*) For the forfeiture of any deposit, where the total amount payable in respect of which the deposit has been made does not exceed £100.

(2) Where leave is required for the purpose of taking proceedings in a county court, the application for leave shall be made in the court in which the proceedings are to be taken, and in any other case where the county court is the appropriate court, the application for leave shall be made in the county court for the district in which the respondent or one of the respondents resides or carries on business or the subject-matter of the application is situate.

(3) Where the High Court and a county court have concurrent jurisdiction under this Rule, the application shall not be made to the High Court except in special circumstances.

(4) Where an application is made to the High Court and the court or judge is of opinion that it ought to have been made to a county court, the court or judge may order the matter to be transferred to the county court.

5. The appropriate court for giving leave to levy a distress for rates shall be the court having jurisdiction to issue the warrant of distress.

6. Under subsection (3), for proceeding to execution on, or otherwise to the enforcement of, a judgment or order for the recovery of possession of land, the appropriate court shall be the court by which the judgment or order has been given or made or in which the judgment or order is being sought.

PART II.

Procedure.

7. In any proceedings under the Act in a county court the procedure shall be regulated by Rules of Court subject to the provisions of these Rules.

Leave to Proceed.

8.—(1) A plaintiff commencing an action to which subsection (1) or subsection (3) applies may include in the praecipe a statement that he desires a notice under the Act to be served with the summons.

(2) Where such a statement is contained in the praecipe, the registrar shall annex to the summons a notice to the effect of Form No. 1 in the case of a default action or Form No. 2 in the case of an ordinary action, and the notice shall be served on the defendant with the summons, and the provisions of Order VIII shall apply to the service of the notice as they apply to the service of the summons to which the notice is annexed, subject to the modification that it shall be a sufficient compliance with the requirements of Order VIII as to indorsement if the indorsement on the summons shows that the facts stated therein apply also to the notice.

(3) Where in any such action a notice has been served with the summons under this Rule, then—

(*a*) if judgment is entered in default under Order X, Rule 2, the plaintiff may apply *ex parte* for leave to proceed;

(*b*) if judgment is given or entered for the plantiff otherwise than as aforesaid, the plaintiff may apply for leave to proceed at the time when judgment is given or entered without further notice to the defendant, or at any subsequent time on notice under Order XIII, Rule 1, so however that the notice shall be served not less than 4 clear days before the day fixed for the hearing of the application.

(4) This Rule shall apply to a matter as it applies to an action, with the modification that the statement mentioned in paragraph (1) of this Rule shall be filed with the originating process instead of being included in a praecipe.

9.—(1) Where in an action or matter to which subsection (1) or subsection (3) applies no notice has been served with the originating process under the last preceding Rule, an application by the plaintiff for leave to proceed may be made at the time when the judgment or order is given or made in the presence of the defendant or his solicitor or counsel or on notice in Form No. 2, or at any subsequent time on notice in Form No. 3.

(2) A notice under this Rule shall be served not less than 4 clear days before the day fixed for the hearing, and may be served by—

(i) a bailiff of the court; or

(ii) the plaintiff or some person in his permanent and exclusive employ; or

(iii) the solicitor of the plaintiff or a solicitor acting as an agent for such solicitor or some person employed by either solicitor to serve the notice.

(3) Where the plaintiff requests that the notice should be served by bailiff, the plaintiff shall file the notice in the court office together with as many copies thereof as there are defendants, and the following provisions shall apply with regard to service:—

(*a*) the notice may be served by delivering it to the defendant in any district in which he may be found; or

(*b*) where the registrar of the court for the district in which the notice is to be served is satisfied by a report of the bailiff or otherwise that, if the notice is served by delivering it at the defendant's residence or by sending it by post to his last known residence, there is a reasonable probability that the notice will come to the knowledge of the defendant in sufficient time for him to have an opportunity of appearing at the hearing of the application, the notice may be so served; or

(*c*) if the application is made under subsection (3) and the notice cannot, in the opinion of the registrar, be served in accordance with the foregoing provisions of this paragraph, the notice may, if the registrar thinks fit, be served by delivering it to some person on the premises or by affixing it to a conspicuous part of the premises, and such service shall have the same effect as service of the notice on the defendant.

(4) Where no request is made that the notice should be served by bailiff, the notice shall be served by delivering it to the defendant in any district in which he may be found.

(5) Subject to the foregoing provisions of this Rule, Order VIII shall apply to the service of a notice under this Rule:

Provided that Rule 6 of that Order (which relates to substituted service) shall not apply to service of a notice under this Rule where the application is for leave to proceed to the enforcement of a judgment or order by the execution of an order of commitment.

(6) The court may hear and determine the application if it thinks fit, notwithstanding that there is no appearance by the plaintiff or defednant.

10. An application under Rule 8 (3) or Rule 9 made after the judgment or order has been given or made may be heard and determined by the registrar, whether the judgment or order was given or made by the judge or by the registrar.

11. No warrant of execution or possession shall be issued to enforce any judgment or order unless leave to proceed has been given or the party desiring to enforce the judgment or order files in the court office a praecipe showing that the judgment or order is one which may be enforced without leave under the Act.

12.—(1) An application under subsection (1) for leave to enforce a judgment or order under section 5 of the Debtors Act, 1869, may be made at the hearing

of the judgment summons on notice to the effect of Form No. 4 incorporated in or annexed to the judgment summons and served on the judgment debtor with the judgment summons.

(2) Where a judgment summons has been served in due time, but without a notice to the effect of Form No. 4, a successive judgment summons may, if the creditor so requests, be issued for service with such a notice, notwithstanding that three months have elapsed since the date of the original judgment summons.

(3) No order of commitment shall be made on the hearing of a judgment summons unless the judge is satisfied either that the foregoing provisions of this Rule have been complied with, or that the judgment or order is one which may be enforced without leave under the Act.

(4) Where an order of commitment was made before the commencement of the Act, an application for leave to proceed to the enforcement of the judgment or order to which the order of commitment relates by the execution of the order of commitment may be made to the judge on notice to the effect of Form No. 3 in accordance with Rule 9.

13. —(1) An application for leave to enforce a judgment or order to which subsection (1) applies by means of a garnishee order may be made at the hearing of the granishee proceedings before a garnishee order is made.

(2) A judgment creditor who desires to make such an application shall file in the court office, together with the documents required by Order XXVII, Rule 4, a praecipe stating that he desires to make the application, and the registrar shall serve on the judgment debtor, together with the documents required by Rule 6 of that Order, a notice to the effect of Form No. 5.

(3) No garnishee order shall be made unless the court is satisfied that either the provisions of this Rule have been complied with or the judgment or order is one which may be enforced without leave under the Act.

14.—(1) An application for leave to enforce a judgment or order to which subsection (1) applies by the appointment of a receiver by way of equitable execution may be made at the hearing of the application for the appointment and before the appointment is made.

(2) A judgment creditor who desires to make such an application shall serve on the judgment debtor and file in the court office, together with the notice of the application for the appointment, a notice to the effect of Form No. 6.

(3) No order shall be made for the appointment of a receiver by way of equitable execution unless the court is satisfied that either the provisions of this Rule have been complied with or the judgment or order is one which may be enforced without leave under the Act.

15. An order made on an application for leave to proceed to the enforcement of a judgment or order shall be to the effect of Form No. 11, and may be incorporated in the judgment or order, and if not so incorporated, shall, except where unconditional leave is given, be served by the registrar in accordance with Order XXIV, Rule 8.

Leave to exercise Remedy or Foreclose.

16. An application under subsection (2) for leave to take a step in proceedings for foreclosure or sale in lieu of foreclosure instituted befeore the commencement of the Act shall be made on notice to the effect of Form No. 7 in accordance with Order XIII, Rule 1.

17.—(1) An application under paragraph (*a*) of subsection (2) for leave to distrain shall be by originating application and, subject to the provisions of this Rule, the provisions of the County Court Rules, 1936, relating to originating applications shall apply.

(2) The application shall be to the effect of Form No. 8 and the notice required by Order VI, Rule 4 (2) (*c*) (ii), to be served on the respondent with a copy of the application shall be to the effect of Form No. 9 in lieu of the form prescribed in that sub-paragraph.

(3) Order VIII shall apply to the service of the application and notice subject to the following modifications:—

(*a*) Service may be effected—

(i) by a bailiff of the court; or

(ii) by the applicant or some person in his permanent and exclusive employ or some person regularly employed by him to collect the rent of the premises to which the application relates; or

(iii) by the solicitor of the applicant or a solicitor acting as an agent for such solicitor or some person employed by either solicitor to serve the documents.

(*b*) Service of the documents shall be effected not less than 4 clear days before the day fixed for the hearing:

Provided that service may be effected at any time before the day so fixed on the applicant satisfying the registrar by affidavit that the respondent is about to remove from the address stated in the application.

(*c*) Service shall be effected by delivering the documents. to the respondent or to some person apparently not less than 16 years old at the premises to which the application relates.

(*d*) Where service is otherwise than by bailiff, the person effecting service shall make an indorsement to the effect of Form No. 31 in the County Court Rules, 1936, on the copy of the notice retained by him and shall state therein his qualification to serve the documents, and shall, within 3 days of the date of service or such further time as may be allowed by the registrar, file in the court office the indorsed copy of the notice and any unserved notice.

(*e*) Where service has been effected by delivering the documents to some person other than the respondent, the registrar may, if he thinks fit, dispense with the notice of doubtful service prescribed by Order VIII, Rule 30 (1), and if the respondent does not appear on the day fixed for the hearing, the application may proceed, if the court thinks fit, notwithstanding anything in Rule 30 (2) of that Order.

(4) The application may be heard and determined by the registrar, subject to appeal to the judge under Order XXXVII, Rule 5, and the day fixed for the hearing of the application need not be a court day, and the registrar may hear the application in court or in chambers, whether the judge is holding a court or not.

(5) Where leave to distrain for the rent of any premises is required both by the Act and by the Rent and Mortgage Interest Restrictions Acts, 1920 to 1939, the application shall be made in accordance with these Rules and not in accordance with the Rent and Mortgage Interest (Restriction) Rules, 1920, as amended; but nothing in this paragraph shall effect the procedure under the last-mentioned Rules on an application for leave to distrain in respect of premises to which the Rent and Mortage Interest Restrictions Acts, 1920 to 1939, apply if the premises are held under a contract of tenancy made after the commencement of the Act.

(9) An order giving leave to distrain shall be to the effect of Form No. 12, and shall be served on the applicant and the respondent.

18.—(1) Subject to Rules 16 and 17 and the subsequent paragraphs of this Rule, an application for leave to exercise a remedy or to institute proceedings under subsection (2) may be made by originating application and the provisions of the County Court Rules, 1936, relating to originating application shall apply, subject to the modification that the application shall be to the effect of Form No. 8, and the notice required by Order VI, Rule 4 (2) (*c*) (ii), to be served on the respondent with a copy of the application shall be to the effect of Form No. 9.

(2) Where a person desires leave to exercise a remedy specified in paragraph (*a*) of that subsection by means of legal proceedings and the application

has not been made before the commencement of the proceedings, the application may be made at the time when the judgment or order in the action or matter is given or made in the presence of the defendant or his solicitor or counsel or on notice to the effect of Form No. 10, or at any later time on notice to the effect of Form No. 10.

(3) The provisions of Rule 8 and of paragraphs (2) to (5) of Rule 9 shall apply to the service of a notice to the effect of Form No. 10 as they apply respectively to the service of a notice to the effect of Form No. 2 and Form No. 3:

Provided that where a plaintiff in an action for the return of goods applies for leave under the said paragraph (*a*) in respect of those goods, paragraph (3) of Rule 9 shall apply with the modification that, if the goods are in the possession of a person other than the defendant, and the notice cannot, in the opinion of the registrar referred to in Rule 9 (3) (*b*), be served in accordance with the provisions of that paragraph, the notice may be served, if the court thinks fit, by delivering it to the person in possession of the goods, and such service shall have the same effect as service on the defendant.

(4) The court may, if it thinks fit, hear and determine an application made on notice to the effect of Form No. 10, notwithstanding that there is no appearance by the plaintiff or defendant.

(5) No warrant of delivery of goods shall be issued unless leave under subsection (2) has been given in respect of those goods or the party desiring the issue of the warrant files in the court office a praecipe showing that the issue of the warrant is a remedy which may be exercised without leave under the Act.

(6) Where, since the commencement of the Act—

(*a*) a mortgagor has voluntarily given up possession or has surrendered possession of the mortgaged land to the mortgagee, or

(*b*) the mortgagee has taken possession of the mortgaged land with the leave of the court under the Act, or

(*c*) the court has given leave under the Act to enforce an order for possession of the mortgaged land,

the court may dispense with the service of notice of an application under subsection (2) (*a*) (iv) for leave to realise the security by selling the land.

General Provisions as to Procedure.

19. The court may suspend, discharge, or vary an order if, having regard to circumstances subsequent to the order, the court thinks it just to do so.

20. The court may at any stage of the proceedings order that the case shall thenceforward be heard in private.

21. Where a respondent to an application is an enemy within the meaning of the Trading with the Enemy Act, 1939, the court may dispense with the service of notice of the application on that respondent.

22.—(1) No solicitor's charge shall be allowed as between party and party in connection with an application under Rule 8 (3), 12 or 13.

(2) Where costs are awarded in an application under Rule 9, 14, 16, 17 or 18 (2), the costs shall be fixed and allowed without taxation, and if in any such application the party to whom costs have been awarded has employed a solicitor, the following provisions shall apply:—

(*a*) Where the application is made under Rule 9 or Rule 14 in respect of a judgment or order for a sum of money, the amount to be fixed for the solicitor's charges shall be regulated by the sum due under the judgment or order (exclusive of costs) at the date of the service of the notice of the application or at the date of the judgment or order, whichever is the later, according to the following Table:—

Sum of Money.	Amount of Fixed Charges.
	s. d.
Exceeding £2 and not exceeding £5	3 4
Exceeding £5 and not exceeding £10	5 0
Exceeding £10 and not exceeding £20	6 8
Exceeding £20 and not exceeding £50	8 10 including percentage increase.
Exceeding £50	12 0 including percentage increase.

(*b*) Where the application is for leave to distrain, the amount to be fixed for the solicitor's charges shall be regulated by the sum sought to be distrained for at the date of the filing of the application according to the said Table.

(*c*) Where the application is for leave to enforce a judgment or order in an action for the recovery of land (under Rule 9) or for leave to take a step in an action of foreclosure or sale (under Rule 16) or for leave to proceed in an action for the return of goods (under Rule 18 (2)), the amount to be fixed for the solicitor's charges shall be regulated by the Scale on which the costs of the action are awarded, according to the following Table:—

Scale of Costs of the Action.	Amount of Fixed Charges.
	s. d.
Lower Scale, Column 1	3 4
Lower Scale, Column 2	5 0
Scale A	6 8
Scale B	8 10 including percentage increase.
Scale C	12 0 including percentage increase.

(*d*) The amount so fixed for solicitor's charges shall include all work done by the solicitor in connection with the preparation, service and hearing of the application.

(3) Where costs are awarded in an originating application under Rule 18 (1), the costs shall be fixed and allowed without taxation, and the amount to be fixed for solicitor's charges shall be such amount as the registrar thinks reasonable.

PART III.

General.

23.—(1) In these Rules, unless the context otherwise requires—

"the Act" means the Courts (Emergency Powers) Act, 1939, as amended by any subsequent enactment;

a section referred to by number means the section so numbered in the Act;

a subsection referred to by number means the subsection so numbered in section 1;

a rule referred to by number means the rule so numbered in these Rules;

a form referred to by number means the form so numbered in the Appendix to these Rules;

words used in these Rules have the same meaning as in the County Court Rules, 1936, and an Order and Rule referred to by number mean the Order and Rule so numbered in those Rules.

"leave to proceed" means leave to proceed to execution or otherwise to the enforcement of the judgment or order.

(2) The Interpretation Act, 1889, shall apply for the interpretation of these Rules as if they were an Act of Parliament.

24.—(1) The County Court (Emergency Powers) Rules, 1939, the County

Court (Emergency Powers) (No. 2) Rules, 1939, the County Court (Emergency Powers) (No. 3) Rules, 1939, and the County Court (Emergency Powers) (No. 1) Rules, 1940 are hereby revoked.

(2) These Rules may be cited as the County Court (Emergency Powers) (Consolidation) Rules, 1940, and shall come into operation on the 22nd day of April, 1940.

APPENDIX.

1.

Notice to be served with Default Summons under Rule 8 of the County Court (Emergency Powers) (Consolidation) Rules, 1940.

(*Title of Action.*)

(*As in Default Summons*).

(Seal)

Take notice that under the Courts (Emergency Powers) Act, 1939, the plaintiff is not entitled to proceed to execution on or otherwise to the enforcement of any judgment or order to which the Act applies without the leave of the court, and that if the court is of opinion that the person liable to pay the debt or perform the obligation in question is unable immediately to do so by reason of circumstances directly or indirectly attributable to the present war, the court may refuse leave to enforce the judgment or order or may give leave to enforce it subject to such restrictions and conditions as the court thinks proper.

If within 8 days of the service of the accompanying default summons upon you, inclusive of the day of service, you deliver to the registrar, at the office of the court, by post or otherwise, a defence or an admission and request for time for payment or a counterclaim, the plaintiff may apply at the hearing or disposal of the action without further notice to you, for leave to enforce any judgment which may be given or entered for the plaintiff, and if you appear at the hearing or disposal of the action, you will have an opportunity of showing cause why the discretion of the court should be exercised in your favour.

If, however, you do not deliver a defence or an admission and request for time for payment or a counterclaim within the time and in the manner aforesaid, it will be assumed that you have no ground under the said Act for opposing any enforcement of any judgment obtained in action, and the court may give leave to enforce the judgment on an application by the plaintiff without any further notice to you.

To the Defendant.

2.

Notice of Intention to apply for Leave to Proceed at the time when judgment is given.

(*Title of Action.*)

(*First paragraph as in Form No.* 1.)

And further take notice that if judgment is given for the plaintiff in this action, the plaintiff intends to apply, at the time when judgment is given, for leave to proceed to execution or otherwise to the enforcement of the judgment. If you desire to take advantage of the protection afforded by the said Act and appear at the trial or hearing in person or by your solicitor or counsel, you will have an opportunity of showing cause why the discretion of the court should be exercised in your favour.

To the Defendant.

3.

Notice of Intention to apply for Leave to Proceed.

(*Title of Action.*)

Take notice that the plaintiff intends to apply under the Courts (Emergency Powers) Act, 1939, to the Court at on the day of , 19 , at the hour of in the noon for an order giving leave to proceed to execution or otherwise to the enforcement of [*give particulars of the judgment or order sought to be enforced*].

Under the Courts (Emergency Powers) Act, 1939, if the court is of opinion that the person liable to satisfy the judgment or order is unable immediately to do so by reason of circumstances directly or indirectly attributable to the present war, the court may refuse leave to enforce the judgment or order or may give leave to enforce it subject to such restrictions and conditions as the court thinks proper.

If you desire to take advantage of the protection afforded by the said Act, you should attend yourself or by your solicitor at the place and time above-mentioned, when you will have an opportunity of showing cause why the discretion of the court should be exercised in your favour.

To the Defendant.

4.

Notice to accompany a Judgment Summons.

(*Title as in Judgment Summons.*)

(Seal)

Under the Courts (Emergency Powers) Act, 1939, a person is not entitled,

except with the leave of the court, to proceed to the enforcement of a judgment or order to which the Act applies, and if the court is of opinion that the person liable to satisfy the judgment or order is unable immediately to do so by reason of circumstances directly or indirectly attributable to the present war, the court may refuse leave to enforce the judgment or order or may give leave to enforce it subject to such restrictions and conditions as the court thinks proper.

If you desire to take advantage of the protection afforded by the said Act, and attend the hearing of the accompanying judgment summons, you will have an opportunity of showing cause why the discretion of the court should be exercised in your favour.

To the Judgment Debtor.

5.

Notice to accompany Notice of Garnisher Summons (C.C. Form 207).

(*Title as in Garnishee Summons.*)

(*First paragraph as in Form No.* 4.)

(Seal)

The judgment creditor intends to apply at the hearing of the accompanying garnishee summons for leave to enforce the judgment [*or* order] referred to therein by means of a garnishee order.

If you desire to take advantage of the protection afforded by the said Act, you should attend at the place and time affixed for the hearing of the garnishee summons, when you will have an opportunity of showing cause why the discretion of the court should be exercised in your favour.

To the Judgment Debtor.

6.

Notice to accompany Notice for Receiver by way of Equitable Execution.

(*Title of Action or Matter.*)

First paragraph as in Form No. 4.)

The judgment creditor intends to apply at the hearing of the accompanying application for leave to enforce the judgment [*or* order] referred to therein by the appointment of a receiver by way of equitable execution.

If you desire to take advantage of the protection afforded by the said Act, you should attend at the place and time fixed for the hearing of the application, when you will have an opportunity of showing cause why the discretion of the court should be exercised in your favour.

To the Judgment Debtor.

7.

Notice in Pending Action of Foreclosure or Sale in Lieu of Foreclosure.

(*Title of Action.*)

Take notice that the plaintiff intends to apply under the Courts (Emergency Powers) Act, 1939, to the court at on the day of , 1939, at the hour of in the noon for an order giving leave to proceed in the above-mentioned action.

Under the Courts (Emergency Powers) Act, 1939, a person is not entitled, except with the leave of the court, to take any step in any proceedings for foreclosure (or for sale in lieu of foreclosure) instituted before the commencement of the Act, and if the court is of opinion that the person liable to pay the debt or perform the obligation in question is unable to do so by reason of circumstances directly or indirectly attributable to the present war, the court may refuse leave to take any step in the action, or may give leave to proceed therein subject to such restrictions and conditions as the court thinks proper.

If you desire to take advantage of the protection afforded by the said Act, you should attend at the place and time above-mentioned and you will then have an opportunity of showing cause why the discretion of the court should be exercised in your favour.

To the Defendant.

8.

Originating Application for Leave to Distrain, etc.

In the County Court.

No.

In the Matter of the Courts (Emergency Powers) Act, 1939.

and

In the Matter of [*description of premises or subject-matter*].

Between Applicant

and

Respondent.

I, of apply to the Court for an order giving leave to [levy a distress for rent amounting to on premises situate at and known as] [*or to exercise some other remedy mentioned in Section* 1 (2) (*a*) *of the said Act*].

The grounds on which I claim to be entitled to the order are [that the said premises are let by me to the respondent on a weekly tenancy at s. per week payable on Saturdays in advance and that rent for weeks amounting to £

was, by Saturday, the day of , 19 , and still is in arrear] (*or as the case may be*).

The name and address of the person on whom it is intended to serve this application is

My address for service is

Dated this day of , 19 .

(*Signed*)

Applicant.

9.

Notice to Respondent of Day on which Originating Application will be heard.

(*Title of Originating Application.*)

(Seal).

Take Notice that this Application will be heard at a court to be holden at (or at the Court Office) at on the day of , 19 , at the hour of in the noon.

A sealed copy of the originating application is hereto annexed.

Under the Courts (Emergency Powers) Act, 1939, a person is not entitled, except with the leave of the court, to exercise certain rights and remedies, including the right or remedy to which the application relates, and if the Court is of opinion that the person liable to pay the rent or other debt or perform the obligation in question is unable immediately to do so by reason of circumstances directly or indirectly attributable to the present war, the Court may refuse leave to exercise the right or remedy or may give leave to exercise it subject to such restrictions and conditions as the court thinks proper.

If you desire to take advantage of the protection afforded by the said Act, you should attend at the place and time above-mentioned, when you will have an opportunity of showing cause why the discretion of the court should be exercised in your favour.

If you do not attend at the time and place above-mentioned, such order will be made as the court thinks proper.

To the Respondent.

10.

Notice in Pending Proceedings for Leave to Proceed in Action or Matter.

(*Title of Action or Matter.*)

Take notice that the plaintiff intends to apply under the Courts (Emergency

Powers) Act, 1939, to the court at on the day of , 19 , at the hour of in the noon [*or* at the time when the judgment is given *or* the order is made] for an order giving leave to proceed in the above-mentioned action [*or* matter].

Under the Courts (Emergency Powers) Act, 1939, a person is not entitled, except with the leave of the court, to proceed to exercise any remedy which is available to him by way of the taking of possession of goods [*or as the case may be*] and if the court is of opinion that the person liable to perform the obligation in question is unable to do so by reason of circumstances directly or indirectly attributable to the present war, the court may refuse leave to proceed in the action [*or* matter] or may give leave to proceed therein subject to such restrictions and conditions as the court thinks proper.

If you desire to take advantage of the protection afforded by the said Act, you should attend at the place and time above-mentioned [*or* at the hearing of the action or matter] and you will then have an opportunity of showing cause why the discretion of the court should be exercised in your favour.

To the Defendant.

11.

Order on Application for Leave to Proceed.

(*Title of Action or Matter.*)

(Seal).

On the application of [*add, if so*, and upon hearing the defendant].

It is ordered that the plaintiff be at liberty to proceed to execution on the judgment given [*or* order made] against the defendant in the above-mentioned action [*or* matter] on the day of , 19 , for the payment of the sum of £ and costs.

[*or* It is ordered that the plaintiff be at liberty to proceed to the enforcement of the judgment given [*or* order made] against the defendant in the above-mentioned action [*or* matter] on the day of , 19 , for the payment of the sum of £ and costs, by issuing the order of commitment made on the day of , 19 ,].

[*Add, if so ordered*—

And it is ordered that the plaintiff be allowed the sum of for the costs of this application and that the said sum be added to the costs of the proceedings hereby authorised to be taken.]

And it is further ordered that the warrant of execution [*or* order of commitment] shall not be enforced if the sum mentioned below is paid into court

on or before the day of , 19 [*or* by intalments of for every , the first instalment to be paid on the day of , 19].

Dated this day of , 19 ,

Registrar.

Amount payable under the judgment or order . . . . . £

[Costs of this application . . . . . £]

£

To the Defendant.

12.

Order on Originating Application for Leave to Distrain.

In the County Court.

No. of (Seal).

In the matter of the Courts (Emergency Powers) Act, 1939.

and

[In the matter of the Rent and Mortgage Interest Restrictions Acts, 1920 to 1939]

(*strike out if not applicable*)

and

In the matter of [*description of premises*]

Between

Applicant

and

Respondent.

Upon hearing the application of [*add, if so,* and upon hearing the respondent].

It is ordered that notwithstanding the provisions of section 1 (2) of the Courts (Emergency Powers) Act, 1939 [and section 6 of the Increase of Rent and Mortage Interest (Restrictions) Act, 1920,] (*strike out if not applicable*) the applicant be at liberty to levy a distress for rent amounting to £ : : due from the respondent to him on premises situate at

[*here add conditions, if any*].

And it is ordered that the applicant be allowed the sum of £ : : for costs on this application, and that the respondent do pay the said sum to the applicant on or before the day of , 19 .

Registrar.

To the Applicant and Respondent.

A. 防 空

Weaver Navigation Trustees (Civil Defence Act, 1939) (Section 41 (1)) Order.

No. 1821, 30th November, 1939.

1. The provisions of Part V of the Civil Defence Act, 1939, relating to the provision of air-raid shelter for persons employed by public utility undertakers shall apply in relation to the Trustees as if all persons likely to be found during air-raids in that part of the Docks Estate aforesaid specified in the Schedule hereto were persons employed by the Trustees.

2. The Interpretation Act, 1889, applies for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

3. This Order may be cited as "The Weaver Navigation Trustees (Civil Defence Act, 1939) (Section 41 (1)) Order, 1939."

SCHEDULE.

So much of the Docks Estate aforesaid as is coloured green on the plan signed for the purpose of identification by Robert Hill Tolerton a Principal Assistant Secretary of the Ministry of Transport.

Air-Raid Precautions (Storage and Loan of Equipment) Regulations.

No. 236, 21st Feburary, 1940.

1. These Regulations shall apply to equipment acquired on behalf of His Majesty under the Air-Raid Precautions Act, 1937, and furnished free of charge on behalf of His Majesty to a local authority but shall not apply to equipment to which the Air-Raid Precautions (Loan of Fire Appliances) Provisional Regulations, 1938, or the Air-Raid Precautions (Loan of Fire Appliances) (Scotland) Regulations, 1938, apply.

2. The equipment is furnished to the local authority for the purpose of enabling the local authority to make provision—

(*a*) for the instruction of members of the public as to air-raid precautions and for their protection in the event of hostile attack from the air;

(*b*) for the protection of property in that event; and

(*c*) for the equipment of public services affording such protection as aforesaid and of persons serving in them and for the instruction and training of those person;

subject to the following conditions:—

(1) equipment shall be distributed to members of the public in accordance with the directions of the Minister and not otherwise;

(2) equipment shall not be allocated for the use of particular services or of persons serving in them in excess of the scales approved by the Minister;

(3) where the Minister has by directions confined the use of any equipment to any purpose, it shall not be used for any other purpose; and

(4) the local authority shall secure reasonable economy in the use of equipment.

3. As regards equipment which has not been distributed to members of the public, the local authority shall—

(*a*) in the case of equipment not in use either store it with due care in suitable conditions, or, if it is kept available for immediate use, keep it with all practicable care; and

(*b*) in the case of equipment in use take all proper measures to secure that—

(i) the equipment is kept and used with due care;

(ii) the equipment is not used except for the purpose for which it has been issued by the local authority; and

(iii) equipment is not retained by a person serving in any public service as aforesaid except in conformity with directions given by the Minister in that behalf and, where equipment is so retained, it is returned to the local authority on demand or in any case on that person ceasing so to serve.

4. The local authority, if and to such extent as the Minister directs, shall repair, or make arrangements for the repair of, the equipment.

5. Equipment, which is likely to deteriorate with the efflux of time and is suitable to be used for medical treatment, is furnished to the local authority on condition that—

(*a*) the local authority will arrange, with a view to the avoidance of waste, for the equipment to be used for medical treatment so far as is practicable and for the replacement without cost to the Minister of the equipment so used by equipment (unless in any case the Minister should otherwise determine) of the same kind and of a not inferior quality; and

(*b*) the equipment substituted by way of replacement for the equipment so used shall be the property of His Majesy and shall be subject to the provisions of these Regulations and shall, with a view to the avoidance of waste, be replaced as provided by this Regulation.

6.—(1) The Minister may at any time by notice require the local authority to return the equipment or any of it, and thereupon it shall be the duty of the local authority to deliver the equipment, to which the notice relates, to the Minister or as he may direct.

(2) The local authority may, with the consent of the Minister, and shall, if he so directs, transfer any equipment to any other authority or person.

7. The local authority shall cause equipment, other than equipment which has been distributed to members of the public, to be inspected by a competent person—

(*a*) at suitable intervals with a view to ascertaining whether the equipment has become damaged or defective; and

(*b*) at intervals of not more than six months with a view to ascertaining what equipment is in its possession or control.

8.—(1) The local authority shall keep a record—

(*a*) of equipment furnished to the local authority and the date at which and the authority or person from whom it was received;

(*b*) of equipment distributed to members of the public;

(*c*) in the case of equipment other than equipment distributed to members of the public—

(i) of equipment which is not in use and of the places where it is stored or kept;

(ii) of equipment which is in use and of the service by which it is being used or, in the case of equipment not used by a service, of the purpose for which it is used; and

(iii) of equipment which has been consumed, destroyed or lost;

(*d*) of equipment which has been returned to the Minister or delivered or transferred to any authority or person in accordance with Regulation 6 hereof, or which has been returned to the Minister as being damaged or defective, and of the date of such return, delivery or transfer; and

(*e*) of the replacement of equipment used in accordance with Regulation 5 hereof and of the date of the replacement.

(2) The local authority shall permit at all times any person authorised in that behalf by the Minister of Home Security or the Minister of Health to inspect the equipment and the said record.

(3) The local authority shall, at such time or times as the Minister may direct, make a report to the Minister giving such particulars as he may direct of any matter, particulars of which are required to be recorded in the said record.

9.—(1) Where any equipment is consumed, destroyed, lost or damaged or becomes defective owing to the local authority's contravention of, or failure to comply with, any provision of these Regulations, the local authority shall pay to the Minister a sum equal to the estimated cost of replacement or repair of the equipment, as the case may be.

(2) Any question arising under the foregoing paragraph of this Regulation between the Minister and the local authority shall be determined by a single arbitrator to be appointed by agreement or, in default of agreement, by the Minister of Health.

10.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meaning hereby assigned to them:—

"Equipment" means any equipment, appliance or material;

"Local authority" includes the standing joint committee of quarter sessions and of the county council appointed under section thirty of the Local Government Act, 1888; and

"Minister" means, in relation to any equipment furnished for the purpose of first-aid posts or of any other service with respect to which any of the functions of the Minister of Home Security are by arrangement under subsection (3) of section one of the Civil Defence Act, 1939, for the time being exercised on his behalf by the Minister of Health, the Minister of Home Security or the Minister of Health and, in relation to any other equipment, the Minister of Home Security.

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

11. These Regulations shall, in their application to Scotland, have effect as if for references to the Minister of Health there were substituted references to the Secretary of State.

12. These Regulations may be cited as the Air-Raid Precautions (Storage and Loan of Equipment) Regulations, 1940.

In pursuance of section two of the Rules Publication Act, 1893, I hereby certify that on account of urgency these Regulations should come into immediate operation, and I make them to come into operation forthwith as Provisional Rules in England and as Statutory Rules in Scotland.

Aire and Calder Navigation (Port of Goole) (Civil Defence Act, 1939) (Section 41 (1)) Order.

No. 775, 6th May, 1940.

1. The provisions of Part V of the Civil Defence Act, 1939, relating to the provision of air-raid shelter for persons employed by public utility undertakers shall apply in relation to the Navigation as if all persons likely to be found during air-raids in those parts of the Dock Estate aforesaid specified in the Schedule hereto were persons employed by the Navigation.

2. The Interpretation Act, 1889, applies for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

3. This Order may be cited as "The Aire and Calder Navigation (Port of Goole) (Civil Defence Act, 1939) (Section 41 (1)) Order, 1940."

SCHEDULE

So much of the Dock Estate aforesaid as is coloured green on the plan signed for the purpose of identification by Robert Hill Tolerton, a Principal Assistant Secretary of the Ministry of Transport.

Air-Raid General Precautions Schemes (Stirlingshire and Clackmannanshire) Order.

No. $\frac{687}{S.\ 26}$, 7th May, 1940.

1. The functions of the County Councils of Stirlingshire and Clackmannanshire and of the Town Councils of Alloa, Alva, Bridge of Allan, Denny and Dunipace, Dollar, Falkirk, Grangemouth, Kilsyth, Stirling and Tillicoultry, under any Air-Raid General Precautions Scheme for the time being in force shall, as respects the whole area of Stirlingshire and Clackmannanshire, be exercised by a Joint Committee appointed by the said Councils, in pursuance of an Agreement made under section eleven of the Local Government (Scotland) Act, 1929.

2. This Order may be cited as the Air-Raid General Precautions Schemes (Stirlingshire and Clackmannanshire) Order, 1940.

B. 燈 火 制 限

Lighting (Restrictions) Order.

No. 74, 19th January, 1940.

PART I.

General.

Paragraphs 1 to 5.

PART II.
Traffic Signs, Lighting of Obstructions, Street Lighting, Etc.
Public Roads.
Paragraphs 6 to 8.
Private roadways and ways.
Paragraphs 9 to 11.
Direction signs to police and fire stations, hospitals, civil defence posts, etc.
Paragraph 12.

PART III.
Traffic on Roads and Private Roadways.
Definition of Classes of Lamps, etc.
Paragraphs 13 to 19.
General provisions as to mechanically propelled vehicles.
Paragraphs 20 and 21.
Trailers.
Paragraph 22.
Public Service Vehicles, Trolley Vehicles and Tramcars.
Paragraphs 23 to 27.
Police, Fire and Civil Defence Vehicles, and Ambulances.
Paragraph 28.
Taximeter Cabs.
Paragragh 29.
Low-powered Motor Bicycles.
Paragraph 30.
Pedal Cycles.
Paragraph 31.
Horse-drawn Vehicles and Handcarts.
Paragraphs 32 and 33.
Vehicles with overhanging or projecting loads.
Paragraph 34.
White paint on vehicles.
Paragraph 35.
Vehicles used for purposes of His Majesty's Forces.
Paragraph 36.
Application to private roadways.
Paragraph 37.

Application to machines and implements.
Paragraph 38.
Animals.
Paragraph 39.

PART IV.
Shops, Stalls, Hotels and Places of Public Entertainment.
Paragraphs 40 to 44.

PART V.
Railways, Docks, Waterways, Aircraft and Aerodromes.
Paragraphs 45 to 48.

PART VI.
Miscellaneous.
Rescue, demolition and repair work.
Paragraph 49.
Torches, hand lamps and hurricane lamps.
Paragraph 50.
Tractors used for agricultural purposes.
Paragraph 51.

PART VII.
Supplemental.
Interpretation.
Paragraph 52.
Short title, revocation, commencement and extent.
Paragraph 53.

FIRST SCHEDULE.
Description of British Standards Institution Mark to be marked on lighting fittings.

SECOND SCHEDULE.
Illuminated signs displayed by certain vehicles.

PART I.
General.

1. During the hours of darkness, it shall not be lawful—

(*a*) for any light to be displayed inside any roofed building, closed vehicle or other covered enclosure in such circumstances that any illumi-

nation therefrom is visible from outside the building, vehicle or enclosure;

(*b*) for any light to be displayed otherwise than in a roofed building, closed vehicle or other covered enclosure.

2. It shall not be lawful, whether during the hours of darkness or not, for any sky sign, facia or advertisement to be illuminated, or any light to be otherwise displayed, outside or at the entrance to any premises or on any hoarding or similar structure, for the purpose of advertisement or display.

3.—(1) Nothing in paragraphs 1 and 2 of this Order shall render unlawful—

(*a*) the displays of any light which is required or authorised by or under the following provisions of this Order;

(*b*) the display of any light which is authorised under this paragraph by or on behalf of the chief officer of police, so long as any conditions imposed by him or on his behalf in relation to the display are complied with; or

(*c*) the display of any light by any constable or any member of His Majesty's forces acting in the course of his duty as such.

(2) Nothing in the following provisions of this Order relating to the authorisation by or on behalf of the chief officer of police of the display of any lights shall be construed as limiting the generality of the provisions of this paragraph.

4. The display of any light, the display of which would otherwise be lawful under the provisions of this Order, may, in the event of hostile attack or the apprehension of hostile attack, be prohibited or restricted by the chief officer of police or any constable acting under his general or special direction, and it shall not be lawful for any light to be displayed in contravention of any such prohibition or restriction:

Provided that this paragraph shall not apply to—

(*a*) any light displayed by any member of His Majesty's forces acting in the course of his duty as such; or

(*b*) any light displayed on any vehicle while it is being used for the purposes of His Majesty's forces; or

(*c*) any light exhibited with the consent of the Admiralty from a lighthouse or other structure on shore or from a light vessel or other floating structure, being a light provided solely for the guidance of shipping; or

(*d*) navigation lights displayed by aircraft or at aerodromes in accordance with instructions given by the Secretary of State.

5. The provisions of this Order relating to the display of lights shall apply also, with any necessary adaptations, to the emission of flames, sparks or glare:

Provided that this paragraph shall not apply in relation to the emission of flames, sparks or glare from any vehicle, in so far as the emission of the flames, sparks or glare is necessarily incidental to the driving of the vehicle.

PART II.

Traffic Signs, Lighting of Obstructions, Street Lighting, Etc.

Public Roads.

6. The following lights may be displayed for the guidance of traffic on roads:—

(*a*) a light in a traffic signal, so long as it is masked by an opaque disc covering the lens of the signal and having an aperture for the emission of light in the form of a cross of which the arms are respectively vertical and horizontal, are 3 inches in length over all and $\frac{1}{8}$ inch in width, and lie wholly in the upper half of the signal face;

(*b*) lights illuminating any street name-plate or any traffic sign prescribed or authorised by the Minister of Transport under section forty-eight of the Road Traffic Act, 1930, so long as the lights are screened from above and so dimmed that, while any inscription on the plate or sign is legible at a distance of 100 feet, the plate or sign is inconspicuous at a distance of 250 feet;

(*c*) a light in the head of a bollard on a refuge, so long as—

(i) the light is screened so that no illumination falls on the stem of the bollard,

(ii) no light is emitted through any panel in the head of the bollard facing towards the centre of the refuge,

(iii) any illuminated panel not facing towards the centre of the refuge is screened from above and so dimmed that, while it is clearly visible at a distance of 100 feet, it is inconspicuous at a distance of 250 feet,

(iv) in the case of any illuminated panel bearing words, the letters appear white on a dark background, and

(v) illuminated panels not bearing words are white;

(*d*) lights indicating the position of a refuge or of the circumference of the centre island of a roundabout, so long as—

(i) each light is hooded so as to prevent light being thrown upwards,

(ii) all apertures for the emission of light are in the form of right-angled crosses of which the arms are at angle of 45 degrees to the horizontal and are 4 inches in length over all and $\frac{1}{2}$ inch in width,

(iii) each aperture is screened so that the brightness of the cross is substantially uniform over its whole area and does not exceed 0.5 candle per square foot, and

(iv) the light is white;

(*e*) red lights indicating an obstruction or excavation upon or near any road, so long as each light is of a candle power not exceeding 1.0, and the lights are so screened as to prevent light being thrown upwards or any appreciable illumination being produced on the ground.

7. Except in such areas as may be specified by the Minister of Home Security, lights may be displayed for the lighting of any road, so long as the requirements of the British Standard Specification No. BS/ARP 37 are complied with, and so long as each lighting fitting is permanently marked with the British Standards Institution Mark described in the First Schedule to this Order, and the requirements of that Schedule are complied with.

8.—(1) During a fog, any local authority or body of persons, being an authority or body which in peace time normally provides fog flares on any road, may provide such flares as are necessary to enable traffic to continue with safety, and light may be displayed from those flares accordingly:

Provided that the power conferred by this paragraph shall not be exercised unless—

(*a*) permission has been given by or on behalf of the chief officer of police; and

(*b*) provision has been made for extinguishing the flares immediately on receipt of an air raid warning.

(2) Any flare displayed in pursuance of this paragraph shall be extinguished by the person having control thereof immediately on the receipt by him of an air raid warning.

Private roadways and ways.

9. Except in so far as the chief officer of police may otherwise direct, a light may be displayed in and for the purposes of any illuminated sign which is required to facilitate movement on any private roadway or is required as a guide from any premises (other than a private dwelling house) to a private outdoor air raid shelter, so long as—

(*a*) no method other than the provision of illuminated signs is adequate for the purpose; and

(*b*) the signs are screened from above and so dimmed that, while clearly visible at a distance of 100 feet, they are inconspicuous at a distance of 250 feet.

10. Except in so far as the chief officer of police may otherwise direct, lights may be displayed indicating an obstruction or excavation upon or near any private roadway, so long as each light is of a candle-power not exceeding 1.0, and is so screened as to prevent light being thrown upwards or any appreciable illumination being produced on the ground.

11. Paragraph 7 of this Order (which relates to the lighting of roads) shall apply in relation to private roadways as it applies in relation to roads.

Direction signs to police and fire stations, hospitals, civil defence posts, etc.

12. A light may be displayed in and for the purposes of any illuminated sign indicating the position or direction of a police station, fire station, first aid post or hospital, a depot or building used by a civil defence service, or a public air raid shelter, so long as the sign is screened from above and so dimmed that, while clearly legible at a distance of 100 feet, it is inconspicuous at a distance of 250 feet.

PART III.

Traffic on Roads and Private Roadways.

Definitions of Classes of Lamps etc.

13. For the purposes of this Part of this Order, the expressions mentioned in the six next following paragraphs of this Order have, in relation to any vehicle, the meanings respectively assigned to them by those paragraphs.

14. An authorised side-lamp is a lamp of a power not exceeding 7 watts, emitting a white light to the front of the vehicle and satisfying the following conditions—

(*a*) that any reflector is painted with matt black paint or otherwise rendered ineffective;

(*b*) that the light is emitted through a single aperture the area of which does not exceed that of a circle 2 inches in diameter;

(*c*) that the aperture is partly obscured by inserting, behind the glass, paper or some other uncoloured material having a density equal to that of two sheets of newspaper, or by applying a thin coat of paint to the interior of the glass so as to produce approximately the same effect; and

(*d*) that the paper, paint or other material covers the whole of the aperture and is not wetted, oiled, varnished or treated in any other way so as to increase its transparency.

15. An authorised rear-lamp is a lamp of a power not exceeding 7 watts, emitting a red light to the rear of the vehicle and satisfying the conditions set out in sub-paragraphs (*a*), (*b*), (*c*) and (*d*) of paragraph 14 of this Order:

Provided that a lamp shall not be deemed to be other than an authorised rear-lamp by reason only that it is combined with a lamp displaying an authorised stop-light.

16. An authorised stop-light is a red or amber light displayed for the purpose of intimating the intention of the driver to stop or slow down, and emitted from a lamp of a power not exceeding 7 watts which satisfies the conditions set out in sub-paragraphs (*a*), (*b*), (*c*) and (*d*) of paragraph 14 of this Order:

Provided that a light shall not be deemed to be other than an authorised stop-light by reason only that the lamp from which it is emitted is combined with an authorised rear-lamp.

17. An authorised head-lamp is a lamp of a power exceeding 7 watts, emitting a white light to the front of the vehicle and fitted with a mask so as to satisfy the following conditions—

(*a*) that no light reaches the ground at any point nearer than 10 feet from the lamp or five times the height of the bottom of the lamp above ground level, whichever is the less;

(*b*) that no light is projected above the horizontal when the vehicle is standing on a level surface;

(*c*) that the light emitted is diffused by the insertion in the mask of a screen of some diffusing material or by other similar means;

(*d*) that the intensity of illumination on a vertical surface at any point 10 feet from the lamp does not exceed 2.5 foot candles; and

(*e*) that no light is emitted except through the mask.

18. An authorised dual-purpose lamp is a lamp of which the power may either exceed or not exceed 7 watts at the option of the person in control of the vehicle, emitting a white light to the front of the vehicle and statisfying the following conditions—

(*a*) that the front of the lamp is fitted with a mask which allows light to be emitted through more than one aperture;

(*b*) that in the case of one of those apertures the area does not exceed that of a circle 2 inches in diameter;

(*c*) that the brightness of the aperture is not more than 20 nor less than 2 candles per square foot, whichever degree of power is employed

in the lamp;

(*d*) that the lamp is such that, if the said aperture were totally obscured and the higher degree of power were always employed in the lamp, the lamp would be an authorised head-lamp; and

(*e*) that no light is emitted except through the mask.

19. An authorised bicycle lamp or an authorised cart lamp is a lamp of a power not exceeding 7 watts, emitting a white light to the front of the vehicle and satisfying the following conditions—

(*a*) that the upper half of the front glass and the whole of any side or rear panels are completely obscured; and

(*b*) that the lower half of any reflector is painted with matt black paint or otherwise rendered ineffective:

Provided that a lamp shall not be deemed to be other than an authorised bicycle or cart lamp by reason only that some light escapes through apertures provided for ventilation, if those apertures are, so far as practicable, screened to prevent the emission of light.

General provisions as to mechanically propelled vehicles.

20.—(1) The provisions of this paragraph and paragraph 21 of this Order apply to any mechanically propelled vehicle while on a road during the hours of darkness, subject, however, as respects any class of vehicles, to any special provisions made by any of the subsequent provisions of this Part of this Order with respect to vehicles of that class.

(2) The vehicle shall display the lights required by and under the Road Transport Lighting Act, 1927, but those lights must, as respects any front light, be displayed from an authorised side-lamp and, as respects the rear light, be displayed from an authorised rear-lamp fixed so that its centre is not higher than 3 feet 6 inches above ground level:

Provided that one side-lamp may be replaced by an authorised dual-purpose lamp.

(3) Unless the vehicle is fitted with an authorised dual-purpose lamp, it may also displayed light from one authorised head-lamp.

(4) The vehicle may also display—

(*a*) light from one additional authorised rear-lamp fixed so that its centre is not higher than 3 feet 6 inches above ground level,

(*b*) one or two authorised stop-lights, and

(*c*) light from a direction indicator, so long as that light is emitted only through an arrow-shaped aperture of which none of the three arms is of a width exceeding $\frac{1}{3}$th inch, or through a single horizontal slit

of a width not exceeding $\frac{1}{8}$th inch.

(5) Notwithstanding anything in the preceding provisions of this paragraph—

(*a*) immediately on the receipt by the person in charge of the vehicle of an air raid warning, or

(*b*) on a demand made in that behalf by a constable,

the light from any authorised head-lamp shall be extinguished and the higher power shall cease to be used in any authorised dual-purpose lamp.

21.—(1) The provisions of this paragraph shall have effect in relation to the display of lights during a fog.

(2) A vehicle which is fitted with a fog lamp may display light therefrom in addition to the lights displayed under paragraph 20 of this Order, so long as the following conditions are fulfilled.

(*a*) that the light is not displayed except during such fog that progress is not reasonably practicable without the use of the light,

(*b*) that the lamp is fitted so that its top is below the level of the bottom of the head-lamps of the vehicle or, if the vehicle is not fitted with head-lamps, so that its centre is not higher than 2 feet 6 inches above ground level,

(*c*) that the lamp is operated by a separate switch,

(*d*) that the light is directed downwards and to the left, and

(*e*) that, immediately on the receipt by the person in charge of the vehicle of an air raid warning, or on a direction in that behalf being given by a constable at any time when it appears to him that it is practicable for the vehicle to proceed without the light being displayed, the light is extinguished.

(3) A vehicle which is not fitted with a fog lamp but is fitted with head-lamps may display a light from an unmasked head-lamp in addition to the lights required or authorised to be displayed under paragraph 20 of this Order, so long as the following conditions are fulfilled—

(*a*) that the light is not displayed except during such fog that progress is not reasonably practicable without the use of the light,

(*b*) that the lamps is operated by a separate switch,

(*c*) that the light is directed downwards and to the left, and

(*d*) that immediately on the receipt by the person in charge of the vehicle of an air raid warning or on a direction in that behalf given by a constable at any time when it appears to him that it is practicable for the vehicle to proceed without the light being displayed, the light is extinguished.

(4) A vehicle which is not fitted with a fog lamp but is fitted with an authorised dual-purpose lamp may display light from that lamp with the mask removed therefrom, so long as the following conditions are fulfilled—

(*a*) that the light is not so displayed except during such fog that progress is not otherwise reasonably practicable,

(*b*) that on a direction in that behalf being given by a constable at any time when it appears to him that it is practicable for the vehicle to proceed without light being displayed from the unmasked lamp, the mask shall be replaced on the lamp, and

(*c*) that immediately on the receipt by the person in charge of the vehicle of an air raid warning, the mask is replaced on the lamp and only the lower power is used therein.

(5) The requirement contained in condition (*b*) in the last preceding sub-paragraph that the mask shall be replaced on a direction in that behalf being given by a constable shall be without prejudice to any power conferred by any other provision of this Order on any constable to require at any time that the higher power shall cease to be used in any authorised dual-purpose lamp.

(6) While light is being displayed in pursuance of sub-paragraph (4) of this paragraph from a lamp with the mask removed, nothing in sub-paragraph (2) of paragraph 20 of this Order shall be construed as requiring or authorising any other front light to be displayed on the same side of the vehicle, unless that other front light is in additional light displayed in order to comply with paragraph (1) of section seven of the Road Transport Lighting Act, 1927 (which relates to vehicles with overhanging loads).

Trailers.

22.—(1) The provisions of this paragraph shall apply where a machanically propelled vehicle draws one or more other vehicles on a road during the hours of darkness.

(2) The drawing vehicle may display light from one or two authorised rear-lamps, whatever the distance between the vehicles.

(3) Each drawn vehicle shall, whatever the distance between the vehicles, display the lights which it would be required by and under the Road Transport Lighting Act, 1927, to display if it were not a drawing vehicle or a vehicle being drawn, except that only the rearmost of the drawn vehicles shall display a rear light.

(4) Of the lights required to be displayed on the drawn vehicles, those showing to the front shall be displayed from authorised side-lamps or authorised cart lamps and the one showing to the rear shall be displayed from an autho-

rised rear-lamp fixed so that its centre is not higher than 3 feet 6 inches above ground level.

(5) Where the drawing vehicle has a drawn vehicle attached to it by partial super-imposition the drawn vehicle so attached shall, for the purposes of this Order, be deemed to be part of the drawing vehicle, and references in the foregoing provisions of this paragraph to a drawn vehicle shall not be deemed to include references to any drawn vehicle so attached.

Public Service Vehicles, Trolley Vehicles and Tramcars.

23.—(1) The provisions of paragraph 20 of this Order shall apply in relation to public service vehicles and trolley vehicles subject to the following modifications—

(*a*) any rear light may be displayed from a lamp fixed so that its centre is higher than 3 feet 6 inches above ground level, so long as its centre is not higher than 7 feet 6 inches above ground level; and

(*b*) a light may be displayed from an additional authorised head-lamp so long as, with both the authorised head-lamps on, the intensity of illumination on a vertical surface placed at any point 10 feet from either lamp does not exceed 2.5 foot candles.

(2) A lamp carried on a public service vehicle or trolley vehicle shall not be deemed to be other than an authorised head-lamp by reason only that light reaches the ground at a point nearer than 10 feet from the lamp or five times the height of the bottom of the lamp above ground level, whichever is the less, so long as the other requirements specified in paragraph 17 of this Order are complied with in relation to the lamp.

24.—(1) The provisions of this paragraph shall apply to a tramcar while on a road during the hours of darkness.

(2) The tramcar shall display either one or two white lights to the front and either one or two red lights to the rear.

(3) All the lights shall be displayed from lamps so fixed that their centres are not higher than 5 feet above ground level.

(4) Where two lights are displayed to the front—

(*a*) one shall be emitted through an aperture the area of which does not exceed that of a circle 2 inches in diameter and shall not exceed in brightness the light emitted from an authorised side-lamp, and

(*b*) the other shall be emitted from a lamp so masked that the following conditions are complied with—

(i) that when the tramcar is standing on a level surface no light is projected above the horizontal, and

(ii) that the intensity of illumination on a vertical surface at any point 10 feet from the lamp does not exceed 2.5 foot candles.

(5) Where one lights only is displayed to the front, it shall be emitted through an aperture the area of which does not exceed 2 square inches and be of such brightness that the intensity of illumination on a vertical surface placed at any point 10 feet from the lamp does not exceed 0.15 foot candles.

(6) Any light displayed to the rear shall be emitted through an aperture the area of which does not exceed that of a circle of 2 inches in diameter, and shall not exceed in brightness the light emitted from an authorised rear-lamp.

(7) During a fog, the requirements of sub-paragraph (4) (*b*) or sub-paragraph (5) of this paragraph need not be complied with while the fog is such that progress would not otherwise be reasonably practicable; but those requirements shall forthwith be complied with on a direction in that behalf being given by a constable at any time when it appears to him that it is practicable for the tram to proceed notwithstanding that those requirements are complied with.

(8) Immediately on the receipt by the person in charge of the tramcar of an air raid warning—

(*a*) if two lights are displayed to the front, the light to which sub-paragraph (4) (*a*) of this paragraph does not apply shall be extinguished, and

(*b*) if one light only is displayed to the front, the light emitted must forthwith be reduced so as not to exceed that from an authorised dual-purpose lamp when the lower power is in use.

(9) Paragraphs 20 and 21 of this Order shall not apply.

25. Lights may be displayed for the interior illumination of a tramcar, trolley vehicle or public service vehicle, so long as—

(*a*) the lamps from which the lights are displayed are shaded so that no part of the bulb through which any light is allowed to pass can be seen from any point outside the vehicle,

(*b*) the illumination produced at any point at the level of any of the seats in the vehicle does not exceed 0.1 foot candles,

(*c*) the illumination produced at any point at ground level outside the vehicle does not exceed 0.001 foot candles, and

(*d*) the lights are extinguished immediately on the receipt by the person in charge of the vehicle of an air raid warning.

26. Lights may be displayed in and for the purposes of any route number, route list or destination panel at the front, rear or side of a tramcar, trolley vehicle or public service vehicle, so long as the brightness of the panel is no more than sufficient for the inscription thereon to be just legible at a distance of 100 feet.

27.—(1) During a fog, lights may be displayed from any special fog lighting installed on lamp standards or overhead wires in connection with the operation of tramcars and trolley vehicles, so long as—

(*a*) only such lights are displayed as are necessary to enable the tramcars and trolley vehicles to proceed with safety,

(*b*) the lights are screened so that no direct light is cast above the horizontal,

(*c*) permission for the use of the lighting has been given by or on behalf of the chief officer of police, and

(*d*) provision has been made for extinguishing the lights immediately on receipt of an air raid warning.

(2) Every light displayed in pursuance of this paragraph shall be extinguished by the person having control thereof immediately on the receipt by him of an air raid warning.

Public, Fire and Civil Defence Vehicles, and Ambulances.

28. While a vehicle is being used as a police, fire service or civil defence vehicle or as an ambulance,—

(*a*) a light may be displayed in and for the purposes of a sign indicating the purpose for which the vehicle is being used, being a sign which complies with the requirements of the Second Schedule to this Order; and

(*b*) if the work in which the vehicle is engaged is urgent, if may continue to display light from an authorised head-lamp, an authorised dual-purpose lamp in which the higher power is in use, or, during a fog, a fog lamp or an unmasked head-lamp or dual-purpose lamp used in lieu of a fog lamp, notwithstanding that the person in charge of the vehicle has received an air raid warning.

Taximeter Cabs.

29. A light may be displayed in and for the purposes of an illuminated sign on a taximeter cab indicating that it is a taximeter cab plying for hire, so long as the light is inconspicuous at a distance of 100 feet.

Low-powered Motor Bicycles.

30. A mechanically propelled bicycle the cylinder capacity of the engine of which does not exceed 150 c.c. shall, unless it is fitted with an authorised head-lamp or an authorised dual-purpose lamp, be treated for the purpose of this Order as if it were not propelled by mechanical power.

Pedal Cycles.

31.—(1) Subject to the provisions of sub-paragraph (3) of this paragraph, a bicycle or tricycle not propelled by mechanical power, whether or not it has a sidecar attached thereto, shall, while on a road during the hours of darkness, display the lights required by and under the Road Transport Lighting Act, 1927, and also a red rear light.

(2) Any front light shall be displayed from an authorised bicycle lamp and the rear light from an authorised rear-lamp.

(3) The provisions of sub-paragraph (1) of this paragraph shall not be deemed to have been contravened so long as the bicycle or tricycle is being wheeled by a person on foot as near as possible to the near or left hand edge of the carriageway, or is stationary owing to the exigencies of the traffic or in order to comply with any traffic signal or direction:

Provided that a stationary bicycle shall display the red rear light unless it is as near as possible to the near or left hand edge of the carriageway.

Horse-drawn Vehicles and Handcarts.

32.—(1) Subject to the provisions of this paragraph a vehicle drawn by a horse or other animal or drawn or propelled by hand shall, while on a road during the hours of darkness, display all lights necessary to comply with any requirements imposed by or under the Road Transport Lighting Act, 1927.

(2) Any front light shall be displayed from an authorised cart lamp, and any rear light shall be displayed from an authorised rear-lamp fixed so that its centre is not higher than 3 feet 6 inches above ground level:

Provided that a front light and a rear light may be displayed from the same lamp, so long as the lamp is so fixed that the centre thereof is not higher than 3 feet 6 inches above ground level, no part of the vehicle or of any load carried thereby extends more than 6 feet behind the lamp, and the lights to the front and the rear are in all respects similar to lights displayed from an authorised cart lamp and an authorised rear-lamp respectively.

(3) The operation of paragraph (i), and sub-paragraph (*b*) of paragraph (iii), of section six of the said Act and of sub-paragraph (3) of paragraph 17 of the Road Vehicles Lighting Regulations 1936 (which contain certain exemptions from the necessity to carry rear lamps) shall, for the purposes of this Order, be deemed to be suspended during the continuance in force of this Order.

(4) In the case of a vehicle which is exempt under paragraph (ii) of section six of the said Act from carrying lamps, that is to say, a vehicle engaged for the time being in carrying agricultural produce of an inflammable nature in the course of the internal operations of a farm, there shall be carried—

(*a*) in front of the vehicle a lamp showing a white light to the front so screened and dimmed that no light is thrown upwards and no appreciable illumination is thrown on the ground, and

(*b*) behind the vehicle, a lamp showing a red light to the rear, so screened and dimmed as aforesaid.

(5) The operation of the regulations in force at the date of the making of this Order made under paragraph (*a*) of sub-section (2) of section one of the said Act, with respect to the Mersey Dock Estate, the county borough of Birkenhead, the county borough of Bootle, the City of Liverpool and the county borough of Wallasey, shall, for the purposes of this Order, be deemed to be suspended during the continuance in force of this Order, but, in relation to any vehicle to which the said paragraph or the said regulations apply, the following provisions shall have effect:—

(*a*) its lights shall be displayed from lamps of such types as may be prescribed by the chief officer of police; and

(*b*) the chief officer of police may exempt all or any of the lamps to such extent as he thinks fit from any requirements of this Order as to their position on the vehicle.

33. Any vehicle drawn or propelled by hand which is not required by or under the Road Transport Lighting Act, 1927, to carry lights shall, when on a road during the hours of darkness, display a red light to the rear from an authorised rear-lamp fixed so that its centre is not higher than 3 feet 6 inches above ground level.

Vehicles with overhanging or projecting loads.

34.—(1) Where a vehicle displays any light in order to comply with paragraph (1) or paragraph (2) of section seven of the Road Transport Lighting Act, 1927 (which relates to vehicles carrying overhanging or projecting loads), the vehicle may also display any light which it would have been required or authorised to display under this Order if it had not been carrying an overhanging or projecting load.

(2) Notwithstanding anything in paragraph 20 of this Order, an additional light displayed in order to comply with the said paragraph (1) may be displayed from an authorised cart lamp.

White paint on vehicles.

35.—(1) No vehicle shall be on a road during the hours of darkness unless it complies with the provisions of this paragraph appropriate to its case.

(2) A vehicle (other than a tricycle not propelled by mechanical power or a bicycle) shall have white paint, or other white material not less conspicuous than white paint, applied or fixed to the bumpers and running-boards of the vehicle, or, if the vehicle has no bumpers or no running-boards, shall have the paint or material applied or fixed in equivalent positions on the vehicle.

(3) A tricycle no propelled by mechanical power or a bicycle shall have attached to or carried on the rear of the tricycle or bicycle a white surface with an image of not less than 12 square inches so fixed that—

(*a*) in the case of a tricycle, no part thereof projects more than 30 inches, and, in the case of a bicycle, no part thereof projects more than 20 inches, to the rear of any part of the surface;

(*b*) not less than 6 square inches of the image are on the offside of the centre line of the tricycle or bicycle; and

(*c*) not less than 6 square inches of the image are over 10 inches above ground level.

For the purposes of this sub-paragraph, the expression "image" has the meaning assigned to it by paragraph (2) of Regulation 16 of the Road Vehicles Lighting Regulations, 1936, and, in determining where the centre line of a bicycle lies, any sidecar shall be left out of account.

(4) Any such white paint, white material or white surface as aforesaid shall be maintained in a clean condition and unobscured.

Vehicles used for purposes of His Majesty's forces.

36. A vehicle, while it is being used for the purposes of His Majesty's forces, may, whether it is in charge of a member of those forces or not, display any lights required or authorised to be displayed by or under any general or special instructions of the Admiralty, the Army Council, or the Air Council, and nothing in paragraph 35 of this Order shall apply in relation to any vehicle while it is being so used.

Application to private roadways.

37. On any private roadway a vehicle may display any light which it would be required or authorised to display if the roadway were a road.

Application to machines and implements.

38. References in this Part of this Order to vehicles shall be deemed to include references to machines and implements of any kind drawn or propelled along roads, whether by animal or mechanical power.

Animals.

39. No person shall, during the hours of darkness, lead, drive or conduct,

or cause to be led, driven or conducted, on any road any animal other than—

(*a*) a fowl, dog or cat; or

(*b*) a horse or other animal which is being ridden or is drawing a vehicle,

unless—

(i) if the number of those animals is four or less, there is carried in front of the animal or animals a lamp showing a white light and so screened and dimmed that no light is thrown upwards and no appreciable illumination is thrown on the ground; or

(ii) if the number of those animals exceeds four, there is carried both in front of and behind the animals a lamp showing a white light and so screened and dimmed as aforesaid.

PART IV.

Shops, Stalls, Hotels and Places of Public Entertainment.

40.—(1) Light may be displayed in and for the purposes of any illuminated sign displayed in connection with any premises used as a shop, residential hotel or place of public entertainment, so long as—

(*a*) the letters or symbols comprised in the sign are illuminated on a dark background;

(*b*) the degree of brightness does not vary from time to time;

(*c*) the brightness at any point on the sign does not exceed 0.02 equivalent foot candles;

(*d*) the sign is inconspicuous at a distance of 100 feet;

(*e*) the aggregate illuminated area of the letters or symbols comprised in the sign does not exceed 144 square inches, and all the letters or symbols are confined within a rectangular space 3 feet in width and 2 feet in height;

(*f*) no light is visible otherwise than from the illuminated letters or symbols;

(*g*) the face of the sign is vertical and the sign is placed inside a window on, or within a doorway on, the ground floor of the building containing the premises;

(*h*) the light is displayed, in the case of a shop, only when customers may be served in the shop, and, in the case of other premises, only when the premises are open to the public; and

(*i*) not more signs are displayed altogether in connection with the premises contained in a building than there are entrances to the building which are used by the public to obtain access to those premises.

(2) The same sign may relate to two or more premises, but in that event it must nevertheless comply with all the requirements of sub-paragraph (1) of this paragraph.

41.—(1) Light may be displayed for the purpose of advertisement or display in ground-floor windows of a shop at anytime when customers may be served in the shop, but only to the extent, and subject to the conditions, specified in the following provisions of this paragraph.

(2) The light must emanate from such lighting fittings or display cabinets as are hereinafter mentioned.

(3) No mirror or other large reflecting surface may be placed in the same window as any such fitting or cabinet.

(4) The light must be directed from above on to the goods displayed and no source of light may be directly visible from outside the window.

(5) The total number of fittings, cabinets, or fittings and cabinets shall not exceed—

(*a*) in the case of a shop where the total breadth of shop window on the ground floor is less than 20 feet, one; and

(*b*) in the case of a shop where the total breadth of shop window on the ground floor is 20 feet or more, one for each complete 10 feet of breadth of shop window on the ground floor,

and the centre of any fitting or cabinet shall not be nearer to the centre of any other fitting or cabinet than 10 feet.

(6) The lighting fittings hereinbefore referred to are fittings for affording general illumination to the contents of the window in question and so constructed that the light therefrom does not exceed that given by a 25 watt electric lamp in a container finished matt black inside through a slot not larger than 4 inches in length and $\frac{1}{4}$ inch in width covered with tissue paper, the nearest part of the bulb being $2\frac{1}{2}$ inches from the slot.

(7) The display cabinets hereinbefore referred to are cabinets so constructed that the amount of the light displayed therein does not exceed the limits which would prevail in the case of a cabinet conforming with the British Standard Specification BS/ARP 35.

42. Nothing in paragraph 40 or paragraph 41 of this Order shall be taken as preventing the use of any apparatus which serves the purpose both of such an illuminated sign and of such a lighting fitting or display cabinet as is referred to in those paragraphs.

43. Light may be displayed on a stall on a road or in an uncovered market,

so long as—

(*a*) the stall is completely covered in with light-proof material on top and on all sides except one;

(*b*) only one source of light is used, and that is within the cover and is so shaded that it is not directly visible from outside the stall;

(*c*) no more light is displayed than is sufficient to enable the goods on the stall to be seen by customers; and

(*d*) the light is displayed only when the stall is open for business.

44. Any such light from an illuminated sign, lighting fitting, display cabinet or source of light on a stall as is authorised by the preceding provisions of this Part of this Order shall be extinguished immediately on the receipt by the person in charge of the premises or stall of air raid warning.

PART V.

Railway, Docks, Waterways, Aircraft and Aerodromes.

45.—(1) The following lights may be displayed in connection with the operation of railways:—

(*a*) lights essential for the purpose of indicating obstructions, so long as the candle power does not exceed 1.0, no light is thrown upwards, and no appreciable illumination is produced on the ground;

(*b*) (i) lights from searchlight and multiple lens colour light signals which are screened by hoods two feet or more in length;

(ii) other signal lights;

(iii) lights from lamps on level crossing gates;

(*c*) lights from head lamps and tail lamps of trains;

(*d*) lights in and for the purposes of destination panels on trains, so long as the brightness of the panel is no more than sufficient for the inscription thereon to be just legible at a distance of 150 feet;

(*e*) lights required for the illumination of any station and depot, so long as the lights are so screened that no light is thrown above the horizontal and so long as the intensity of illumination at ground level or on any surface visible from the air does not exceed 0.002 foot candles;

(*f*) lights on station platforms indicating the point at which trains are to stop, so long as the candle power does not exceed 1.0, no light is thrown upwards, and no appreciable illumination is produced on the ground;

(*g*) lights required for the internal illumination of signal boxes, so long as—

(i) they are so screened that no light is thrown above the horizontal;

(ii) the intensity of illumination is reduced to the minimum necessary for the operation of the signals; and

(iii) no direct light is thrown on any part of the windows of the signal box;

(*h*) lights in trains used for internal illumination, so long as the intensity of illumination does not exceed 0.006 foot candles at any point at a distance of five feet from the light;

(*i*) lights from and lamps used by railways servants acting in the course of their duty as such, in so far as the use of the lights is necessary to assist them in the discharge of their said duty;

(*j*) lights from braziers used by fogmen;

(*k*) light from other braziers, so long as the brazier is so screened that no light is thrown upwards;

(*l*) such other lights as may be authorised by or on behalf of the chief officer of police in exercise of the powers conferred on him by paragraph 3 of this Order.

(2) Lights which do not comply with the condition mentioned in sub-paragraph (1) (*h*) of this paragraph may also be displayed for the internal illumination of trains, so long as they are displayed in pursuance of a scheme approved by the Minister of Home Security and the requirements of that scheme are complied with.

(3) Without prejudice to the generality of the provisions of sub-paragraph (5) of paragraph 52 of this Order, no person, not being a railway servant acting in the course of his duty as such, shall—

(*a*) tamper with any shade, paint, lamp, shutter, or other apparatus in a train designed to prevent or minimise the escape of light from the train; or

(*b*) during the hours of darkness cause or permit any window of any carriage or compartment in which he is, being a window any part of which has been obscured by paint or any other similar means, to be otherwise than closed while any light in the carriage or compartment not complying with the condition specified in sub-paragraph (1) (*h*) of this paragraph is being displayed; or

(*c*) during the hours of darkness, cause or permit any window of any carriage or compartment in which he is, being a window provided with blinds or curtains, to be otherwise than obscured, as far as possible, by the blinds or curtains while any light in the carriage

or compartment not complying with the condition specified in sub-paragraph (1) (*h*) of this paragraph is being displayed:

Provided that while a train is stationary, nothing in this sub-paragraph shall prevent any person from taking such steps as are reasonably necessary to ascertain whether the train has stopped at any, and if so what, station, or to enable him to board or alight from the train.

46. The following lights may be displayed in or on a dock, harbour, pier, quay, wharf or similar place, whether privately owned or otherwise:—

(1) Lights ashore or in any ship or vessel lying alongside a pier, quay, wharf or jetty which are necessary for the doing of work and either—

(*a*) do not emit light of an intensity measured at ground level greater than 0.002 foot candles and do not project any direct light above the horizontal; or

(*b*) are shaded lights of candle power not exceeding 1.0;

(2) Lights in any ship or vessel not lying alongside a pier, quay, wharf or jetty which are lights authorised by order of the Admiralty under the Defence (General) Regulations, 1939;

(3) Lights for the purposes of any roadway which, if that roadway were a road, would be permitted under paragraph 6 or paragraph 7 of this Order;

(4) Lights used to indicate obstructions and other danger points, so long as they are necessary for that purpose, and the candle power does not exceed 1.0, no light is thrown above the horizontal and no appreciable light is thrown on the ground;

(5) Such other lights as may be authorised by or on behalf of the chief officer of police in exercise of the power conferred on him by paragraph 3 of this Order.

47.—(1) During a fog, any railway or dock authority or other body of persons which in peace time normally provides fog flares on the railway or dock priemises may provide such flares as are necessary to enable traffic to continue with safety, and light may be displayed from those flares accordingly:

Provided that the power conferred by this paragraph shall not be exercised unless provision has been made for extinguishing the flares immediately on receipt of an air raid warning.

(2) Any flare displayed in pursuance of this paragraph shall be extinguished by the person having control thereof immediately on the receipt by him of an air raid warning.

48.—(1) The following lights may also be displayed—

(*a*) Any lights authorised by order of the Admiralty under the Defence

(General) Regulations, 1939, which are not mentioned in paragraph 46 of this Order;

(*b*) Lights carried by any vessel on an inland waterway which are similar to the corresponding lights authorised by order of the Admiralty under the said Regulations on any vessel of a like class;

(*c*) Any light from a lamp on a barge or tug in transit on an inland waterway, if the lamp is such that it would be an authorised head-lamp or authorised dual-purpose lamp as defined for the purposes of Part III of this Order if it were used on a vehicle on land;

(*d*) Any light exhibited with the consent of the Admiralty from a light-house or other structure on shore or from a light vessel or other floating structure, being a light provided solely for the guidance of shipping; and

(*e*) Navigation lights displayed by aircraft or at aerodromes in accordance with instructions given by the Secretary of State.

(2) Where a light is displayed under sub-paragraph (1) (*c*) of this paragraph, then, immediately on receipt by the person in charge of the barge or tug of an air raid warning—

(*a*) if the light is displayed from a lamp which would be an authorised head-lamp as defined for the purposes of Part III of this Order if it were used on a vehicle on land, the light shall be extinguished;

(*b*) if the light is displayed from a lamp which would be an authorised dual-purpose lamp as so defined if it were so used, the higher power shall cease to be used in the lamp.

PART VI.

Miscellaneous.

Rescue, demolition and repair work.

49.—(1) Any light may be displayed which is essential for the purpose of urgent rescue, demolition or repair work carried out by members of civil defence services or by the servants or agents of government departments, local authorities or public utility undertakers, so long as—

(*a*) the light is screened, so far as is practicable, so that no direct light is cast above the the horizontal; and

(*b*) the light is extinguished immediately on the receipt by any person having control of the light of an air raid warning, unless it is required for the conduct of work which cannot temporarily be discontinued.

(2) Except where the urgency of the work is such that it is not practicable to comply with the provisions of this sub-paragraph, any department,

authority or undertakers proposing to cause light to be displayed by virtue of this paragraph shall give notice of their proposal to do so to the chief officer of police.

Torches, hand lamps and hurricane lamps.

50.—(1) Light may be displayed from hand lamps or hand torches so long as—

(*a*) the light is displayed from a hand lamp complying with the requirements of the British Standard Specification No. BS/ARP 3, or

(*b*) the light emitted from the lamp or torch is dimmed by two sheets of tissue paper or their equivalent,

and (in any case) so long as the light emitted from the lamp or torch is white and is at all times directed downwards, and is extinguished by any person having control of the lamp or torch immediately on the receipt by him of an air raid warning.

(2) While a person is engaged in any activity for which such light as is afforded by an ordinary hurricane lamp is reasonably required, he may display light from such a lamp, so long as the lamp is so screened that no light is emitted upwards and not more light is emitted in any other direction than is reasonably necessary, and so long as he extinguishes the lamp immediately on the receipt by him of an air raid warning.

Tractors used for agricultural purposes.

51. In the case of a tractor which is being used for any agricultural purpose otherwise than on a road, light may be displayed from not more than three lamps on the tractor, so long as—

(*a*) not more than two lamps show forwards and not more than one lamp shows to the rear;

(*b*) any reflectors fitted to the lamps are removed, or painted over with matt black paint or otherwise rendered ineffective;

(*c*) in the case of each lamp, the area of the aperture through which light is emitted does not exceed that of a circle 3 inches in diameter; and

(*d*) each lamp is directed downwards and so screened that the ground is not illuminated at a distance from the tractor in any direction greater than 20 yards.

PART VII.

Supplemental.

Interpretation.

52.—(1) In this Order—

(*a*) the expression "air raid warning" means an air raid warning to the public;

(*b*) the expressions "agricultural" "agriculture", "hours of darkness", "road", "tram-car" and "trolley vehicle" have the same meanings as in the road Transport Lighting Act, 1927;

(*c*) the expression "head-lamp" does not include a dual-purpose lamp, that is to say, a lamp of which the power may either exceed or not exceed 7 watts, at the option of the person in control of the vehicle on which the lamp is fitted;

(*d*) the expression "public service vehicle" has the same meaning as in the Road Traffic Act, 1930;

(*e*) the expression "public utility undertakers" means the persons carrying on any public utility undertaking (as defined in paragraph (1) of Regulation 100 of the Defence (General) Regulations, 1939);

(*f*) the expression "shop" and "residential hotel" have the same meanings as in the Shops Act, 1934; and

(*g*) references to lamps of a particular wattage shall be deemed to include references to lamps which are not electric but emit the same amount of light as an electric lamp of that wattage.

(2) Any obligation arising on receipt of an air raid warning to extinguish a light displayed from a lamp or flare, replace the mask of a lamp or reduce the power of a lamp shall be construed as including an obligation not to display light from the lamp or flare or, as the case may be, not to display light from the lamp with the mask removed or the power unreduced, and shall be deemed to continue until the giving, by a person authorised to do so, of a signal cancelling the air raid warning.

(3) Any reference in this Order to legibility, visibility, or inconspicuousness shall be construed as a reference to legibility, visibility, or inconspicuousness in the dark, in the absence of moonlight, fog, mist or rain, and with all lights in the vicinity extinguished.

(4) Without prejudice, in the case of premises, a vehicle or a vessel, to the liability of the occupier of the premises, the person in charge of the vehicle or the master of the vessel, any provision of this Order rendering unlawful the display of any light, or requiring any light to be displayed or any other thing to be done or not to be done, shall be construed as including a specific provision that no person shall cause or permit that light to be displayed or not to be displayed or, as the case may be, that thing not to be done or to be done.

(5) Where the display of any light is, under the provisions of this Order, lawful only if any conditions specified by or under the provisions thereof are

fulfilled, then, without prejudice to the generality of the last preceding sub-paragraph, any person who does any act whereby those conditions cease to be fulfilled shall be deemed for the purposes of this Order to cause or permit the light to be displayed.

Short title, revocation, commencement and extent.

53.—(1) This Order may be cited as the Lighting (Restrictions) Order, 1940.

(2) The Lighting (Restrictions) Order, 1939, is hereby revoked so far as it applies to Great Britain.

(3) This Order shall come into force at midday on the twenty-second day of January, nineteen hundred and forty:

Provided that the coming into force of this Order shall not—

(*a*) until midday on the first day of February, nineteen hundred and forty, operate so as to impose additional requirements in relation to any lights other than lights from headlamps and rear lamps on mechanically propelled vehicles which are neither public service vehicles nor trolley vehicles; and

(*b*) until midday on the first day of March, nineteen hundred and forty, operate so as to impose additional requirements in relation to lights on public service vehicles, trolley vehicles, vehicles drawn by other vehicles drawn by horses or other animals.

(4) This Order does not extend to Northern Ireland.

SCHEDULES.

FIRST SCHEDULE.

Description of British Standards Institution Mark to be marked on lighting fittings.

The Mark is a Certification Mark registered by the British Standards Institution under Section 37 of the Trade Marks Act, 1938, and may be used only under licence.

The Mark must be used, in association with the number of the British Standard Specification, in the form shown below.

ARP/37

The Mark must also be associated with the Licensee's name or trade mark or the number of his Licence.

Lighting fittings bearing the Mark must also be marked with an indication of the nominal mounting height and the size of lamp or mantle.

SECOND SCHEDULE.

Illuminated signs displayed by certain vehicles.

Subject to the provisions of this Schedule relating to ambulances, fire service vehicles and police vehicles, the signs referred to in paragraph 28 of this Order must take from of a head-lamp masked so as to display the lettering indicated by the following table:—

Service	*Lettering.*
Directing Staff	ARP
Air Raid Wardens	W
First Aid Parties and Mobile First Aid Units	FAP
Ambulances	A
Rescue Parties	R
Decontamination Squads	DC
Repair Services:—	
Roads, etc.	RP/R
Water	RP/W
Gas	RP/G
Electricity	RP/E
Messengers	M
Stretcher Parties (in the London Civil Defence Region)	SP
Fire service	FIRE
Police	P

The lettering must be in block capitals and must be white on a black background in the case of all vehicles other than fire service vehicles, and amber on a black background in the case of five service vehicles. The lettering must be covered with a diffusing material so that its brightness is reduced to a level which renders it only just legible at a distance of 50 yards. A semi-circular hood projecting at least 4 inches must be fitted above the lettering.

In the case of ambulances, fire service vehicles and police vehicles, there may be used, in addition to or in substitution for the signs mentioned above, any sign indicating the character of the vehicle which vehicles of that type carried in peace-time, so long as the illuminated portions of the sign are covered with a diffusing material so that the brightness thereof is reduced to a level which renders it only just legible at a distance of 50 yards and are so screened as to prevent light being thrown upwards.

Lighting (Restrictions) (Northern Ireland) Order.

No. 132, 29th January, 1940.

PART I.

General.

Paragraphs 1 to 5.

PART II.

Traffic Signs, Lighting of Obstructions, Street Lighting, Etc.

Public Roads.

Paragraphs 6 to 8.

Private roadways and ways

Paragraphs 9 to 11.

Direction signs to police and fire stations, hospitals, civil defence posts, etc.

Paragraph 12.

PART III.

Traffic on Roads and Private Roadways.

Definition of Classes of Lamps, etc.

Paragraphs 13 to 19.

General provisions as to mechanically propelled vehicles.

Paragraphs 20 and 21.

Trailers.

Paragraph 22.

Public Service Vehicles, Trolley Vehicles and Tramcars.

Paragraphs 23 to 27.

Police, Fire and Civil Defence Vehicles, and Ambulances.

Paragraph 28.

Taximeter Cabs.

Paragraph 29.

Low-powered Motor Bicycles.

Paragraph 30.

Pedal Cycles.

Paragraph 31.

Horse-drawn Vehicles and Handcarts.

Paragraph 32.

Vehicles with overhanging or projecting loads.

Paragraph 34.

White paint on vehicles.

Paragraph 35.

Vehicles used for purposes of His Majesty's Forces.

Paragraph 36.

Application to private roadways.

Paragraph 37.

Application to machines and implements.

Paragraph 38.

Animals.

Paragraph 39.

PART IV.

Shops, Stalls, Hotels and Places of Public Entertainment.

Paragraphs 40 to 44.

PART V.

Railways, Docks, Waterways, Aircraft and Aerodromes.

Paragraphs 45 to 48.

PART VI.

Miscellaneous.

Rescue, demolition and repair work.

Paragraph 49.

Torches, hand lamps and hurricane lamps.

Paragraph 50.

Tractors used for agricultural purposes.

Paragraph 51.

PART VII.

Supplemental.

Interpretation.

Paragraph 52.

Short title, revocation, commencement and extent.

Paragraph 53.

FIRST SCHEDULE.

Description of British Standards Institution Mark to be marked on lighting fittings.

SECOND SCHEDULE.

Illuminated signs displayed by certain vehicles.

PART I.

General.

1. During the hours of darkness, it shall not be lawful—

(*a*) for any light to be displayed inside any roofed building, closed vehicle or other covered enclosure in such circumstances that any illumination therefrom is visible from outside the building, vehicle or enclosure;

(*b*) for any light to be displayed otherwise than in a roofed building, closed vehicle or other covered enclosure.

2. It shall not be lawful, whether during the hours of darkness or not, for any sky sign, facia or advertisement to be illuminated, or any light to be otherwise displayed, outside or at the entrance to any premises or on any hoarding or similar structure, for the purpose of advertisement or display.

3.—(1) Nothing in paragraphs 1 and 2 of this Order shall render unlawful—

(*a*) the display of any light which is required or authorised by or under the following provisions of this Order;

(*b*) the display of any light which is authorised under this paragraph by or on behalf of the chief officer of police, so long as any conditions imposed by him or on his behalf in relation to the display are complied with; or

(*c*) the display of any light by any constable or any member of His Majesty's forces acting in the course of his duty as such.

(2) Nothing in the following provisions of this Order relating to the authorisation by or on behalf of the chief officer of police of the display of any lights shall be construed as limiting the generality of the provisions of this paragraph.

4. The display of any light, the display of which would otherwise be lawful under the provisions of this Order, may, in the event of hostile attack or the apprehension of hostile attack, be prohibited or restricted by the chief officer of police or any constable acting under his general or special direction, and it shall not be lawful for any light to be displayed in contravention of any such prohibition or restriction:

Provided that this paragraph shall not apply to—

(*a*) any light displayed by any member of His Majesty's forces acting in the course of his duty as such; or

(*b*) any light displayed on any vehicle while it is being used for the purposes of His Majesty's forces; or

(*c*) any light exhibited with the consent of the Admiralty from a lighthouse or other structure on shore or from a light vessel or other

floating structure, being a light provided solely for the guidance of shipping; or

(*d*) navigation lights displayed by aircraft or at aerodromes in accordance with instructions given by the Secretary of State.

5. The provisions of this Order relating to the display of lights shall apply also, with any necessary adaptations, to the emission of flames, sparks or glare:

Provided that this paragraph shall not apply in relation to the emission of flames, sparks or glare from any vehicle, in so far as the emission of the flames, sparks or glare is necessarily incidental to the driving of the vehicle.

PART II.

Traffic Signs, Lighting of Obstructions, Street Lighting, Etc.

Public Roads.

6. The following lights may be displayed for the guidance of traffic on roads:—

(*a*) a light in a traffic signal, so long as it is masked by an opaque disc covering the lens of the signal and having an aperture for the emission of light in the form of a cross of which the arms are respectively vertical and horizontal, are 3 inches in length over all and $\frac{1}{8}$ inch in width, and lie wholly in the upper half of the signal face;

(*b*) lights illuminating any street name-plate or any traffic sign prescribed or authorised by the Ministry of Home Affairs under the Motor Vehicles and Road Traffic Acts (Northern Ireland), 1926 to 1934, or authorised under any local Act, so long as the lights are screened from above and so dimmed that, while any inscription on the plate or sign is legible at a distance of 100 feet, the plate or sign is inconspicuous at a distance of 250 feet;

(*c*) a light in the head of a bollard on a refuge, so long as—

(i) the light is screened so that no illumination falls on the stem of the bollard,

(ii) no light is emitted through any panel in the head of the bollard facing towards the centre of the refuge,

(iii) any illuminated panel not facing towards the centre of the refuge is screened from above and so dimmed that, while it is clearly visible at a distance of 100 feet, it is inconspicuous at a distance of 250 feet,

(iv) in the case of any illuminated panel bearing words, the letters appear white on a dark background, and

(v) illuminated panels not bearing words are white;

(*d*) lights indicating the position of a refuge or of the circumference of the centre island of a roundabout, so long as—

(i) each light is hooded so as to prevent light being thrown upwards,

(ii) all apertures for the emission of light are in the form of right-angled crosses of which the arms are at an angle of 45 degrees to the horizontal and are 4 inches in length over all and $\frac{1}{2}$ inch in width,

(iii) each aperture is screened so that the brightness of the cross is substantially uniform over its whole area and does not exceed 0.5 candle per square foot, and

(iv) the light is white;

(*e*) red lights indicating an obstruction or excavation upon or near any road, so long as each light is of a candle power not exceeding 1.0, and the lights are so screened as to prevent light being thrown upwards or any appreciable illumination being produced on the ground.

7. Except in such areas as may be specified by the Secretary of State, lights may be displayed for the lighting of any road, so long as the requirements of the British Standard Specification No. BS/ARP 37 are complied with, and so long as each lighting fitting is permanently marked with the British Standards Institution Mark described in the First Schedule to this Order, and the requirements of that Schedule are complied with.

8.—(1) During a fog, any local authority or body of persons, being an authority or body which in peace time normally provides fog flares on any road, may provide such flares as are necessary to enable traffic to continue with safety, and light may be displayed from those flares accordingly:

Provided that the power conferred by this paragraph shall not be exercised unless—

(*a*) permission has been given by or on behalf of the chief officer of police; and

(*b*) provision has been made for extinguishing the flares immediately on receipt of an air raid warning.

(2) Any flare displayed in pursuance of this paragraph shall be extinguished by the person having control thereof immediately on the receipt by him of an air raid warning.

Private roadways and ways.

9. Except in so far as the chief officer of police may otherwise direct, a

light may be displayed in and for the purposes of any illuminated sign which is required to facilitate movement on any private roadway or is required as a guide from any premises (other than a private dwelling house) to a private outdoor air raid shelter, so long as—

(*a*) no method other than the provision of illuminated signs is adequate for the purpose; and

(*b*) the signs are screened from above and so dimmed that, while clearly visible at a distance of 100 feet, they are inconspicuous at a distance of 250 feet.

10. Except in so far as the chief officer of police may otherwise direct, lights may be displayed indicating an obstruction or excavation upon or near any private roadway, so long as each light is of a candle-power not exceeding 1.0, and is so screened as to prevent light being thrown upwards or any appreciable illumination being produced on the ground.

11. Paragraph 7 of this Order (which relates to the lighting of roads) shall apply in relation to private roadways as it applies in relation to roads.

Direction signs to police and fire stations, hospitals, civil defence posts, etc.

12. A light may be displayed in and for the purposes of any illuminated sign indicating the position or direction of a police station, fire station, first aid post or hospital, a depot or building used by a civil defence service, or a public air raid shelter, so long as the sign is screened from above and so dimmed that, while clearly legible at a distance of 100 feet, it is inconspicuous at a distance of 250 feet.

PART III.

Traffic on Roads and Private Roadways.

Difinitions of Classes of Lamps, etc.

13. For the purposes of this Part of this Order, the expressions mentioned in the six next following paragraphs of this Order have, in relation to any vehicle, the meanings respectively assigned to them by those paragraphs.

14. An authorised side-lamp is a lamp of a power not exceeding 7 watts, emitting a white light to the front of the vehicle and satisfying the following conditions—

(*a*) that any reflector is painted with matt black paint or otherwise rendered ineffective;

(*b*) that the light is emitted through a single aperture the area of which does not exceed that of a circle 2 inches in diameter;

(*c*) that the aperture is partly obscured by inserting, behind the glass, paper or some other uncoloured material having a density equal to that of two sheets of newspaper, or by applying a thin coat of paint to the interior of the glass so as to produce approximately the same effect; and

(*d*) that the paper, paint or other material covers the whole of the aperture and is not wetted, oiled, varnished or treated in any other way so as to increase its transparency.

15. An authorised rear-lamp is a lamp of a power not exceeding 7 watts, emitting a red light to the rear of the vehicle and satisfying the conditions set out in sub-paragraphs (*a*), (*b*), (*c*) and (*d*) of paragraph 14 of this Order:

Provided that a lamp shall not be deemed to be other than an authorised rear-lamp by reason only that it is combined with a lamp displaying an authorised stop-light.

16. An authorised stop-light is a red or amber light displayed for the purpose of intimating the intention of the driver to stop or slow down, and emitted from a lamp of a power not exceeding 7 watts which satisfies the conditons set out in sub-paragraphs (*a*), (*b*), (*c*) and (*d*) of paragraph 14 of this Order:

Provided that a light shall not be deemed to be other than an authorised stop-light by reason only that the lamp from which it is emitted is combined with an authorised rear-lamp.

17. An authorised head-lamp is a lamp of a power exceeding 7 watts, emitting a white light to the front of the vehicle and fitted with a mask so as to satisfy the following conditions—

(*a*) that no light reaches the ground at any point nearer than 10 feet from the lamp or five times the height of the bottom of the lamp above ground level, whichever is the less;

(*b*) that no light is projected above the horizontal when the vehicle is standing on a level surface;

(*c*) that the light emitted is diffused by the insertion in the mask of a screen of some diffusing material or by other similar means;

(*d*) that the intensity of illumination on a vertical surface at any point 10 feet from the lamp does not exceed 2.5 foot candles; and

(*e*) that no light is emitted except through the mask.

18. An authorised dual-purpose lamp is a lamp of which the power may either exceed or not exceed 7 watts at the option of the person in control of the vehicle, emitting a white light to the front of the vehicle and satisfying the following conditions—

(*a*) that the front of the lamp is fitted with a mask which allows light

to be emitted through more than one aperture;

(*b*) that in the case of one of those apertures the area does not exceed that of a circle 2 inches in diameter;

(*c*) that the brightness of the aperture is not more than 20 nor less than 2 candles per square foot, whichever degree of power is employed in the lamp;

(*d*) that the lamp is such that, if the said aperture were totally obscured and the higher degree of power were always employed in the lamp, the lamp would be an authorised head-lamp; and

(*e*) that no light is emitted except through the mask.

19. An authorised bicycle lamp or an authorised cart lamp is a lamp of a power not exceeding 7 watts, emitting a white light to the front of the vehicle and satisfying the following conditions—

(*a*) that the upper half of the front glass and the whole of any side or rear panels are completely obscured; and

(*b*) that the lower half of any reflector is painted with matt black paint or otherwise rendered ineffective:

Provided that a lamp shall not be deemed to be other than an authorised bicycle or cart lamp by reason only that some light escapes through apertures provided for ventilation, if those apertures are, so far as practicable, screened to prevent the emission of light.

General provisions as to mechanically propelled vehicles.

20.—(1) The provisions of this paragraph and paragraph 21 of this Order apply to any mechanically propelled vehicle while on a road during the hours of darkness, subject, however, as respects any class of vehicles, to any special provision made by any of the subsequent provisions of this Part of this Order with respect to vehicles of that class.

(2) The vehicle shall display the lights required by and under the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934, but those lights must, as respects any front light, be displayed from an authorised side-lamp and, as respects the rear light, be displayed from an authorised rear-lamp fixed so that its centre is not higher than 3 feet 6 inches above ground level:

Provided that one side-lamp may be replaced by an authorised dual-purpose lamp.

(3) Unless the vehicle is fitted with an authorised dual-purpose lamp, it may also display light from one authorised head-lamp.

(4) The vehicle may also display—

(*a*) light from one additional authorised rear-lamp fixed so that its centre

is not higher than 3 feet 6 inches above ground level:

(*b*) one or two authorised stop-lights, and

(*c*) light from a direction indicator, so long as that light is emitted only through an arrow-shaped aperture of which none of the three arms is of a width exceeding $\frac{1}{8}$th inch, or through a single horizontal slit of a width not exceeding $\frac{1}{8}$th inch.

(5) Notwithstanding anything in the preceding provisions of this paragraph—

(*a*) immediately on the receipt by the person in charge of the vehicle of an air raid warning, or

(*b*) on a demand made in that behalf by a constable, the light from any authorised head-lamp shall be extinguished and the higher power shall cease to be used in any authorised dual-purpose lamp.

21.—(1) The provisions of this paragraph shall have effect in relation to the display of lights during a fog.

(2) A vehicle which is fitted with a fog lamp may display light therefrom in addition to the lights displayed under paragraph 20 of this Order, so long as the following conditions are fulfilled—

(*a*) that the light is not displayed except during such fog that progress is not reasonably practicable without the use of the light,

(*b*) that the lamp is fitted so that its top is below the level of the bottom of the head-lamps of the vehicle or, if the vehicle is not fitted with head-lamps, so that its centre is not higher than 2 feet 6 inches above ground level,

(*c*) that the lamp is operated by a separate switch,

(*d*) that the light is directed downwards and to the left, and

(*e*) that, immediately on the receipt by the person in charge of the vehicle of an air raid warning, or on a direction in that behalf being given by a canstable at any time when it appears to him that it is practicable for the vehicle to proceed without the light being displayed, the light is extinguished.

(3) A vehicle which is not fitted with a fog lamp but is fitted with head-lamps may display a light from an unmasked head-lamp in addition to the lights required or authorised to be displayed under paragraph 20 of this Order, so long as the following conditions are fulfilled—

(*a*) that the light is not displayed except during such fog that progress is not reasonably practicable without the use of the light,

(*b*) that the lamp is operated by a separate switch,

(*c*) that the light is directed downwards and to the left, and

(*d*) that immediately on the receipt by the person in charge of the vehicle of an air raid warning or on a direction in that behalf being given by a constable at any time when it appears to him that it is practicable for the vehicle to proceed without the light being displayed, the light is extinguished.

(4) A vehicle which is not fitted with a fog lamp but is fitted with an authorised dual-purpose lamp may display light from that lamp with the mask removed therefrom, so long as the following conditions are fulfilled—

(*a*) that the light is not so displayed except during such fog that progress is not otherwise reasonably practicable,

(*b*) that on a direction in that behalf being given by a constable at any time when it appears to him that it is practicable for the vehicle to proceed without light being displayed from the unmasked lamp, the mask shall be replaced on the lamp, and

(*c*) that immediately on the receipt by the person in charge of the vehicle of an air raid warning, the mask is replaced on the lamp and only the lower is used therein.

(5) The requirement contained in condition (*b*) in the last preceeding sub-paragraph that the mask shall be replaced on a direction in that behalf being given by a constable shall be without prejudice to any power conferred by any other provision of this Order, on any constable to require at any time that the higher power shall cease to be used in any authorised dual-purpose lamp.

(6) While light is being displayed in pursuance of sub-paragraph (4) of this paragraph from a lamp with the mask removed, nothing in sub-paragraph (2) of paragraph 20 of this Order shall be construed as requiring or authorising any other front light to be displayed on the same side of the vehicle, unless that other front light is an additional light displayed in order to comply with paragraph (*a*) of section thirty-six of the Motor Vehicles and Road Traffc Act (Northern Ireland), 1934 (which relates to vehicles with overhanging loads).

Trailers.

22.—(1) The provisions of this paragraph shall apply where a mechanically propelled vehicle draws one or more other vehicles on a road during the hours of darkness.

(2) The drawing vehicle may display light from one or two authorised rear-lamps, whatever the distance between the vehicles.

(3) Each drawn vehicle shall, whatever the distance between the vehicles, display the lights which it would be required by and under the Motor Vehicles and Road Traffic (Northern Ireland), 1934, to displayed if it were not a drawing

vehicle or a vehicle being drawn, except that only the rearmost of the drawn vehicles shall display a rear light.

(4) Of the lights reguired to be displayed on the drawn vehicle, those showing to the front shall be displayed from authorised side-lamps or authorised cart lamps and the one showing to the rear shall be displayed from an authorised rear-lamp fixed so that its centre is not higher than 3 feet 6 inches above ground level.

(5) Where the drawing vehicle has a drawn vehicle attached to it by partial super-imposition the drawn vehicle so attached shall, for the purposes of this Order, be deemed to be part of the drawing vehicle, and references in the foregoing provisions of this paragraph to a drawn vehicle shall not be deemed to include references to any drawn vehicle so attached.

Public Service Vehicles Trolley Vehicles and Tramcars.

23.—(1) The provisions of paragraph 20 of this Order shall apply in relation to public service vehicles and trolley vehicles subject to the following modifications—

(*a*) any rear light may be displayed from a lamp fixed so that its centre is higher than 3 feet 6 inches above ground level, so long as its centre is not higher than 7 feet 6 inches above ground level; and

(*b*) a light may be displayed from an additional authorised head-lamp so long as, with both the authorised head-lamps on, the intensity of illumination on a vertical surface placed at any point 10 feet from either lamp does not exceed 2.5 foot candles.

(2) A lamp carried on a public service vehicle or trolley vehicle shall not be deemed to be other than an authorised head-lamp by reason only that light reaches the ground at a point nearer than 10 feet from the lamp or five times the height of the bottom of the lamp above ground level, whichever is the less, so long as the other requirements specified in paragraph 17 of this Order are complied with in relation to the lamp.

24.—(1) The provisions of this paragraph shall apply to a tramcar while on a road during the hours of darkness.

(2) The tramcar shall display either one or two white lights to the front and either one or two red lights to the rear.

(3) All the lights shall be displayed from lamps so fixed that their centres are not higher than 5 feet above ground level.

(4) Where two lights are displayed to the front—

(*a*) one shall be emitted through an aperture the area of which does not exceed that of a circle 2 inches in diameter and shall not exceed

in brightness the light emitted from an authorised side-lamp, and

(*b*) the other shall be emitted from a lamp so masked that the following conditions are complied with—

(i) that when the tramcar is standing on a level surface no light is projected above the horizontal, and

(ii) that the intensity of illumination on a vertical surface at any point 10 feet from the lamp does not exceed 2.5 foot candles.

(5) Where one light only is displayed to the front, it shall be emitted through an aperture the area of which does not exceed 2 square inches and be of such brightness that the intensity of illumination on a vertical surface placed at any point 10 feet from the lamp does not exceed 0.15 foot candles.

(6) Any light displayed to the rear shall be emitted through an aperture the area of which does not exceed that of a circle of 2 inches in diameter, and shall not exceed in brightness the light emitted from an authorised rear-lamp.

(7) During a fog, the requirements of sub-paragraph (4) (*b*) or sub-paragraph (5) of this paragraph need not be complied with while the fog is such that progress would not otherwise be reasonably practicable; but those requirements shall forthwith be complied with on a direction in that behalf being given by a constable at any time when it appears to him that it is practicable for the tram to proceed notwithstanding that those requirements are complied with.

(8) Immediately on the receipt by the person in charge of the tramcar of an air raid warning—

(*a*) if two lights are displayed to the front, the light to which sub-paragraph (4) (*a*) of this paragraph does not apply shall be extinguished, and

(*b*) if one light only is displayed to the front, the light emitted must forthwith be reduced so as not to exceed that from an authorised dual-purpose lamp when the lower power is in use.

(9) Paragraphs 20 and 21 of this Order shall not apply.

25. Lights may be displayed for the interior illumination of a tramcar, trolley vehicle or public service vehicle, so long as—

(*a*) the lamps from which the lights are displayed are shaded so that no part of the bulb through which any light is allowed to pass can be seen from any point outside the vehicle,

(*b*) the illumination produced at any point at the level of any of the seats in the vehicle does not exceed 0.1 foot candles,

(*c*) the illumination produced at any point at ground level outside the vehicle does not exceed 0.001 foot candles, and

(*d*) the lights are extinguished immediately on the receipt by the person

in charge of the vehicle of an air raid warning.

26. Lights may be displayed in and for the purposes of any route number, route list or destination panel at the front, rear or side of a tramcar, trolley vehicle or public service vehicle, so long as the brightness of the panel is no more than sufficient for the inscription thereon to be just legible at a distance of 100 feet.

27.—(1) During a fog, lights may be displayed from any special fog lighting installed on lamp standards or overhead wires in connection with the operation of tramcars and trolley vehicles, so long as—

(*a*) only such lights are displayed as are necessary to enable the tramcars and trolley vehicles to proceed with safety,

(*b*) the lights are screened so that no direct light is cast above the horizontal,

(*c*) permission for the use of the lighting has been given by or on behalf of the chief officer of police, and

(*d*) provision has been made for extinguishing the lights immediately on receipt of an air raid warning.

(2) Every light displayed in pursuance of this paragraph shall be extinguished by the person having control thereof immediately on the receipt by him of an air raid warning.

Police, Fire and Civil Defence Vehicles, and Ambulances.

28. While a vehicle is being used as a police, fire service or civil defence vehicle or as an ambulance,—

(*a*) a light may be displayed in and for the purposes of a sign indicating the purpose for which the vehicle is being used, being a sign which complies with the requirements of the Second Schedule to this Order; and

(*b*) if the work in which the vehicle is engaged is urgent, it may continue to display light from an authorised head-lamp, an authorised dual-purpose lamp in which the higher power is in use, or, during a fog, a fog lamp or an unmasked head-lamp or dual-purpose lamp used in lieu of a fog lamp, notwithstanding that the person in charge of the vehicle has received an air raid warning.

Taximeter Cabs.

29. A light may be displayed in and for the purposes of an illuminated sign on a taximeter cab indicating that it is a taximeter cab plying for hire, so long as the light is inconspicuous at a distance of 100 feet.

Low-powered Motor Bicycles.

30. A mechanically propelled bicycle the cylinder capacity of the engine of which does not exceed 150 c.c. shall, unless it is fitted with an authorised head-lamp or an authorised dual-purpose lamp, be treated for the purpose of this Order as if it were not propelled by mechanical power.

Pedal Cycles.

31.—(1) Subject to the provisions of sub-paragraph (3) of this paragraph, a bicycle or tricycle not propelled by mechanical power, whether or not it has a sidecar attached thereto, shall, while on a road during the hours of darkness, display the lights required by and under the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934, and also a red rear light.

(2) Any front light shall be displayed from an authorised bicycle lamp and the rear light from an authorised rear-lamp.

(3) The provisions of sub-paragraph (1) of this paragraph shall not be deemed to have been contravened so long as the bicycle or tricycle is stationary owing to the exigencies of the traffic or in order to comply with any traffic signal or direction:

Provided that a stationary bicycle or tricycle shall display the red rear light.

Horse-drawn Vehicles and Handcarts.

32.—(1) Subject to the provisions of this paragraph a vehicle drawn by a horse or other animal or drawn or propelled by hand shall, while on a road during the hours of darkness, display all lights necessary to comply with any requirements imposed by or under the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934.

(2) Any front light shall be displayed from an authorised cart lamp, and any rear light shall be displayed from an authorised rear-lamp fixed so that its centre is not higher than 3 feet 6 inches above ground level:

Provided that a front light and a rear light may be displayed from the same lamp, so long as the lamp is so fixed that the centre thereof is not higher than 3 feet 6 inches above ground level, no part of the vehicle or of any load carried thereby extends more than 6 feet behind the lamp, and the lights to the front and the rear are in all respects similar to lights displayed from an authorised cart lamp and an authorised rear-lamp respectively.

(3) The operation of paragraph (*a*) of section thirty-five of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934 (which provides that only one lamp showing a white light to the front shall be required to be carried on a vehicle drawn by a horse or other animal) and of paragraph (*b*) of the

said section and paragraph (2) of Regulation 13 of the Road Vehicles Lighting Regulations (Northern Ireland), 1938 (which contain certain exemptions from the necessity to carry rear lamps), shall, for the purpose of this Order, be deemed to be suspended during the continuance in force of this Order.

Vehicles with overhanging or projecting loads.

34.—(1) Where a vehicle displays any light in order to comply with paragraph (*a*) or paragraph (*b*) of section thirty-six of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934 (which relates to vehicles carrying overhanging or projecting loads), the vehicle may also display any light which it would have been required or authorised to display under this Order if it had not been carrying an overhanging or projecting load.

(2) Notwithstanding anything in paragraph 20 of this Order, an additional light displayed in order to comply with the said paragraph (*a*) may be displayed from an authorised cart lamp.

White paint on vehicles.

35.—(1) No vehicle shall be on a road during the hours of darkness unless it complies with the provisions of this paragraph appropriate to its case.

(2) A vehicle (other than a tricycle not propelled by mechanical power or a bicycle) shall have white paint, or other white material not less conspicuous than white paint, applied or fixed to the bumpers and running-boards of the vehicle, or, if the vehicle has no bumpers or no running-boards, shall have the paint or material applied or fixed in equivalent positions on the vehicle.

(3) A tricycle not propelled by mechanical power or a bicycle shall have attached to or carried on the rear of the tricycle or bicycle a white surface having an unobscured area of not less than 12 square inches so fixed that—

(*a*) in the case of a tricycle, no part thereof projects more than 30 inches, and, in the case of a bicycle, no part thereof projects more than 20 inches, to the rear of any part of the surface;

(*b*) not less than 6 square inches of the unobscured area are on the off-side of the centre line of the tricycle or bicycle; and

(*c*) not less than 6 square inches of the unobscured area are over 10 inches above ground level.

For the purposes of this sub-paragraph, in determining where the centre line of a bicycle lies, any sidecar shall be left out of account.

(4) Any such white paint, white material or white surface as aforesaid shall be maintained in a clean condition and unobscured.

Vehicles used for purposes of His Majesty's forces.

36. A vehicle, while it is being used for the purposes of His Majesty's forces, may, whether it is in charge of a member of those forces, or not, display any lights required or authorised to be displayed by or under any general or special instructions of the Admiralty, the Army Council, or the Air Council, and nothing in paragraph 35 of this Order shall apply in relation to any vehicle while it is being so used.

Application to private roadways.

37. On any private roadway a vehicle may display any light which it would be required or authorised to display if the roadway were a road.

Application to machines and implements.

38. References in this Part of this Order to vehicles shall be deemed to include references to machines and implements of any kind drawn or propelled along roads, whether by animal or mechanical power.

Animals.

39. No person shall, during the hours of darkness, lead, drive or conduct, or cause to be led, driven or conducted, on any road any animal other than—

(*a*) a fowl, dog or cat; or

(*b*) a horse or other animal which is being ridden or is drawing a vehicle, unless—

(i) if the number of those animals is four or less, there is carried in front of the animal or animals a lamp showing a white light and so screened and dimmed that no light is thrown upwards and no appreciable illumination is thrown on the ground; or

(ii) if the number of those animals exceeds four, there is carried both in front of and behind the animals a lamp showing a white light and so screened and dimmed as aforesaid.

PART IV.

Shops, Stalls, Hotels and Places of Public Entertainment.

40.—(1) Light may be displayed in and for the purposes of any illuminated sign displayed in connection with any premises used as a shop, residential hotel or place of public entertainment, so long as—

(*a*) the letters or symbols comprised in the sign are illuminated on a dark background;

(*b*) the degree of brightness does not vary from time to time;

(*c*) the brightness at any point on the sign does not exceed 0.02 equivalent foot candles;

(*d*) the sign is inconspicuous at a distance of 100 feet;

(*e*) the aggregate illuminated area of the letters or symbols comprised in the sign does not exceed 144 square inches, and all the letters or symbols are confined within a rectagular space 3 feet in width and 2 feet in height;

(*f*) no light is visible otherwise than from the illuminated letters or symbols;

(*g*) the fact of the sign is vertical and the sign is placed inside a window on, or within a doorway on, the ground floor of the building containing the premises;

(*h*) the light is displayed, in the case of a shop, only when customers may be served in the shop, and, in the case of other premises, only when the premises are open to the public; and

(*i*) not more signs are displayed altogether in connection with the premises contained in a building than there are entrances to the building which are used by the public to obtain access to those premises.

(2) The same sign may relate to two or more premises, but in that event it must nevertheless comply with all the requirements of sub-paragraph (1) of this paragraph.

41.—(1) Light may be displayed for the purpose of advertisement or display in ground-floor windows of a shop at any time when customers may be served in the shop, but only to the extent, and subject to the conditions, specified in the following provisions of this paragraph.

(2) The light must emanate from such lighting fittings or display cabinets as are hereinafter mentioned.

(3) No mirror or other large reflecting surface may be placed in the same window as any such fitting or cabinet.

(4) The light must be directed from above on to the goods displayed and no source of light may be directly visible from outside the window.

(5) The total number of fittings, cabinets, or fittings and cabinets shall not exceed—

(*a*) in the case of a shop where the total breadth of shop window on the ground floor is less than 20 feet, one; and

(*b*) in the case of a shop where the total breadth of shop window on the ground floor is 20 feet or more, one for each complete 10 feet of breadth of shop window on the ground floor,

and the centre of any fitting or cabinet shall not be nearer to the centre of any other fitting or cabinet than 10 feet.

(6) The lighting fittings hereinbefore referred to are fittings for affording general illumination to the contents of the window in question and so constructed that the light therefrom does not exceed that given by a 25 watt electric lamp in a container finished matt black inside through a slot not larger than 4 inches in length and $\frac{1}{4}$ inch in width covered with tissue paper, the nearest part of the bulb being $2\frac{1}{2}$ inches from the slot.

7. The display cabinets hereinbefore referred to are cabinets so constructed that the amount of the light displayed therein does not exceed the limits which would prevail in the case of a cabinet conforming with the British Specification BS/ARP 35.

42. Nothing in paragraph 40 or paragraph 41 of this Order shall be taken as preventing the use of any apparatus which serves the purpose both of such an illuminated sign and of such a lighting fitting or display cabinet as is referred to in those paragraphs.

43. Light may be displayed on a stall on a road or in an uncovered market, so long as—

(*a*) the stall is completely covered in with light-proof material on top and on all sides except one;

(*b*) only one source of light is used, and that is within the cover and is so shaded that it is not directly visible from outside the stall;

(*c*) no more light is displayed than is sufficient to enable the goods on the stall to be seen by customers; and

(*d*) the light is displayed only when the stall is open for business.

44. Any such light from an illuminated sign, lighting fitting, display cabinet or source of light on a stall as is authorised by the preceding provisions of this Part of this Order shall be extinguished immediately on the receipt by the person in charge of the premises or stall of an air raid warning.

PART V.

Railways, Docks, Waterways, Aircraft and Aerodromes.

45.—(1) The following lights may be displayed in connection with the operation of railways:—

(*a*) lights essential for the purpose of indicating obstructions, so long as the candle power does not exceed 1.0, no light is thrown upwards, and no appreciable illumination is produced on the ground;

(*b*) (i) lights from searchlight and multiple lens colour light signals which are screened by hoods two feet or more in length;

(ii) other singnal lights;

(iii) lights from lamps on level crossing gates;

(*c*) lights from head lamps and tail lamps of trains;

(*d*) lights in and for the purpose of destination panels on trains, so long as the brightness of the panels is no more than sufficient for the inscription thereon to be just legible at a distance of 150 feet;

(*e*) lights required for the illumination of any station and depot, so long as the lights are so screened that no light is thrown above the horizontal and so long as the intensity of illumination at ground level or on any surface visible from the air does not exceed 0.002 foot candles;

(*f*) lights on station platforms indicating the point at which trains are to stop, so long as the candle power does not exceed 1.0, no light is thrown upwards, and no appreciable illumination is produced on the ground;

(*g*) lights required for the internal illumination of signal boxes, so long as—

(i) They are so screened that no light is thrown above the horizontal;

(ii) the intensity of illumination is reduced to the minimum necessary for the operation of the signals; and

(iii) no direct light is thrown on any part of the windows of the signal box;

(*h*) lights in trains used for internal illumination, so long as the intensity of illumination does not exceed 0.006 foot candles at any point at a distance of five feet from the light;

(*i*) lights from hand lamps used by railway servants acting in the course of their duty as such, in so far as the use of the lights is necessary to assist them in the discharge of their said duty;

(*j*) lights from braziers used by fogmen;

(*k*) lights from other braziers, so long as the brazier is so screened that no light is thrown upwards;

(*l*) such other lights as may be authorised by or on behalf of the chief officer of police in exercise of the powers conferred on him by paragraph 3 of this Order.

(2) Lights which do not comply with the condition mentioned in sub-paragraph (1) (*h*) of this paragraph may also be displayed for the internal illumination of trains, so long as they are displayed in pursuance of a scheme approved by the Secretary of State and the requirements of that scheme are complied with.

(3) Without prejudice to the generality of the provisions of sub-paragraph (5) of paragraph 52 of this Order, no person, not being a railway servant acting in the course of his duty as such, shall—

(*a*) tamper with any shade, paint, lamp, shutter, or other apparatus in a train designed to prevent or minimise the escape of light from the train; or

(*b*) during the hours of darkness cause or permit any window of any carriage or compartment in which he is, being a window any part of which has been obscured by paint or any other similar means, to be otherwise than closed while any light in the carriage or compartment not complying with the condition specified in sub-paragraph (1) (*h*) of this paragraph is being displayed; or

(*c*) during the hours of darkness, cause or permit any window of any carriage or compartment in which he is, being a window provided with blinds or curtains, to be otherwise than obscured as far as possible, by the blinds or curtains while any light in the carriage or compartment not complying with the condition specified in sub-paragraph (1) (*h*) of this paragraph is being displayed:

Provided that while a train is stationary, nothing in this sub-paragraph shall prevent any person from taking such steps as are reasonably necessary to ascertain whether the train has stopped at any, and if so what, station, or to enable him to board or alight from the train.

46. The following lights may be displayed in or on a dock, harbour, pier, quay, wharf or similar place, whether privately owned or otherwise:—

(1) Lights ashore or in any ship or vessel lying alongside a pier, quay, wharf or jetty which are necessary for the doing of work and either—

(*a*) do not emit light of an intensity measured at ground level greater than 0.002 foot candles and do not project any direct light above the horizontal; or

(*b*) are shaded lights of candle power not exceeding 1.0;

(2) Lights in any ship or vessel not lying alongside a pier, quay, wharf or jetty which are lights authorised by order of the Admiralty under the Defence (General) Regulations, 1939;

(3) Lights for the purposes of any roadway which, if that roadway were a road, would be permitted under paragrapg 6 or paragraph 7 of this Order;

(4) Lights used to indicate obstructions and other danger points, so long as they are necessary for that purpose, and the candle power does

not exceed 1.0, no light is thrown above the horizontal and no appreciable light is thrown on the ground;

(5) Such other lights as may be authorised by or on behalf of the chief officer of police in exercise of the powers conferred on him by paragraph 3 of this Order.

47.—(1) During a fog, any railway or dock authority or other body of persons which in peace time normally provides fog flares on the railway or dock premises may provide such flares as are necessary to enable traffic to continue with safety, and light may be displayed from those flares accordingly:

Provided that the power conferred by this paragraph shall not be exercised unless provision has been made for extinguishing the flares immediately on receipt of an air raid warning.

(2) Any flare displayed in pursuance of this paragraph shall be extinguished by the person having control thereof immediately on the receipt by him of an air raid warning.

48.—(1) The following lights may also be displayed—

(*a*) Any lights authorised by order of the Admiralty under the Defence (General) Regulations, 1939, which are not mentioned in paragraph 46 of this Order;

(*b*) Lights carried by any vessel on an inland waterway which are similar to the corresponding lights authorised by order of the Admiralty under the said Regulations on any vessel of a like class;

(*c*) Any light from a lamp on a barge or tug in transit on an inland waterway, if the lamp is such that it would be an authorised head-lamp or authorised dual-purpose lamp as defined for the purposes of Part III of this Order if it were used on a vehicle on land;

(*d*) Any light exhibited with the consent of the Admiralty from a light-house or other structure on shore or from a light vessel or other floating structure, being a light provided solely for the guidance of shipping; and

(*e*) Navigation lights displayed by aircraft or at aerodromes in accordance with instructions given by the Secretary of State.

(2) Where a light is displayed under sub-paragraph (1) (*c*) of this paragraph, then, immediately on receipt by the person in charge of the barge or tug of an air raid warning—

(*a*) if the light is displayed from a lamp which would be an authorised head-lamp as defined for the purposes of Part III of this Order if it were used on a vehicle on land, the light shall be extinguished;

(*b*) if the light is displayed from a lamp which would be an authorised dual-purpose lamp as so defined if it were so used, the higher power shall cease to be used in the lamp.

PART VI.

Miscellaneous.

Rescue, demolition and repair work.

49.—(1) Any light may be displayed which is essential for the purpose of urgent rescue, demolition or repair work carried out by members of civil defence services or by the servants or agents of government departments, local authorities or public utility undertakers, so long as—

(*a*) the light is screened, so far as is practicable, so that no direct light is cast above the horizontal; and

(*b*) the light is extinguished immediately on the receipt by any person having control of the light of an air raid warning, unless it is required for the conduct of work which cannot temporarily be discontinued.

(2) Except where the urgency of the work is such that it is not practicable to comply with the provisions of this sub-paragraph, any department, authority or undertakers proposing to cause lights to be displayed by virtue of this paragraph shall give notice of their proposal to do so to the chief officer of police.

Torches, hand lamps and hurricane lamps.

50.—(1) Light may be displayed from hand lamps or hand torches so long as—

(*a*) the light is displayed from a hand lamp complying with the requirements of the British Standard Specification No. BS/ARP 3, or

(*b*) the light emitted from the lamp or torch is dimmed by two sheets of tissue paper or their equivalent,

and (in any case) so long as the light emitted from the lamp or torch is white and is at all times directed downwards, and is extinguished by any person having control of the lamp or torch immediately on the receipt by him of an air raid warning.

(2) While a person is engaged in any activity for which such light as is afforded by an ordinary hurricane lamp is reasonably required, he may display light from such a lamp, so long as the lamp is so screened that no light is emitted upwards and not more light is emitted in any other direction than is reasonably necessary, and so long as he extinguishes the lamp immediately on the receipt by him of an air raid warning.

Tractors used for agricultural purposes.

51. In the case of a tractor which is being used for any agricultural purpose otherwise than on a road, light may be displayed from not more than three lamps on the tractor, so long as—

(*a*) not more than two lamps show forwards and not more than one lamp shows to the rear;

(*b*) any reflectors fitted to the lamps are removed, or painted over with matt black paint or otherwise rendered ineffective;

(*c*) in the case of each lamp, the area of the aperture through which light is emitted does not exceed that of a circle 3 inches in diameter; and

(*d*) each lamp is directed downwards and so screened that the ground is not illuminated at a distance from the tractor in any direction greater than 20 yards.

PART VII.

Supplemental.

Interpretation.

52.—(1) In this Order—

(*a*) the expression "air raid warning" means an air raid warning to the public;

(*b*) the expression "agriculture" includes the use of land as meadow or pasture land or orchard land or for market gardens or allotments but does not include the use of land as woodland, and the expression "agricultural" shall be construed accordingly;

(*c*) the expression "hours of darkness" has the same meaning as in the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934;

(*d*) the expression "road" means a public highway and includes a roadway to which the provisions of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland), 1926, apply;

(*e*) the expression "tramcar" includes any carriage used on a public highway by virtue of an Order made under the Tramways (Ireland) Acts, 1860 to 1900;

(*f*) the expression "trolley vehicle" means a mechanically propelled vehicle adapted for use upon roads without rails and moved by power transmitted thereto from some external source;

(*g*) the expression "head-lamp" does not include a dual-purpose lamp, that is to say, a lamp of which the power may either exceed or

not exceed 7 watts, at the option of the person in control of the vehicle on which the lamp is fitted;

(*h*) the expression "public service vehicle" means a mechanically propelled vehicle (other than a tramcar or trolley vehicle) used in standing or plying for hire or used to carry passengers for hire and seating more than eight persons in addition to the driver thereof;

(*i*) the expression "public utility undertakers" means the persons carrying on any public utility undertaking (as defined in paragraph (1) of Regulation 100 of the Defence (General) Regulations, 1939);

(*j*) the expression "shop" means a shop as defined by the Shops Act, 1912, and any wholesale shop, and includes any warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant;

(*k*) the expression "residential hotel" means premises used for the reception of guests and travellers desirous of dweilling or sleeping therein;

(*l*) references to lamps of a particular wattage shall be deemed to include references to lamps which are not electric but emit the same amount of light as an electric lamp of that wattage.

(2) Any obligation arising on receipt of an air raid warning to extinguish a light displayed from a lamp or flare, replace the mask of a lamp or reduce the power of a lamp shall be construed as including an obligation not to display light from the lamp or flare or, as the case may be, not to display light from the lamp with the mask removed or the power unreduced, and shall be deemed to continue until the giving, by a person authorised to do so, of a signal cancelling the air raid warning.

(3) Any reference in this Order to legibility, visibility, or inconspicuousness shall be construed as a reference to legibility, visibility, or inconspicuousness in the dark, in the absence of moonlight, fog, mist or rain, and with all lights in the vicinity extinguished.

(4) Without prejudice, in the case of premises, a vehicle or a vessel, to the liability of the occupier of the premises, the person in charge of the vehicle or the master of the vessel, any provision of this Order rendering unlawful the display of any light, or requiring any light to be displayed or any other thing to be done or not to be done, shall be construed as including a specific provision that no person shall cause or permit that light to be displayed or not to be displayed or, as the case may be, that thing not to be done or to be done.

(5) Where the display of any light is, under the provisions of this Order,

lawful only if any conditions specified by or under the provisions thereof are fulfilled, then, without prejudice to the generality of the last preceding sub-paragraph, any person who does any act whereby those conditions cease to be fulfilled shall be deemed for the purposes of this Order to cause or permit the light to be displayed.

Short title, revocation, commencement and extent.

53.—(1) This Order may be cited as the Lighting (Restrictions) (Northern Ireland) Order, 1940.

(2) The Lighting (Restrictions) Order, 1939, so far as it applies to Northern Ireland, and the Lighting (Restrictions) (No. 2) Order, 1939, are hereby repealed.

(3) This Order shall come into force at midday on the fifth day of February, nineteen hundred and forty:

Provided that the coming into force of this Order shall not—

(*a*) until midday on the fifteenth day of February, nineteen hundred and forty, operate so as to impose additional requirements in relation to any lights other than lights from headlamps and rear lamps on mechanically propelled vehicles which are neither public service vehicles nor trolley vehicles; and

(*b*) until midday on the fifteenth day of March, nineteen hundred and forty, operate so as to impose additional requirements in relation to lights on public service vehicles, trolley vehicles, vehicles drawn by other vehicles or vehicles drawn by horses or other animals.

(4) This Order shall not apply to Great Britain.

SCHEDULES.

FIRST SCHEDULE.

Description of British Standards Institution Mark to be marked on lighting fittings.

The Mark is a Certification Mark registered by the British Standards Institution under Section 37 of the Trade Marks Act, 1938, and may be used only under licence.

The Mark must be used, in association with the number of the British Standard Specification, in the form shown below.

B S

ARP/37

The Mark must also be associated with the Licensee's name or trade mark or the number of his Licence.

Lighting fittings bearing the Mark must also be marked with an indication of the nominal mounting height and the size of lamp or mantle.

SECOND SCHEDULE.

Illuminated signs displayed by certain vehicles.

Subject to the provisions of this Schedule relating to ambulances, fire service vehicles and police vehicles, the signs referred to in paragraph 28 of this Order must take the form of a head-lamp masked so as to display the lettering indicated by the following table:—

Service	*Lettering.*
Directing Staff	ARP
Air Raid Wardens	W
First Aid Parties and Mobile First Aid Units	FAP
Ambulances	A
Rescue Parties	R
Decontamination Squads	DC
Repair Services:—	
Roads, etc.	RP/R
Water	RP/W
Gas	RP/G
Electricity	RP/E
Messengers	M
Fire Service	FIRE
Police	P

The lettering must be in block capitals and must be white on a black background in the case of all vehicles other than fire service vehicles, and amber on a black background in the case of fire service vehicles. The lettering must be covered with a diffusing material so that its brightness is reduced to a level which renders it only just legible at a distance of 50 yards. A semi-circular hood projecting at least 4 inches must be fitted above the lettering.

In the case of ambulances, fire service vehicles and police vehicles, there may be used, in addition to or in substitution for the signs mentioned above, any sign indicating the character of the vehicle which vehicles of that type carried in peacetime, so long as the illuminated portions of the sign are covered with a diffusing material so that the brightness thereof is reduced to a level which renders it only just legible at a distance of 50 years and are so screened as to prevent light being thrown upwards.

Lighting (Restrictions) (Amendment) Order.

No. 583, 17th April, 1940.

1. In sub-paragraph (1) (*b*) of paragraph 52 of the Lighting (Restrictions) Order, 1940 (which defines certain expressions used in that Order), the words "'hours of darkness'" shall be omitted and after sub-paragraph (1) (*c*) thereof the following sub-paragraph shall be inserted:—

"(*cc*) the expression 'hours of darkness'—

(i) for the purposes of any provision of Part III of this Order requiring lights to be displayed and of the provisions of paragraph 35 of this Order, has the same meaning as in the Road Transport Lighting Act, 1927;

(ii) for other purposes means the time between half an hour after sunset and half an hour before sunrise:

Provided that, during any period which falls within the hours of darkness as defined in sub-paragraph (ii) but not as defined in sub-paragraph (i) hereof, any provision of Part III of this Order requiring lights to be displayed shall be construed as authorising those light to be displayed."

2. This Order may be cited as the Lighting (Restrictions) (Amendment) Order, 1940.

Lighting (Restrictions) (Amendment) (Northern Ireland) Order.

No. 598, 19th April, 1940.

1. Sub-paragraph (1) (*c*) of paragraph 52 of the Lighting (Restrictions) (Northern Ireland) Order, 1940, shall be omitted and the following sub-paragraph shall be substituted therefor:—

"(*c*) the expression 'hours of darkness'

(i) for the purposes of any provision of Part III of this Order requiring lights to be displayed and of the provisions of paragraph 35 of this Order, has the same meaning as in the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934;

(ii) for the purposes means the time between half an hour after sunset and half an hour before sunrise:

Provided that, during any period which falls within the hours of darkness as defined in sub-paragraph (ii) but not as defined in sub-paragraph (i) hereof, any provision of Part III of this Order requiring lights to be displayed shall be construed as authorising those lights to be displayed."

2. This Order may be cited as the Lighting (Restrictions) (Amendment) (Northern Ireland) Order, 1940.

C. 防火施設

Order of the Secretary of State, under Regulation 29 of the Defence Regulations, 1939, Constituting the Scottish Special Fire Brigade Region.

No. $\frac{151}{S.\ 2}$, 31st January, 1940.

1. The Scottish Region is hereby constituted a Special Fire Brigade Region which shall be divided into Emergency Fire Districts and Areas, as set out in the First Schedule to this Order.

2. The Officers mentioned in the First Schedule to this Order are hereby designated Area Officers and Alternative Operating Officers for the respective Areas.

3. All fire brigades within the said Region shall co-operate for the purpose of assisting each other in dealing with outbreaks of fire and shall comply with such directions as may from time to time be given by the Regional Commissioner for the said Region or any District Commissioner or any officer authorised to act for the purposes of this Order.

4. Without prejudice to the generality of the provisions contained in the preceding paragraph, the fire brigades mentioned in the Second Schedule to this Order, shall, so far as each may be concerned, take action in accordance with the Scheme approved by me and set out in the said Schedule.

5. Except in case of grave emergency, and on the direction of the Regional or District Commissioner, a fire brigade shall not under this Order be required to be despatch out of the district within which that brigade ordinarily provides local fire services or assistance additional thereto in pursuance of arrangements made under the provisions of section 1 (5) of the Fire Brigades Act, 1938, appliances in excess of the number specified in the said Second Schedule to this Order, or in the case of fire brigades other than those to which the Second Schedule applies, in excess of one half of the number of appliances including emergency appliances ordinarily at the disposal of the fire brigade.

6. Any appliance which a fire brigade may be required to despatch in accordance with the Scheme set out in the Second Schedule to this Order shall ordinarily be an emergency appliance, provided that in lieu thereof an appliance of at least equivalent capacity belonging to the fire authority may be despatched at the discretion of the fire brigade.

7. Where a fire brigade is required to despatch an appliance under this Order, there shall be sent with such appliance a number of firemen sufficient to enable the appliance to be effectively operated.

8. All fire brigades within the said Region shall carry out such tests, drills

or other preliminary or incidental measures as may be prescribed or approved by the Regional Commissioner.

9. Notwithstanding the provisions of sub-section (3) of section 14 of the Fire Brigades Act, 1938, it shall be lawful for the control of the operations for extinguishing any fire within the said Region, to be undertaken by the Area Officer for the Area in which the fire has occurred, or by the Alternative Operating Officer acting on his behalf, if he is present at the fire, or, if the Regional or District Commissioner shall have appointed any other person to be in charge thereof, by such person, if he is present at the fire.

10. In the event of any fire appliance or member of a fire brigade attending or standing by in connection with a fire in the said Region in pursuance of a direction of the Regional Commissioner or a District Commissioner or any officer authorised to act for the purposes of this Order (whether in accordance with the Scheme set out in the Second Schedule to this Order or otherwise), the fire authority maintaining the said brigade shall be entitled to charge the fire authority in whose district the fire occurs a sum in respect of the services so rendered not exceeding the amount necessarily and specifically incurred by them in connection therewith and such sum shall be settled by agreement between the fire authorities concerned or, in default of agreement, by me, provided always that

(i) as respects any emergency appliance or any appliance despatched in lieu thereof, the sum charged shall be limited to the amount of the running costs incurred, and

(ii) as respects any whole-time auxiliary fireman, or any other member of a fire brigade attending, or standing by, in connection with a fire in lieu of a whole-time auxiliary fireman, the sum charged shall not include any charge on account of wages.

11. Nothing in this Order shall prejudice the right of a fire authority to charge for the services of a fire brigade in providing local fire services in the district of another fire authority or assistance additional thereto in pursuance of arrangements made under the provisions of section 1 (5) of the Fire Brigades Act, 1938.

12. In this Order the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"Fire authority" and "local fire services" have the same respective meanings as in the Fire Brigades Act, 1938;

"Chief Officer" of any fire brigade includes any officer for the time being in charge of the brigade;

"Fire brigade" means any fire brigade providing local fire services and includes any member of the Auxiliary Fire Service and any other auxiliaries attached to such a fire brigade, or under the directions of any fire authority;

"Whole-time auxiliary fireman" means an auxiliary fireman the entire cost of whose wages is met from the Exchequer;

"Emergency appliance" means an appliance lent by the Secretary of State to a fire authority in pursuance of the Air Raid Precautions (Loan of Fire Appliances) (Scotland) Regulations, 1938;

"Major pumping appliance" means a pumping appliance with a capacity of not less than 200 gallons per minute at 100 lb. pressure;

"Light pumping appliance" means a pumping appliance with a capacity of less than 200 gallons per minute at 100 lb. pressure but not less than 100 gallons per minute at 80 lb. pressure;

"Running costs" means the cost of the petrol, oil and other material required in connection with the attendance or operation of the appliance at a fire.

13. The Fire Brigades (Scottish Regional) Order of the 1st September, 1939, is hereby revoked.

14. This Order may be cited as the Fire Brigades (Scottish Regional) (No. 2) Order and shall come into force on the 20th February, 1940, until further order.

FIRST SCHEDULE.

Emergency Fire Districts and Areas under the Fire Brigades (Scottish Regional) (No. 2) Order and as respects certain Districts the Officers Designated Area Officers and Alternative Operating Officers for the Respective Areas.

1. *South-Eastern District.*

No. 1 Area (comprising the counties of Midlothian, East Lothian, West Lothian, Berwick, Roxburgh, Peebles and Selkirk).

Area Officer.—The Chief Officer of the Edinburgh Fire Brigade.

Alternative Operating Officer.—The Second Officer of the Edinburgh Fire Brigade.

2. *Western District.*

No. 1 Area (comprising the counties of Lanark, Avr, Dunbarton and Renfrew).

Area Officer.—The Chief Officer of the Glasgow Fire Brigade.

Alternative Operating Officer.—The Chief Officer of the Paisley Fire Brigade.

No. 2 Area (comprising the counties Stirling and Clackmannan).

Area Officer.—The Chief Officer of the Falkirk Fire Brigade.

Alternative Operating Officer.—The Chief Officer of the Stirling Fire Brigade.

3. *Eastern District.*

No. 1 Area (comprising the county of Fife).

Area Officer.—The Chief Officer of the Kirkcaldy Fire Brigade.

Alternative Operating Officer.—The Chief Officer of the Dunfermline Fire Brigade.

No. 2 Area (comprising the counties of Perth, Kinross and Angus).

Area Officer.—The Chief Officer of the Dundee Fire Brigade.

Alternative Operating Officer.—The Chief Officer of the Perth Fire Brigade.

4. *North-Eastern District.*

5. *Northern District.*

SECOND SCHEDULE.

Approved Scheme.

1. An Area Officer, if he is satisfied that the resources at the disposal of any fire authority within his Area are insufficient to deal effectively with any fire, or if he is so required by the District Commissioner, may direct any or all of the fire brigades mentioned in the Table relating to the Area and appended to this Schedule, to man and despatch pumping units up to the number specified in Columns 2 or 3 of the said Table.

Provided that—

(*a*) A fire brigade shall not be called upon to despatch appliances specified in Column 3 unless appliances specified in Column 2 are not available to the number required, or the Area Officer is satisfied, in any special circumstances, that the despatch of an appliance specified in Column 3 is necessary to ensure the prompt arrival of assistance at the fire.

(*b*) An Area Officer may call upon a fire brigade to despatch, in lieu of a major pumping appliance, a light pumping appliance, or a tender or other vehicle with any fire fighting apparatus including chemical apparatus, which may be specified by him.

(*c*) An Area Officer may call upon any fire brigade mentioned in the Table to keep a pumping appliance standing by in readiness to respond to a fire call in another district, and any such brigade shall forthwith man and despatch such pumping appliance on request made by the Area Officer.

2. An Area Officer, if he is satisfied that appliances in excess of those provided for in Columns 2 and 3 of the Table are required shall notify the District Commissioner accordingly.

3. The District Commissioner, if he is satisfied, on the report of an Area Officer or otherwise, that the resources at the disposal of any fire brigade engaged at any fire in his District are insufficient to deal effectively with the fire, may direct, or authorise an Area Officer to direct, any or all of the fire brigades mentioned in the Tables appended to this Schedule and relating to the District to man and despatch pumping appliances up to a number not exceeding one half of the total number of appliances ordinarily at the disposal of such brigades including appliances belonging to the fire authorities.

4. If the Chief Officer of a fire brigade is unable, with a reasonable time, to establish communication either with the appropriate Area Officer or with the Alternative Operating Officer he shall notify the District Commissioner accordingly.

5. An Alternative Operating Officer may, if satisfied of the necessity, call upon any brigdade to despatch appliances in pursuance of the Scheme and may take any other action which the Area Officer is authorised to take.

6. The Chief Officer of a fire brigade, on being called upon to despatch a pumping appliance under the Scheme shall despatch forthwith a major pumping appliance or, if so requested, a light pumping appliance, or a tender or other vehicle with such fire fighting apparatus, including chemical apparatus, as may be required.

TABLE I.

SOUTH-EASTERN DISTRICT.

No. 1 Area.

Area Officer:—The Chief Officer of the Edinburgh Fire Brigade.
Telephone No. Edinburgh 22222.

Alternative Operating Officer:—The Second Officer of the Edinburgh Fire Brigade.

Brigades in Scheme.	Moves to Fire (Major appliances).	
	First Stage.	Second Stage.
1.	2.	3.
Edinburgh	4	4
Musselburgh	1	—
Peebles	1	—
Haddington	—	1
Kelso	1	—
Jedburgh	1	—
Hawick	2	—
Galashiels	1	—

TABLE II.

WESTERN DISTRICT.

No. 1 (Glasgow) Area.

Area Officer:—The Chief Officer of the Glasgow Fire Brigade.

Telephone No. Bell 2222.

Alternative Operating Officer:—The Chief Officer of the Paisley Fire Brigade.

Telephone No. Paisley 2104.

Brigades in Scheme.	Moves to Fire (Major appliances).	
	First Stage.	Second Stage.
1.	2.	3.
Glasgow	12	12
Clydebank	—	1
Milngavie	1	—
Lanark County	5	4
Coatbridge	2	1
Motherwell	2	1
Airdrie	2	1
Renfrew County	2	2
Paisley	2	2
Dunbarton County	1	—
Dumbarton	1	1
Kirkintilloch	1	—
Greenock	2	2
Port Glasgow	1	—
Gourock	1	1
Helensburg	1	—
Ayr County	1	—
Kilmarnock	1	1
Ayr	1	2
Ardrossan	1	1
Saltcoats	1	—
Stewarton	1	1

TABLE III.

WESTERN DISTRICT.

No. 2 (Stirling and Clackmannan) Area.

Area Officer:—The Chief Officer of the Falkirk Fire Brigade.

Telephone No. Falkirk 952.

Alternative Operating Officer:—The Chief Officer of the Stirling Fire Brigade.

Telephone No. Stirling 22.

Brigades in Scheme.	Moves to Fire (Major appliances)	
	First Stage.	Second Stage.
1.	2.	3.
Stirling Country	1	—
Falkirk	1	1
Stirling	1	1
Grangemouth	2	1
Bridge-of-Allan	1	—
Denny	1	—
Alloa	1	—
Alva	—	1
Dolla	—	1
Tillycoultry	—	1

TABLE IV.

EASTERN DISTRICT.

No. 1 (FiFe) Area.

Area Officer:—The Chief Officer of the Kirkcaldy Fire Brigade.

Telephone No. Kirkcaldy 3333.

Alternative Operating Officer:—The Chief Officer of the Dunfermline Fire Brigade.

Telephone No. Dunfermline 888.

Brigades in Scheme.	Moves to Fire (Major appliances).	
	First Stage.	Second Stage.
1.	2.	3.
Dunfermline	1	2
Cowdenbeath	1	1
Burntisland	1	—
Kirkcaldy	2	2
Buckhaven	2	—
Leven	1	—
St. Andrews	1	—

TABLE V.

EASTERN DISTRICT.

No. 2 (Perth, Kinross and Angus) Area.

Area Officer:—The Chief Officer of the Dundee Fire, Brigade.

Telephone No. Dundee 3122.

Alternative Operating Officer:—The Chief Officer, Perth Fire Brigade.

Telephone No. Perth 98.

Brigades in Scheme.	Moves to Fire (Major appliances).	
	First Stage.	Second Stage.
1.	2.	3.
Perth	2	1
Dundee	3	3
Forfar	1	1
Arbroath	1	1
Brechin	1	—
Montrose	1	—

Order, in pursuance of section 58 (1) of the Civil Defence Act, 1939.

No. 467, 28th March, 1940.

In pursuance of the powers conferred upon me by sub-sction (1) of section fifty-eight of the Civil Defence Act, 1939, I hereby order that the said section fifty-eight (which contains special provisions as to supply of water for extinguishing fires) shall apply to the fire authority for the county borough of Coventry.

Fire Brigades (General) Order, under Regulation 29 and 38 of the Defence (General) Regulations, 1939.

No. 507, 8th April, 1940.

1.—(1) This Order may be cited as the Fire Brigades (General) Order, 1940.

(2) This Order shall come into force on the 18th day of April, 1940.

(3) This Order shall not extend to Scotland, or, except in so far as it makes provision for action being taken outside the areas to which it extends, to the London Special Fire Brigades Area, but save as aforesaid this Order shall extend to every area constituted a special fire brigades area by an order for the time being in force under Regulation twenty-nine of the Defence (General) Regulations, 1939 (hereinafter referred to as a "Regional Fire Order") and, in relation to each such area, references in this Order to "the area" shall, except where the context otherwise requires, be construed as references to that area.

2. It shall be the duty of every officer of a fire brigade upon whom functions are imposed by or under this Order to exercise and perform those functions in accordance with the provisions thereof, and, in particular, to take such action as he may be required to take in accordance with the provisions of the First Schedule to this Order.

3. It shall be the duty of the chief officer of every fire brigade named in the Table for any district in the area to cause the brigade to carry out such tests, exercises and drills as may be determined by the district officer with the approval of the Regional Commissioner, or as may be required by the Regional Commissioner as being necessary for the purposes of this Order.

4.—(1) At any fire to which this Order applies any person authorised by the Regional Commissioner in that behalf or, if no such person is present, the district officer for the district in which the fire is, if he is present, may take control of the operations for the extinction of the fire.

(2) Where a person has taken control of the operations for the extinction of a fire by virtue of this Article, he, instead of any other officer or person mentioned in subsection (3) of section fourteen of the Fire Brigades Act, 1938,

shall have the sole charge and control of all operations for the extinction of the fire, and that subsection shall be construed accordingly as referring to him and not to any other officer or person.

5.—(1) Where a district officer or an alternative operating officer is both the chief officer of a police force and the chief officer of a fire brigade, he may appoint as his deputy for the purposes of this Order an officer of that fire brigade; and the deputy so appointed may, subject to any directions of the officer by whom he was appointed, exercise and perform all the functions of that officer under this Order.

(2) If a district officer or an alternative operating officer is absent from his fire station or otherwise unable to act, the officer for the time being in charge of that fire station may, if authorised so to do by the district officer or the alternative operating officer, as the case may be, exercise and perform on behalf of that officer all the functions conferred upon that officer by this Order, except powers conferred by or under the last foregoing Article.

6.—(1) This Order applies to any fire, however caused which is—

(*a*) a fire within the ordinary protection area of a fire brigade named in the Regional Fire Order for any special fire brigades area;

(*b*) a fire at a naval, military or air force establishment, or on any premises used for or in connection with the operation of any railway, or at any dock, ship-building yard or other premises where warlike material, food, or articles required for the production of such materials or food, are manufactured, handled or stored;

(*c*) a fire specified in a determination of the Regional Commissioner, or a fire of any class or description so specified, being a fire within the area; or

(*d*) a fire specified in a determination of the Minister of Home Security, or a fire of any class or description so specified.

(2) A determination made under sub-paragraph (*c*) or sub-paragraph (*d*) of this Article may be made subject to such conditions as seem proper to the person by whom it is made, including conditions relating to the making of payments in respect of services rendered in pursuance of the provisions of this Order; and any such determination may be revoked or varied by the Minister of Home Security or by the Regional Commisioner as the case may be.

7.—(1) Where services are rendered in pursuance of provisions of this Order at a fire to which this Order applies by reason of such a determination as aforesaid, and the determination was made subject to conditions relating to the making of payments in respect of services rendered in pursuance of the provisions of this Order, the authority or person by whom any fire brigade

which has rendered those services is maintained shall be entitled to recover from the fire authority for the county borough or county district in which the fire was such charges and such expenses as may have been prescribed by the conditions.

(2) Save as provided by the last foregoing paragraph, no authority or person shall be entitled to any payment in respect of services rendered by a fire brigade in pursuance of the provisions of this Order.

8. Nothing in this Order shall relieve the authority or person by whom any fire brigade is maintained from any obligation imposed upon that authority or person by subsection (1) of section one of the Fire Brigades Act, 1938, or by any arrangement made in pursuance of subsections (3) or (5) of that section, or by any other arrangement of a similar character, except in so far as the performance of any such obligation is rendered impossible by operations carried out in pursuance of this Order or by the performance of duties in pursuance thereof.

9. In this Order the following expressions have the meanings hereby respectively assigned to them, that is to say—

"Chief Officer," in relation to any fire brigade, includes any officer whose duty it is, for the time being, to act on his behalf;

"Fire authority" has the meaning assigned to it by section one of the Fire Brigades Act, 1938;

"Fire brigade" includes members of the Auxiliary Fire Service and other auxiliaries attached to a fire brigade or under the directions of the chief officer thereof or under the directions of a fire authority;

"London Special Fire Brigades Area" means the area constituted as such by an order for the time being in force under Regulation 29 of the Defence (General) Regulations, 1939;

"Mejor pump" means a pumping appliance with a capacity of not less than two hundred and fifty gallons per minute at 100 lb. pressure;

"Ordinary protection area" means, in relation to any fire brigade, the area ordinarily protected by that brigade, including any area in which the brigade is required to attend fires by virtue of any arrangements made under subsection (3) of section one of the Fire Brigades Act, 1938;

"Regional Commissioner" means the person appointed by His Majesty to be a Regional Commisioners for the co-ordination of measures of civil defence in the area and includes any person whose duty it is, for the time being, to act on his behalf;

"Table" means a Table contained in the Regional Fire Order for the area.

10. The Orders specified in the Second Schedule to this Order are hereby revoked.

FIRST SCHEDULE.

Limitation of number of pumps which a Regional Commissioner, district officer, or chief officer may be called upon to despatch.

1.—(1) A chief officer of a fire brigade who may be called upon under this Schedule or under the Schedule to the Fire Brigades (London) Order, 1940, to despatch pumps outside the ordinary protection area of the brigade shall not be called upon under either or both of those Schedules to employ in answer to such calls more pumps than the aggregate of the numbers specified opposite to the name of that fire brigade in columns 4, 5 and 6 of the Table in which the brigade is named.

(2) A Regional Commissioner or district officer named in the Table for any district as a person who may be called upon under this Schedule to despatch pumps to that district shall not be called upon thereunder to employ at the same time in answer to such calls more pumps than the aggregate of the numbers specified opposite to the name of the Regional Commissioner or district officer in columns 4, 5 and 6 of the Table.

(3) A Regional Commissioner or district officer named in the Table for any district as a person who may be called upon under this Schedule to despatch pumps to that district, or the chief officer of a fire brigade so named, shall not be called upon under sub-paragraph (1) of paragraph 2 of this Schedule to employ at the same time in answar to such calls more pumps than the aggregate of the numbers specified opposite to the name of the Regional Commissioner, district officer or fire brigade, as the case may be, in columns 4 and 5 of the Table.

Functions of district officers as to obtaining assistance.

2.—(1) Where a district officer is satisfied that the resources (including the resources available under any arrangement for assistance made under subsection (5) of section one of the Fire Brigades Act, 1938, or any similar arrangement) practicably at the disposal of a fire brigade in his district are insufficient to deal effectively with any fire therein to which this Order applies, he may call upon the chief officers of fire brigades named in the Table for his district, and upon district officers and Regional Commissioners so named, to despatch such number of pumps as he may require, subject, however, to the provisions of paragraph 1 of this Schedule:

Provided that a district officer shall not, under the provisions of this paragraph, call upon the chief officer of a fire brigade or upon a district officer or Regional Commissioner to despatch pumps in excess of the number specified in column 4 of the said Table opposite to the name of the fire brigade, district

officer, or Regional Commissioner, as the case may be, unless the district officer is satisfied—

(*a*) that the available total of the numbers of pumps specified in the said column 4 is insufficient to afford adequate assistance; or

(*b*) that having regard to the special circumstances of the case it is necessary so to do in order to secure sufficiently prompt assistance.

(2) Where a district officer is satisfied that the number of pumps for which he can call under the foregoing provisions of this paragraph is insufficient for the purpose of dealing effectively with a fire to which this Order applies in his district, he shall inform the Regional Commissioner for the area, and if he is unable within a reasonable time to establish communication with that Regional Commissioner, he may call upon the chief officers of fire brigades named in the Table for his district, and upon district officers and Regional Commissioners so named, to despatch such number of pumps as he may require, subject only to the provisions of sub-paragraphs (1) and (2) of paragraph 1 of this Schedule.

Functions of Regional Commissioners as to obtaining assistance.

3. Where a Regional Commissioner is satisfied on the report of a district officer or otherwise that the resources (including the resources available under any arrangement for assistance made under subsection (5) of section one of the Fire Brigades Act, 1938, or any similar arrangement) practicably at the disposal of a fire brigade are insufficient to deal effectively with any fire to which this Order applies in his area, he may call upon, or may direct officer to call upon, the chief officers of fire brigades named in the Table for the district in which the fire has occurred and district officers and Regional Commissioners so named to despatch such number of pumps as he may require, subject, however, to the provisions of sub-paragraphs (1) and (2) of paragraph 1 of this Schedule.

Nature of assistance which may be called for.

4. Where in accordance with the provisions of this Schedule a Regional Commissioner or a district officer has power to call for the despatch of a pump, he may call for the despatch of a pump of less capacity than a major pump, or may, instead of calling for the despatch of a pump, require any apparatus which would normally be despatched with a pump to be despatched in a tender or other vehicle, or require the despatch of the whole or any part of the crew of a pump with or without such apparatus.

Functions of district officers as to despatching assistance.

5. A district officer who in accordance with the provisions of this Schedule is called upon to despatch pumps, or who is directed by a Regional Commis-

sioner to call upon the chief officer of a fire brigade to despatch pumps, shall call upon the chief officer of one or more of the fire brigades named in the Table for his district to despatch pumps for the purpose of complying with the call or direction.

Functions of Regional Commissioners as to despatching assistance.

6. A Regional Commissioner who is called upon in accordance with the provisions of this Schedule or of the Schedule to the Fire Brigades (London) Order, 1940, to despatch pumps, may call upon, or direct the appropriate district officer to call upon, the chief officer of one or more of the fire brigades named in the Tables contained in the Regional Fire Order for the area of which he is the Regional Commissioner to despatch pumps for the purpose of complying with the call.

Miscellaneous provisions as to functions of chief officers of fire brigades.

7.—(1) Where the chief officer of a fire brigade is required in accordance with the provisions of this Schedule or of the Schedule to the Fire Brigades (London) Order, 1940, to despatch a pump, he shall forthwith despatch a major pump unless some other pump has been called for.

(2) Every pump despatched in accordance with the provisions of this Schedule shall be despatched with a crew and the appropriate apparatus.

(3) Where a chief officer despatches any assistance in response to a call made under this Schedule, he shall despatch that assistance in accordance with any directions given by the person by whom the call was made.

8. The chief officer of a fire brigade which is designated in the Table for any district as a stand-by another fire brigade shall, when required so to do by the district officer or the Regional Commissioner, man a pump and keep it standing by at a fire station in readiness to respond to a call in the ordinary protection area of that other fire brigade.

9. If the chief officer of a fire brigade can establish communication within a reasonable time with neither the district officer nor the alternative operating officer nor any person authorised to exercise and perform the functions of such an officer under this Schedule, he shall inform the Regional Commissioner.

General.

10. Subject to any directions given by the district officer, it shall be the duty of the alternative operating officer to exercise and perform the functions of the district officer under this Schedule as occasion may require.

11. Where a Regional Commissioner or a district officer has power to call for the despatch of a pump, he may require the pump to be held in readiness

for despatch at such place as he may direct.

12. Where it appears to a Regional Commissioner that a special appliance, or special apparatus or equipment, is required at a fire to which this Order applies, or at a fire in the London Special Fire Brigades Area, the Regional Commissioner may call upon the chief officer of any fire brigade named in the Regional Fire Order for his area to man and despatch such an appliance, or to despatch such apparatus or equipment, or to hold such an appliance, together with a crew, or such apparatus or equipment, in readiness for despatch in accordance with such directions as may be given by the Regional Commissioner:

Provided that where a fire brigade is equipped with more than one appliance of any special kind, the chief officer of that brigade shall not be required under this paragraph to send outside the ordinary protection area of the brigade more than one half of the appliances of that kind with which the brigade is equipped.

13. Where the Regional Fire Officer for the London Special Fire Brigades Area is named in the Table relating to any district, he may be called upon to despatch pumps to that district as if he were a Regional Commissioner so named.

SECOND SCHEDULE.

The Fire Brigades No. 1 (Northern) Region Order of the 1st September, 1939. (S.R. & O. 1939, No. 1256.)

The Fire Brigades No. 2 (Northern Eastern) Region Order of the 1st September, 1939. (S.R. & O. 1939, No. 1257.)

The Fire Brigades No. 3 (North Midland) Region Order of the 1st September, 1939. (S.R. & O. 1939, No. 1258.)

The Fire Brigades No. 4 (Eastern) Region Order of the 1st September, 1939. (S.R. & O. 1939, No. 1259.)

The Fire Brigades No. 6 (Southern) Region Order of the 1st September, 1939. (S.R. & O. 1939, No. 1261.)

The Fire Brigades No. 7 (South Western) Region Order of the 1st September, 1939. (S.R. & O. 1939, No. 1262.)

The Fire Brigades No. 8 (Wales) Region Order of the 1st September, 1939. (S.R. & O. 1939, No. 1263.)

The Fire Brigades No. 9 (Midland) Region Order of the 1st September, 1939. (S.R. & O. 1939, No. 1264.)

The Fire Brigades No. 10 (North Western) Region Order of the 1st September, 1939. (S.R. & O. 1939, No. 1265.)

The Fire Brigades No. 12 (South Eastern) Region Order of the 1st September, 1939. (S.R. & O. 1939, No. 1267.)

Fire Brigades (London) Order, under Regulations 29 and 38 of the Defence (General) Regulation, 1939.

No. 508, 8th April, 1940.

1.—(1) This Order may be cited as the Fire Brigades (London) Order, 1940.

(2) This Order shall come into force on the 18th day of April, 1940.

(3) This Order, except in so far as it provides for action being taken outside the area to which it extends, shall extend only to the London Special Fire Brigades Area constituted by an order for the time being in force under Regulation twenty-nine of the Defence (General) Regulations, 1939 (hereinafter referred to as the "Regional Fire Order"), and references in this Order to "the area" shall, except where the context otherwise requires, be construed as references to that Area.

2. It shall be the duty of every officer of a fire brigade upon whom functions are imposed by or under this Order to exercise and perform those functions in accordance with the provisions thereof, and, in particular, to take such action as he may be required to take in accordance with the provisions of the Schedule to this Order.

3. It shall be the duty of the chief officer of every fire brigade in the area to cause the brigade to carry out such tests, exercises and drills as may from time to time be required by the Regional Fire Officer as being necessary for the purposes of this Order, and no tests, exercises or drills shall be carried out by such a chief officer for those purposes except such as have been approved by the Regional Fire Officer.

4.—(1) At any fire in the area the Regional Fire Officer or any person authorised by him in that behalf may, if present, take sole charge and control of all operations for the extinction of the fire.

(2) Where a person has taken sole charge and control of all operations for the extinction of a fire virtue of this Article, then—

(*a*) if the fire is within the administrative county of London, section twelve of the Metropolitan Fire Brigade Act, 1865, shall, in relation to that fire, have effect as if a reference to that person were substituted for the reference in the said section twelve to the chief or other officer in charge of the fire brigade, and

(*b*) if the fire is not within the administrative county of London, subsection (3) of section fourteen of the Fire Brigades Act, 1938, shall, in relation to that fire, have effect as if a reference to that person were substituted for the reference to the senior officer or other person mentioned in the said subsection (3).

5. If an assistant regional fire officer is unable to act, his functions under

this Order may be exercised and performed on his behalf by any officer authorised by him for that purpose.

6. No authority or person shall be entitled to any payment for services rendered by any fire brigade in pursuance of this Order.

7. It shall be the duty of the chief officer of every fire brigade in the area to furnish to the Regional Fire Officer such information as the Regional Fire Officer may require for the purposes of this Order.

8. The chief officer of a fire brigade in the area shall not, in pursuance of any arrangement made under subsection (5) of section one of the Fire Brigades Act, 1938, or any similar arrangement, despatch any pumping appliance out of the ordinary protection area of that brigade to any other place within the area:

Provided that nothing in this Article shall affect the provisions of any arrangement relating to fires occurring near the common boundary of the areas of two fire authorities.

9. In this Order the following expressions have the meanings hereby respectively assigned to them, that is to say—

"Chief officer," in relation to any fire brigade, includes any officer whose duty it is, for the time being, to act on his behalf;

"Fire authority" includes the London County Council, but save as aforesaid has the meaning assigned to it by section one of the Fire Brigades Act, 1938;

"Fire brigade" includes members of the Auxiliary Fire Service and other auxiliaries attached to a fire brigade or under the directions of the chief officer thereof or under the directions of a fire authority;

"Fire brigade in the area" means the London Fire Brigade and any fire brigade mentioned in the first column of Part I of the Table;

"Major pump" means a pumping appliance with a capacity of not less than three hundred gallons per minute at 100 lb. pressure;

"Ordinary protection area" means, in relation to any fire brigade, the area ordinarily protected by that brigade, and includes any area in which the brigade is required to attend fires by virtue of any arrangements made under subsection (3) of section one of the Fire Brigades Act, 1938;

"Regional Fire Officer" means the person designated as such in the Regional Fire Order and includes any person whose duty it is, for the time being, to act on his behalf;

"Table" means the Table contained in the Regional Fire Order.

10. The London Fire Region Order of the 1st September, 1939, is hereby revoked.

SCHEDULE.

Limitation of number of pumps which may be required to be despatched from any fire brigade or London Fire Brigade station.

1.—(1) Not more than one half of the major pumps or one quarter of all the pumps (including in either case emergency pumps) with which a fire brigade in the area is equipped, whichever is the less, shall be required to be despatched from that brigade under this Schedule.

(2) The number of pumps to be despatched from any fire brigade or London Fire Brigade station in answer to calls made under sub-paragraph (1) of paragraph 3 of this Schedule shall not exceed the number specified in the second column of Part I of the Table after the name of that fire brigade or London Fire Brigade station and opposite to the name of the fire brigade by which assistance is required.

(3) The number of pumps to be despatched from any fire brigade or London Fire Brigade station in answer to calls made under paragraph 4 of this Schedule shall not exceed the aggregate of the numbers specified in the third and fourth columns of Part I of the Table after the name of that fire brigade or London Fire Brigade station and opposite to the name of the fire brigade by which assistance is required.

Functions of chief officers as to obtaining assistance.

2. The Chief Officer of the London Fire Brigade, if at any time the resources at the disposal of that brigade are insufficient to deal effectively with any fire in the ordinary protection area of that brigade, shall inform the Regional Fire Officer.

3.—(1) The chief officer of any fire brigade named in the first column of Part I of the Table, if at any time the resources of that brigade are insufficient to deal effectively with any fire in the ordinary protection area of that brigade, may call upon the chief officers of fire brigades named in the second column of Part I of the Table opposite to the name of the fire brigade by which assistance is required, and upon the officers in charge of London Fire Brigade stations so named as aforesaid, to despatch pumps, subject, however, to the provisions of sub-paragraphs (1) and (2) of paragraph 1 of this Schedule.

(2) The chief officer by whom a call is made under the last foregoing sub-paragraph shall inform the assistant regional fire officer for the district of the action which he has taken, and the assistant regional fire officer shall inform the Regional Fire officer.

(3) If the chief officer of a fire brigade named in the first column of Part I of the Table requires greater assistance than he is able to obtain under sub-

paragraph (1) of this paragraph, he shall inform the assistant regional fire officer for the district.

(4) If the chief officer of any such fire brigade is unable, within a reasonable time, to establish communication with the assistant regional fire officer for the district, he shall inform the Regional Fire Officer.

(5) If the chief officer of any such fire brigade is satisfied that the resources which he can obtain under the foregoing provisions of this paragraph are insufficient to deal effectively with a fire in the ordinary protection area of the brigade, and communication with neither the assistant regional fire officer for the district nor the Regional Fire Officer can be established within a reasonable time, he may, subject to and in accordance with the provisions of paragraph 4 of this Schedule, exercise in lieu of the assistant regional fire officer for the district the powers conferred upon the assistant regional fire officer by that paragraph:

Provided that in exercising those powers the chief officer shall not be required to have regard to the provisos to sub-paragraph (1) of that paragraph.

Functions of assistant regional fire officers as to obtaining assistance.

4.—(1) An assistant regional fire officer, if he is satisfied that the resources at the disposal of any fire brigade in his district are insufficient to deal effectively with any fire in the ordinary protection area of that brigade, may call for the despatch of pumps from fire brigades and London Fire Brigade stations named in the third and fourth columns of Part I of the Table opposite to the name of the brigade by which assistance is required, subject, however, to the provisions of sub-paragraph (1) and (3) of paragraph 1 of this Schedule:

Provided that—

(*a*) the number of pumps which may be called for under this paragraph from a fire brigade or a London Fire Brigade station named in both the third and fourth columns of Part I of the Table shall not exceed the number specified in the said third column after the name of that brigade or station and opposite to the name of the brigade by which assistance is required, except for the purpose of making up deficiencies in the number of pumps available for despatch from brigades or stations named in the said third column; and

(*b*) except for the purpose aforesaid, no pumps may be called for under this paragraph from a brigade or station named in the fourth, but not in the third, column of Part I of the Table opposite to the name of the brigade by which assistance is required.

(2) In exercising the powers conferred by this paragraph, an assistant

regional fire officer shall comply with the following provisions, that is to say—

(*a*) in calling for assistance from any London Fire Brigade station, he shall call for it, if possible, through the superintendent of the London Fire Brigade district in which that station is situated;

(*b*) in calling for assistance from a fire brigade in any district in the area other than a London Fire Brigade district, he shall call for it, if possible, through the assistant regional fire officer for that district; and

(*c*) in calling for assistance from any fire brigade outside the area, he shall call for it through the district officer or alternative operating officer for the district from which he requires assistance;

(3) An assistant regional fire officer who exercises any of the powers conferred by this paragraph shall inform the Regional Fire Officer that he has done so.

5.—(1) If an assistant regional fire officer is unable, under the provisions of paragraph 4 of this Schedule, to meet the requirements of any fire brigade in his district, he may call upon the chief officer of any other fire brigade in his district which is named in Part I of the Table to despatch pumps:

Provided that the number of pumps employed at the same time in pursuance of calls made by an assistant regional fire officer under the powers conferred by this paragraph shall not exceed ten.

(2) An assistant regional fire officer who exercises the power conferred by this paragraph shall inform the Regional Fire Officer that he has done so.

Functions of Regional Fire Officer as to obtaining and despatching assistance.

6. The Regional Fire Officer, if he is satisfied that the resources at the disposal of any fire brigade in the area are insufficient to deal effectively with any fire in the ordinary protection area of that brigade, may call for the despatch of pumps from any fire brigade in the area, and may call upon each of the Regional Commissioners named in Part II of the Table to despatch pumps not exceeding in all the number specified in the said Part II after the name of that Regional Commissioner.

7. Where the Regional Fire Officer is called upon, in pursuance of the First Schedule to the Fire Brigades (General) Order, 1940, to despatch pumps to any place outside the area, he may call for the despatch, from one or more of the fire brigades in the area, of pumps for the purpose of complying with the call.

8. In calling for the despatch of pumps under paragraph 6 or paragraph 7 of this Schedule—

(*a*) from the London Fire Brigade, the Regional Fire Officer shall make the call, if possible, through the Chief Officer of that Brigade;

(*b*) from any other fire brigade in the area, he shall make the call if possible, through the assistant regional fire officer for the district.

9. Where the Regional Fire Officer has power to call for the despatch of a pump, he may require the pump to be held in readiness for despatch at such place as he may direct.

Nature of assistance which may be called for.

10. Where, in accordance with the provisions of this Schedule, the Regional Fire Officer or an assistant regional fire officer has power to call for the despatch of a pump, he may call for the despatch of a pump of less capacity than a major pump, or may, instead of requiring the despatch of a pump, require any apparatus which would normally be despatched with a pump to be despatched in a tender or other vehicle, or require the despatch of the whole or any part of the crew of a pump with or without such apparatus.

Functions of officer as to despatching assistance.

11. Where a call for the despatch of assistance from any fire brigade or London Fire Brigade station is made in accordance with the provisions of this Schedule, it shall be the duty of the chief officer of the brigade, or, as the case may be, of the officer in charge of the station, to despatch forthwith the assistance called for in accordance with any directions given by the person by whom the call was made.

12.—(1) Where the chief officer of a fire brigade in the area or the officer in charge of a London Fire Brigade station is required in accordance with the provisions of this Schedule to despatch a pump, he shall despatch a major pump unless some other pump has been called for.

(2) Every pump despatched in accordance with the provisions of this Schedule shall be despatched with a crew and the appropriate apparatus.

Despatch of special apparatus.

13. The Regional Fire Officer may call upon the chief officer of any fire brigade in the area, and an assistant regional fire officer (whether or not so directed by the Regional Fire Officer) may call upon the chief officer of any fire brigade in his district, to man and despatch a special appliance, or to despatch special apparatus or equipment, or to hold such an appliance, together with a crew, or such apparatus or equipment, in readiness for despatch in accordance with such directions as may be given by the Regional Fire Officer or by the assistant regional fire officer, as the case may be.

D. 特 定 地 域

Civil Defence (Specified Areas) Order.

No. 209, 29th January, 1940.

1. The county districts, part of county district, and parishes in England, and district in Scotland described in the second column of the Schedule hereto shall, in addition to the areas specified by the Civil Defence (Specified Areas) Order, 1939, be the areas specified under section twelve above mentioned.

2. This Order may be cited as the Civil Defence (Specified Areas) Order, 1940.

SCHEDULE.

England.

County.	County District, Part of County District, Parish.
DURHAM	Rural district: SUNDERLAND. Parish: BIRTLEY.
LINCOLNSHIRE	Parish: IMMINGHAM.
NORTHUMBERLAND	Part of urban district of Bedlingtonshire: CAMBOIS (Ward of).
SOUTHAMPTON	Non-county borough: EASTLEIGH. Paris: HAMBLE.
YORKSHIRE, NORTH RIDING	Part of urban district of Loftus: SKINNINGROVE (Parish of).
YORKSHIRE, WEST RIDING	Non-county borough: GOOLE.

Scotland.

County.	District.
STIRLINGSHIRE	District: EASTERN No. 1.

E. 保 護 地 域

Protected Areas Order. (No. 2).

No. $\frac{252}{S.\ 9}$, 26th February, 1940.

I, His Majesty's Principal Secretary of State for the War Department, being satisfied that it is necessary or expedient in the interests of the defence of the realm or the efficient prosecution of the war to regulate the entry of persons into the area described in the Schedule to this Order, in exercise of the powers conferred on me by Regulation 13 of the Defence (General) Regulations, 1939, order and declare the said area to be a Protected Area for the purposes of the said Regulations, and on and after the day hereinafter appointed for the coming into force of this Order, and subject to the exemptions hereinafter provided, no person being either an enemy alien or a person who was not at the beginning of the said day resident in the said area shall be therein without the permission of the Commandant of the said area or of such other person or authority as may be authorised by me for the purpose, and any such permission may be granted subject to such conditions as may be specified by the person or authority granting the same.

Any person shall be exempted from the requirement to obtain permission to be in the said area who, on being required so to do by any police constable or any member of His Majesty's Forces in uniform, produces evidence that he belongs to any of the following classes of persons:—

(*a*) a person in receipt of pay as a member of any of His Majesty's Forces or of any police force in the United Kingdom:

(*b*) a person who is the holder of an Official Pass (D. R. Form 1) and whose official duty requires him to enter or be within the said area:

(*c*) a foreign officer or official who is the holder of a Foreign Official Pass (D.R. Form 10) and whose official duty requires him to enter or be within the said area:

(*d*) a person under the age of 16 years:

(*e*) a person certified to be employed by the Admiralty, Army Council or Air Council within the said area:

(*f*) a person who is the holder of a certificate of employment in essential services in war (D. R. Form 12) and whose duty in such employment requires him to enter or be within the said area.

This Order shall come into force on the eleventh day of March, 1940, and may be cited as the Protected Areas Order (No. 2) 1940.

SCHEDULE.

The Counties of Caithness, Sutherland, and Ross and Cromarty, and the parts of the Counties of Inverness, (exclusive of the Burgh of Inverness), and Argyll which lie to the north and west of the line of the River Ness, Loch Ness, the River Oich, Loch Oich, Loch Lochy, the Calendonian Canal, Loch Linnhe and the Firth of Lorne, including all islands lying to the north and west of the said line.

F. 爆發物取締

Explosives, Etc. (Specified Area) Order, under Regulation 34 (2) of the Defence (General) Regulations, 1939.

No. 751, 19th May, 1940.

1. Great Britain shall be an area specified under the said paragraph.

2. This Order may be cited as the Explosives, etc. (Specified Area) Order, 1940.

Explosives Etc. (Specified Area) (No. 2) Order.

No. 902, 6th June, 1940.

1. Northern Ireland shall be an area specified under the said paragraph.

2. This Order may be cited as the Explosives etc. (Specified Area) (No. 2) Order, 1940.

G. 出入國制限

Passenger Traffic (No. 3) Order..

No. 374, 14th March, 1940.

1. A British subject coming by sea or by air from a place in the Channel Islands, to a destination in Great Britain on a vessel or aircraft which has not called at any place outside Great Britain or the Channel Islands while he was on board shall be exempt from the provisions of the Passenger Traffic Order, 1939.

2. A British subject going by sea or by air from a place in Great Britain to a destination in the Channel Islands on a vessel or aircraft which will not call at any place outside Great Britain or the Channel Islands while he is on board shall be exempt from the provisions of the said Order.

3. This Order may be cited as the Passenger Traffic (No. 3) Order, 1940.

Arrival from Enemy Territory Order, under Regulation 18 of the Defence (General) Regulations, 1939.

No. 803, 15th May, 1940.

1. Where a person enters the United Kingdom and an immigration officer at the place of entry has reasonable cause to believe that that person has come from enemy territory, the immigration officer may—

(*a*) if satisfied that inquiries are desirable, serve a notice in writing upon that person requiring him to report in person—

(i) within twenty-four hours of his arrival at the place to which he is immediately proceeding, and

(ii) whenever he changes his address within twenty-four hours of his arrival at his new address,

his address at the police station nearest to that address; or

(*b*) if satisfied that inquiries are desirable and that it is necessary so to do, direct in writing that that person shall be detained and thereupon the immigration officer shall report forthwith to the Secretary of State the facts of the case and the reasons which led him to direct the person to be detained.

2. A requirement under paragraph (*a*) of Article 1 of this Order shall continue in force until the person on whom the notice is served is informed by the police officer in charge of the police station at which he last reported his address that the inquiries are complete or until the expiration of three months from the date of the said notice, whichever is the earlier:

Provided that the Secretary of State may, if in any case he considers it expedient so to do, extend the period of the requirement or may at any time cancel the requirement.

3. This Order may be cited as the Arrival from Enemy Territory Order, 1940.

Passenger Traffic (No. 4) Order.

No. 922, 7th June, 1940.

1. A British subject shall not, on coming by sea or by air from any place in Ireland, disembark in Great Britain from any vessel or aircraft without the leave of an immigration officer.

2. An immigration officer shall not grant leave under Article 1 of this Order to a British subject except upon the production by him of—

(*a*) a visa to enter Great Britain issued in Eire by the United Kingdom Permit Office;

(*b*) a permit to leave Northern Ireland issued in Northern Ireland by the Northern Ireland Permit Office; or

(*c*) a return permit for a journey to and journey from Ireland issued in Great Britain by the Passport and Permit Office:

Provided that a visa, permit or return permit shall not be required in the case of a British subject who is to the satisfaction of the immigration officer—

(*a*) a person in the service of the Crown (including the service of a Dominion Government) who is travelling in the course of his duty;

(*b*) a constable who is travelling on duty;

(*c*) an officer or member of the crew of a vessel or aircraft who is disembarking in the course of his employment; or

(*d*) a child under the the age of sixteen years.

3.—(1) Where a British subject has been refused under Article 1 of this Order leave to disembark, the master of the vessel or the officer in charge of the aircraft in which he came to Great Britain or the owner or agents of that vessel or aircraft shall if so required by an immigration officer, convey the British subject to Ireland.

(2) A British subject, to whom leave to disembark has been refused under the said Article 1, may be placed by an immigration officer or a constable on board the vessel or aircraft in which he came to Great Britain or on board any other vessel or aircraft for conveyance to Ireland.

(3) Any British subject may, by direction of the immigration officer, be detained pending his conveyance to Ireland under this Article.

4. This Order, may be cited as the Passenger Traffic (No. 4) Order, 1940, and shall come into force on the eleventh day of June, 1940.

H. 外國人取締

Direction, under Article 14 of the Aliens Order, 1920, as subsequently amended, exempting certain Aliens from certain provisions of the Order.

No. 19, 3rd January, 1940.

1. Any married woman or widow who, having, been a British subject, is deemed to be an alien, other than an enemy alien, by reason only of her being or having been the wife of an alien shall be exempt from the provisions of Article 6 of the said Order.

2. The direction given by the Secretary of State under Article 14 of the said Order dated the third day of February, 1933, and varied by the direction dated the first day of September, 1939, is hereby revoked.

Order, under Article 11 of the Aliens Order, 1920, as subsequently amended, imposing on certain Aliens restrictions as to Registration.

No. 20, 3rd January, 1940.

1. Every enemy alien to whom this Order applies shall comply with the requirements as to registration set out in sub-paragraph (*a*) to (*e*) of paragraph (1) and in paragragh (2) of Article 6 of the said Order as if he were not an enemy alien.

2. This Order applies to every enemy alien who has attained the age of sixteen years and is exempt, pursuant to directions by the Secretary of State under Article 14 of the said Order, from the provisions of Article 6A of the said Order, but shall not apply to—

(i) and married woman who, having been a British subject, is deemed to be an enemy alien by reason only of her being the wife of an enemy alien, provided that she and her husband are exempt from the said provisions; or

(ii) any widow or married woman living apart and separate from her husband who, having been a British subject, is deemed to be an enemy alien by reason only of her having been or being the wife of an enemy alien, provided that she is exempt from the said provisions.

Direction under Article 14 of the Aliens Order, 1920.

No. 375, 14th March, 1940.

Whereas it is provided by Article 14 of the Aliens Order, 1920 (which Order, as amended by any subsequent Order in Council, is hereinafter referred to as "the Order"), that the Secretary of State may direct that any person or class of persons shall be exempt either unconditionally or subject to such conditions as the Secretary of State may impose from all or any of the provisions of the Order:

Now I, the Right Honourable Sir John Anderson, hereby direct as follows:—

1. Any alien coming by sea or by air to a place in Great Britain from a place in the Channel Islands on a ship or aircraft which has not called at any place outside Great Britain or the Channel Islands which he was on board shall be exempt from the provisions of paragraph (1) of Article 1 of the Order.

2. Any alien going by sea or by air from a place in Great Britain to a place in the Channel Islands on a ship or aircraft which will not call at any place outside Great Britain or the Channel Islands while he is on board shall be exempt from the provisions of Article 1B of the Order.

Aliens (Protected Areas) Order.

No. 468, 29th March, 1940.

1. Each of the areas described in the Schedule to this Order is, on the recommendation of the Admiralty, declared to be a protected area for the purposes of Article 9 of the Aliens Order, and is hereinafter referred to a "protected area."

2.—(1) Except as hereinafter provided, an alien shall not enter or remain in any protected area without the permission in writing of the registration officer of a registration district comprised in whole or in part in the protected area.

(2) This Article shall not apply:—

(*a*) with respect to any protected area in which the alien was at the date of this Order ordinarily resident;

(*b*) to any alien who is exempted by the Secretary of State

(i) from the requirements of Article 6 of the Aliens Order, or

(ii) from the requirements of Article 6A of the Aliens Order and is not required to comply with any requirement set out in the said Article 6;

(*c*) with respect to the passage through a protected area in the course of a continuous journey from a place outside the United Kingdom to a destination within the United Kingdom outside the protected area by an alien who arrives by sea or by air at a place within the protected area; or

(*d*) with respect to the passage of an alien through a protected area in the course of a continuous journey from a place within the United Kingdom to a destination outside the United Kingdom.

3.—(1) Except as hereinafter provided, an alien, who is ordinarily resident at the date of this Order in a protected area, shall not remain in the protected area without the permission in writing of the registration officer of the registration district in which the alien was ordinarily resident as aforesaid or the Secretary of State and any application for permission shall be sent to the registration officer:

Provided that an alien may remain in the protected area pending the determination of an application made by him under this Article before the fifteenth day of April, 1940.

(2) This Article shall not apply to any alien who is exempted by the Secretary of State (*a*) from the requirements, of Article 6 of the Aliens Order or (*b*) from the requirements of Article 6A of the Aliens Order and is not required to comply with any requirements set out in the said Article 6.

4.—(1) If the registration officer does not think fit to give permission under the last foregoing Article in the case of an alien, he shall refer the case to an advisory committee appointed for the purpose by the Secretary of State and the advisory committee shall consider the case and report to the Secretary of State thereon:

Provided that the advisory committee shall, before reporting that permission should not in its opinion be given, afford the alien an opportunity of appearing before it.

(2) If the advisory committee reports to the Secretary of State that in its opinion permission should not be given under the last foregoing Article to the alien, he may, within seven days of notice in writing of its opinion being given or sent by post to him, make representations to the Secretary of State.

5. An alien shall not have in his possession or use in a protected area—

(*a*) any camera or other photographic apparatus;

(*b*) any telescope, field-glass or similar optical instrument; or

(*c*) any nautical chart:

Provided that an alien who resides in a protected area may, with the permission in writing of the registration officer of the registration district in which the alien resides, have in his possession and use in the protected area any such article as aforesaid.

6. The occupier or keeper of any premises in a protected area, at which there is staying a person whom the said occupier or keeper knows or has reasonable cause to believe to be an alien shall report to the registration officer of the registration district in which the premises are situated forthwith, on the arrival of the alien, his arrival, his names in full and his nationality and, on departure of the alien, his departure.

7.—(1) Any permission under this Order may be given for a specified period and subject to conditions.

(2) Any permission given under Article 2 or 5 of this Order may be cancelled or varied by the registration officer by whom it was given and any permission given under Article 3 of this order may be cancelled or varied by the Secretary of State.

8. Nothing in this Order, with the exception of Article, 5, shall apply to or with respect to any alien under sixteen years age.

9. The Interpretation Act, 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

10. This Order shall come into force on the fifteenth day of April, 1940, and may be cited as the Aliens (Protected Areas) Order, 1940.

SCHEDULE

OF ALIENS PROTECTED AREAS.

England.

The Humber Area consisting of—

in Yorkshire, East Riding—

the city of Kingston-upon-Hull;

the non-county boroughs of Beverley and Hedon;

the urban districts of Haltemprice and Withernsea; and

the rural districts of Beverley (except the parishes of Beswick, Cherry Burton, Dalton, Holme, Etton, Leconfield, Leven, Lockington and Lund), and Holderness (except the parishes of Atwick, Bewholme, Brandesburton, Catwick, Seaton and Sigglesthorne); so much of the rural district of Howden as consists of the parishes of Holme-upon-Spalding Moor, Hotham, North Cave, Newport, Gilberdyke, Blacktoft and Broomfleet, and so much of the rural district of Pocklington as consists of the parishes of Goodmanham, Market Weighton, Sancton and South Cliffe.

in Lincolnshire—

the county borough of Grimsby;

the non-county borough of Cleethorpes and Louth;

the urban districts of Barton-upon-Humber, Brigg, Horncastle, Mablethorpe and Sutton, and Market Rasen; and

the rural districts of Caistor, Grimsby, Louth, Glanford Brigg (except the parishes of Burton-upon-Stather, Flixborough, Scunthorpe, Gunness, Burringham, East Butterwick, Bottesford, Messingham Holme, Manton, Hibaldstow, Kirton-in-Lindsey and Redbourne); so much of the rural district of Horncastle as consists of the parishes of West Torrington, East Barkwith, West Barkwith, Wragby, Panton, Benniworth, Market Stainton, Sotby, Hatton, Langton-by-Wragby, Goulceby, Ranby, Great Sturton, Cawkwell, Asterby, Scamblesby, Baumber, Hemingby, Belchford, West Ashby, Edlington, Tetford, Salmonby, Fulletby, Somersby, Greetham, Low Toynton, High Toynton, Thimbleby, Langton, Woodhall, Thornton, Roughton, Scrivelsby, Mareham-on-the Hill, Hagworthingham, Winceby, Lusby, Asgarby, Hameringham, Moorby, Claxby-Pluckacre and Miningsby; Spilsby (except the parishes of Croft, Wainfleet-St. Mary, Friskney, Wainfleet-All Saints, Thorpe-St. Peter, Eastville, New Leake, Midville, Stickford, Stickney, West Fen, Carrington, Sibsey, Frithville, Westville, Thornton-le-Fen and Langreville); and so much of the rural district of Welton as consists of the parish of Holton-cum-Beckering.

The Harwich Area consisting of—

in Suffolk—

the county borough of Ipswich;

the urban districts of Felixstowe, Hadleigh, Stowmarket and Woodbridge; and

the rural districts of Deben Samford, Gipping (except the parishes of Gipping, Old Newton, Haughley, Wetherden, Harleston, Shelland, Onehouse, Buxhall and Great Finborough); Cosford (except the parishes of Cockfield, Lavenham and Thorpe-Morieux); and so much of the rural district of Melford as consists of the parish of Stoke-by-Nayland;

in Essex—

the non-county borough of Harwich;

the urban districts of Brightlingsea, Clacton, Frinton and Walton; and

the rural district of Tendring; and so much of the rural district of Lexden and Winstree as consists of the parishes of Boxted, Dedham and Langham.

The Medway, Thames and Dover Area consisting of—

in Essex—

the county borough of Southend-on-Sea;

the urban districts of Benfleet, Billericay, Brentwood, Burnham-on-Crouch, Canvey Island, Hornchurch, Rayleigh and Thurrock; and

the rural district of Rochford; so much of the rural district of Chelmsford as consists of the parishes of Ingatestone and Fryerning Mountnessing, Margaretting, Stock, Great Baddow, Sandon, West Hanningfield, East Hanningfield, South Hanningfield, Runwell, Rettendon and Woodham Ferrers; so much of the rural district of Maldon as consists of the parishes of Purleigh, Mundon, Cold Norton, Stow Maries, North Fambridge, Latchingdon, Mayland, Althorne, Steeple, St. Lawrence, Bradwell-on-Sea, Tillingham, Dengie, Asheldham and Southminster; and so much of the rural district of Ongar as consists of the parishes of Blackmore and Doddinghurst.

In Kent—

the administrative county of Kent outside the Metropolitan police district; the city of Canterbury.

The Portsmouth Area consisting of—

in Hampshire and the Isle of Wight—

the whole county of the Isle of Wight;

the city of Portsmouth;

the county borough Southampton;

the non-county boroughs of Gosport and Lymington;
the urban districts of Eastleigh, Fareham and Havant and Waterloo, and
the rural districts of Droxford (except the parishes of Exton, Warnford, West Meon and Upham); New Forest (except the parishes of Bramshaw, Copythorne, Ministead and Netley Marsh); so much of the rural district of Petersfield as consists of the parishes of Clanfield, Horndean and Rowlands Castle; so much of the rural district of Romsey and Stockbridge as consists of the parishes of Chilworth, Millbrook, and Nursling and Rownhams; and so much of the rural district of Winchester as consists of parishes of West End, Hedge End, Botley, Bursledon, Hound and Hamble.

in Sussex—
the city of Chichester;
the non-county borough of Arundel;
the urban district of Bognor Regis; and
the rural districts of Chichester, Petworch (except the parishes of Kirdford, Loxwood, North Chapel and Wisborough Green); so much of the rural district of Midhurst as consists of the parishes of Harting, Elsted, Treyford, Bepton, Cocking, West Lavington, Heyshott, Graffham, East Lavington, Lodsworth, South Ambershem Tillington and Easebourne; and so much of the rural district of Worthing as consists of the parishes of Houghton and South Stoke.

The Plymouth Area consisting of—
in Cornwall—
the non-county borough of Saltash;
the urban districts of Looe and Torpoint; and
the rural district of St. Germans; so much of the rural district of Launceston as consists of the parishes of Lezant and Stoke Climsland; and so much of the rural district of Liskeard as consists of the parishes of Linkinhorne, South Hill, St. Ive, Menheniot, Morval, St. Martin andLiskeard.

in Devon—
the city of Plymouth;
the urban district of Tavistock; and
the rural districts of Plympton-St. Mary and Tavistock; and so much of the rural district of Totnes as consists of the parishes of Holne, West Buckfastleigh, Dean Prior, South Brent and Ugborough.

Scotland.

The North of Scotland Area consisting of—
in Caithness—

the whole county.
in Sutherland—
the whole county.
in Ross and Cromarty—
the whole county, including the islands.
in Inverness—
the whole county, including the islands.
in Argyll
so much of the county, including the islands, as lies to the north and west of the Firth of Lorne and Loch Linnhe.

The Orkney and Zetland Area consisting of—
the counties of Orkney and Zetland.

The Firth of Forth Area consisting of—
in Clackmannanshire—
the whole county.
in East Lothian—
the whole county.
in Kinross-shire—
the whole county.
in Midlothian—
the whole county.
in Stirlingshire—
the whole county.
in West Lothian—
the whole county.
in Fifeshire—
the whole county.

Employment of Aliens in British Ships Order.

No. 566, 17th April, 1940.

1. The Kingdom of Denmark shall be a foreign State of which any subject or former subject may be authorised by or on behalf of the competent authority to act as Master, or Officer of any grade, of a British ship if the competent authority or person acting on behalf of the authority is satisfied that he is competent to act in that capacity.

2. In this Order the expression "ship" shall have the same meaning as in the Merchant Shipping Act, 1894, and the expression "competent authority" shall have the same meaning as in Regulation 47C of the Defence (General) Regulations, 1939.

3. This Order shall come into force on the 17th day of April, 1940, and may be cited as the Employement of Aliens in British Ships Order, 1940.

Order in Council amending Regulation 35, 56, 62 and 69.

No. 563, 17th April, 1940.

1. In paragraph (1) of Regulation thirty-five of the Defence (General) Regulations, 1939 (hereinafter referred to as "the principal Regulations", for the words from "precautions should be taken" to "any such risks as aforesaid" (both inclusive) there shall be substituted the words "provision ought to be made for affording protection to persons and property in, or in the vicinity of, those premises against special risks arising from the nature of the articles or substances, he may make such order for the removal from the premises of the articles or substances or any of them, or for prohibiting or restricting the production, treatment, handling or keeping, on the premises of the articles or substances, or for securing the observance of precautions in connection therewith, as appears to him to be necessary or expedient for affording such protection".

2. After Regulation forty-seven B of the principal Regulations there shall be inserted the following Regulation:—

47C.—(1) Notwithstanding the provisions of section five of the Aliens Restriction (Amendment) Act, 1919, any subject or former subject of such a foreign state as may be specified in an order made by the competent authority may be authorised by or on behalf of that authority to act as master or officer of any grade of a British ship, if the authority or person acting on behalf of the authority is satisfied that he is competent to act in that capacity.

(2) Any person authorised as aforesaid shall, while acting in pursuance of the authorisation, be deemed for the purposes of section ninety-two of the Merchant Shipping Act, 1894, to hold a certificate of competency under that Act of the appropriate grade."

3. In paragraph (1) of Regulation fifty-six of the principal Regulations, after the word "directions", where that word occurs for the second time, there shall be inserted the words "and the making of such orders", and at the end of the paragraph there shall be inserted the words "or is under the control of the Minister of Transport by virtue of an order made under Regulation sixty-nine of these Regulations."

4.—(1) For paragraph (1) of Regulation sixty-two of the principal Regulations there shall be substituted the following paragraphs:—

(1) The Minister of Agriculture and Fisheries may give such directions with respect to the cultivation, management or use of agricultural land as he

thinks necessary or expedient for the purpose of increasing or maintaining the production in the United Kingdom of articles essential to the life of the community, and such directions may be given either—

(*a*) by order relating to all agricultural land or to agricultural land of any class or description specified in the order; or

(*b*) by notice relating to the agricultural land specified therein served upon the person by whom the directions are to be complied with.

(1A) If the Minister is satisfied that any directions given under the last foregoing paragraph have been contravened or not complied with by a tenant of any agricultural land then (without prejudice to any proceedings in respect of the contravention or failure) the Minister may by notice served on the tenant and on the landlord terminate the tenancy on such date as may be specified in the notice".

(2) In paragraph (2) of the said Regulation for the words "paragraph (1) of this Regulation" there shall be substituted the words "paragraph (1A) of this Regulation".

5. At the end of Regulation sixty-nine of the principal Regulations there shall be inserted the following paragraph:—

"So long as the Minister is by virtue of any order made under this Regulation in control of any railway undertaking no annual review of the charges of the undertakers shall be held under section fifty-nine of the Railways Act, 1921, and no general revision or variation of the charges or fares of the undertakers shall be carried out under section thirty-five of that Act or sections twenty-nine or thirty-four of the London Passenger Transport Act, 1933".

Employment of Aliens in British Ships (Amendment) Order.

No. 636, 30th April, 1940.

1. In Article 1 of the Employment of Aliens in British Ships Order, 1940, after the words "British ship", there shall be inserted the words "or as skipper or second hand of a British fishing boat".

2. Any reference in any document issued after the coming into force of this Order, to the Employment of Aliens in British Ships Order, 1940, shall, unless the contrary intention appears, be construed as a reference to that Order as amended by this Order.

3. This Order shall come into force on the 30th day of April, 1940, and may be cited as The Employment of Aliens in British Ships (Amendment) Order, 1940.

Direction, under Article 7 of the Aliens Order, 1920, as subsequently amended.

No. 683, 6th May, 1940.

In pursuance of paragraph (5) of Article 7 of the Aliens Order, 1920, as subsequently amended, I hereby prescribe the form set out in the Schedule hereto as the form in which statements under the said Article shall be furnished.

And in pursuance of sub-paragraph (*a*) of paragraph (3) of the said Article I hereby direct that the particulars of which a statement is required to be furnished and signed by an alien under the said sub-paragraph shall be the particulars contained in the said form.

The Direction given by the Secretary of State under the said Article 7 and dated the first day of September, 1939, is hereby revoked.

SCHEDULE.

Registration Form.

(*For use in Hotels, Inns, Lodging-houses, etc., under the provisions of Article 7 of the Aliens Order.*)

Name of Hotel or Inn or address of house.

.....

(British subjects need fill in only 1, 2, 3 and 4, and sign the form. Aliens must complete the form and sign it.)

To be Filled in Immediately on Arrival.

1. Surname. 2. Christian Names.
3. Nationality. 4. Date of Arrival 5. Sex (M. or F.)
6. Particulars of Registration Certificate or Passport: .....issued at ; No.
7. Arrived here from (give last address in full).
   Signature of person to whom the above particulars relate.....

To be Filled in on Departure.

8. Date of Departure.....
9. Destination .....
   (give new address in full).
   Signature of person to whom the above particulars relate.....

Order in Council adding a new Regulation 20A to the Defence (General) Regulations.

No. 682, 9th May, 1940.

1. After Regulation twenty of the Defence (General) Regulations, 1939, there

shall be inserted as a new Regulation twenty A the following Regulation:—

20A. Subsection (1) of section one of the Aliens Restriction Act, 1914, shall have effect as if after paragraph (*i*) thereof there were inserted the following paragraph:—

(*j*) for enabling the Secretary of State to direct the detention of any alien against whom a deportation order has been made if, in the opinion of the Secretary of State, the deportation of the alien would be impracticable or prejudicial to the efficient prosecution of any war in which His Majesty may be engaged and his detention is necessary or expedient for securing the public safety, the defence of the realm or the maintenance of public order; and"

2. Regulation twenty A of the Defence (General) Regulations, 1939, shall be re-numbered as Regulation twenty B of those Regulations.

Order, made by the Secretary of State under Article 11 of the Aliens Order, 1920, as subsequently amended.

No. 720, 11th May, 1940.

1. Subject as hereinafter provided, every male alien, being not less than sixteen but under sixty years of age, shall, while being in the area specified in the Schedule hereto, comply with the following restrictions, that is to say—

(i) he shall report in person each day at a police station;

(ii) he shall not make use of any motor vehicle, other than a public conveyance, or any bicycle; and

(iii) he shall not be out-of-doors between the hours of eight o'clock in the evening and six o'clock in the morning.

2.—(1) Exemption from any of the foregoing restrictions may be granted in writing to an alien by or on behalf of the registration officer of a registration district comprised in the said area.

(2) Any exemption under this Article may be granted for a specified period and subject to conditions, and may be cancelled or varied by the registration officer by whom it was granted.

3. Nothing in this Order shall apply to any person recognised by His Majesty as being a consul-general, consul, vice-consul or consular agent.

SCHEDULE.

The area consisting of—

(i) the administrative counties of—
Cambridge,
Durham,

Essex except the part within the Metropolitan police District,
Huntingdom,
Isle of Ely,
Isle of Wight,
Kent except the part within the Metropolitan Police District,
Lincoln, Parts of Holland,
Lincoln, Parts of Kesteven,
Lincoln, Parts of Lindsey,
Norfolk,
Northumberland,
Rutland,
Soke of Peterborough,
Southampton,
Suffolk, East,
Suffolk, West,
Sussex, East,
Sussex, West,
York, East Riding, and
York, North Riding;

(ii) the county boroughs of—
Bournemouth,
Brighton,
Canterbury,
Darlington,
Eastbourne,
Gateshead,
Great Yarmouth,
Grimsby,
Hastings,
Ipswich,
Kingston-upon-Hull,
Lincoln,
Middlesbrough,
Newcastle-upon-Tyne,
Norwich,
Portsmouth,
Southampton,
Southend-on-Sea,
South Shields,

Sunderland,
Tynemouth,
West Hartlepool, and
York;

(iii) the counties (including all burghs therein) of—
Aberdeen,
Angus,
Banff,
Berwick,
East Lothian,
Fife,
Kincardine,
Kinross,
Midlothian,
Moray,
Nairn,
Peebles,
Roxburgh,
Selkirk, and
West Lothian; and

(iv) the burghs of—
Inverness, and
Perth.

Aliens (Protected Areas) (No. 2) Order, made by the Secretary of State under Articles 9 and 17 of the Aliens Order, 1920, as subsequently amended.

No. 726, 14th May 1940.

1. The Plymouth area described in the Schedule to the Aliens (Protected Areas) Order, 1940, shall be extended so as to include the non-county boroughs of Fowey, Liskeard and Lostwithiel, the urban district of St. Austell, the parishes of Boconnoc, Braddock, Duloe, Lanreath, Lansallos, Lanteglos, Pelynt, St. Keyne, St. Pinnoc, St. Veep and St. Winnow in the rural district of Liskeard, and the parishes of Lanlivery, Luxulyan and St. Sampson in the rural district of St. Austell.

2. The provisions of the said Order relating to aliens who were at the date of that Order ordinarily resident in a protected area as constituted by that Order shall, in their application to aliens who at the date of this Order are ordinarily resident in a non-county borough, urban district or parish mentioned

in the foregoing Article of this Order, have effect subject to the substitution of references to the date of this Order for references to the date of that Order in Articles 2 and 3 of that Order and of a reference to the first day of June, 1940, for the reference to the fifteenth day of April, 1940, in Article 3 of that Order.

3. This Order shall come into force on the first day of June, 1940, and may be cited as the Aliens (Protected Areas) (No. 2) Order, 1940.

Aliens Order, 1940.

No. 758, 17th May, 1940.

His Majesty, in pursuance of section one of the Aliens Restriction Act, 1914, as amended by any subsequent enactment, and by any provision of the Defence (General) Regulations, 1939, and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Aliens Order, 1940.

2. After paragraph (5) of Article 12 of the Aliens Order, 1920, there shall be inserted the following paragraph—

"(5A) Where a deportation order has been made with respect to any alien, and, in the opinion of the Secretary of State—

(*a*) the deportation of the alien would be impracticable or prejudicial to the efficient prosecution of any war in which His Majesty may be engaged, and

(*b*) the detention of the alien is necessary or expedient for securing the public safety, the defence of the realm, or the maintenance of public order,

the Secretary of State may direct that the alien be detained; and an alien detained in pursuance of any such direction shall be deemed to be in legal custody and shall be detained in such manner as the Secretary of State may direct."

Aliens (Firearms, etc., Restriction) Order, 1940, under Article 11 of the Aliens Order, 1920, as subsequently amended, restricting the possession of Firearms, Ammunition and Explosives.

No. 750, 19th May, 1940.

In pursuance of the powers conferred on me by Article 11 of the Aliens Order, 1920, as subsequently amended, I hereby order as follows:—

1. Subject to the provisions of Article 2 of this Order, an alien shall not have in his possession or under his control in the United Kingdom any of the following articles, that is to say—

(i) any firearm or ammunition;

(ii) any explosive or any material intended to be used for the manufacture of an explosive.

Provided that nothing in the foregoing provisions shall apply to any alien who is in the service of His Majesty or of the Government of any Allied State and who has in his possession or under his control any such article as aforesaid for the purpose only of such service.

2. If an alien satisfies the Chief Officer of Police that there are in his case exceptional circumstances which render it desirable that he should be permitted to retain in his possession or under his control any article possession or control of which is prohibited by Article 1 of this Order, the Chief Officer of Police may authorise the alien in writing to retain such article in his possession or under his control, subject to any conditions the Chief Officer of Police may think fit.

3.—(1) The Interpretation Act, 1889, shall apply for the purpose of the interpretation of this Order in like manner as it applies for the purpose of the interpretation of an Act of Parliament.

(2) In this Order, unless the context otherwise requires—

the expression "Chief Officer of Police" has the same meaning as in the Aliens Order, 1920, as subsequently amended;

the expression "explosive" has the same meaning as in the Explosives Act, 1875;

the expression "firearm" means any lethal barrelled weapon of any description (except air guns, air rifles and air pistols) from which any shot, bullet or other missile can be discharged, and includes any prohibited weapon within the meaning of the Firearms Act, 1937, whether it is such a lethal weapon or not, any component part of any such lethal or prohibited weapon, and any accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon;

the expression "ammunition" means ammunition for any firearm as herein defined and includes grenades bombs, and other like missiles, whether capable of use with such a firearm or not, and prohibited ammunition within the meaning of the Firearms Act, 1937.

4. This Order may be cited as the Aliens (Firearms, etc., Restriction) Order, 1940.

Order, under Article 11 of the Aliens Order, 1920, as subsequently amended.

No. 754, 21st May, 1940.

In pursuance of the power conferred on me by Article 11 of the Aliens

Order, 1920, as subsequently amended (hereinafter called "the Aliens Order"), I hereby order as follows:—

1. Any alien to whom this Order applies shall, unless exempted by the Secretary of State, comply with the restrictions set out in paragraphs (1), (2), (3) and (4) of Article 6A of the Aliens Order, as if he were an enemy alien.

2. Any alien to whom this Order applies shall not, without the written permission of the registration officer of the registration district in which he is resident, have in his possession or under his control in the United Kingdom—

(*a*) any explosive or any material intended to be used for the manufacture of an explosive;

(*b*) more than three gallons of inflammable liquid;

(*c*) any motor car, motor-cycle; sea-going craft or aircraft;

(*d*) any camera or other photographic apparatus;

(*e*) any map drawn to a scale larger than four miles to one inch;

(*f*) any nautical chart;

(*g*) any document intended for the use of members of any armed force; or

(*h*) any such document describing or depicting any ship, aircraft, vehicle, weapon or equipment of a kind used by the armed forces of the Crown, or any such list of persons in His Majesty's service, as is for the time being specified for the purposes of Article 9A of the Aliens Order by an Order of the Secretary of State.

3. This Order applies to every alien who has entered or enters the United Kingdom on or after the ninth day of May, 1940, and to whom leave to land was or is granted subject to a condition that he leaves the United Kingdom not later than such date as may be specified by the Secretary of State.

Aliens (No. 2) Order, 1940.

No. 782, 22nd May, 1940.

His Majesty, in pursuance of section one of the Aliens Restriction Act, 1914, as amended by any subsequent enactment, and by any provision of the Defence (General) Regulations, 1939, and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Aliens (No. 2) Order, 1940.

2. At the end of sub-paragraph (iii) of paragraph (2) of Article 9 of the Aliens Order, 1920, there shall be inserted the words "and such other particulars with respect to any such alien as may be prescribed by the order".

3. At the end of Article 11 of the Aliens Order, 1920, there shall be inserted following paragraph—

"(2) Any such order may impose on any householder or other person the obligation to report to the police or any naval, military or air force authority the presence of any alien in his household or in any premises occupied by him or under his control, and the departure of any such alien, and such other particulars with respect to any such alien as may be prescribed by the order".

Aliens (Movement Restriction) Order, under Article 11 of the Aliens Order, 1920, as subsequently amended.

No. 819, 28th May, 1940.

1. Subject as hereinafter provided, an alien shall not be absent from his place of residence—

(i) if it is situated in the city of London or the metropolitan police district, between the hours of twelve (midnight) and six in the morning; or

(ii) if it is situated elsewhere in the United Kingdom, between the hours of half-past ten at night and six in the morning.

2. Subject as hereinafter provided, an alien shall not have in his possession or under his control any bicycle, motor vehicle· sea-going, craft or aircraft.

3. Subject as hereinafter provided, an alien who has no residence in the United Kingdom shall forthwith report in person at the nearest police station the address at which he is staying and whenever he charges his address, whether for a night or more, he shall—

(i) before doing so, notify his intention and his proposed new address to the officer in charge of the police station at which he last reported his address; and

(ii) on the day of his arrival at his new address report in person at the nearest police station that address.

4.—(1) Subject as hereinafter provided, the occupier or keeper of any premises at which there is staying a person whom the said occupier or keeper knows or has reasonable cause to believe to be an alien shall report to the officer in charge of the nearest police station forthwith—

(i) on the arrival of the alien, his arrival, his names in full, his nationality and the address at which he spent the preceding night; and

(ii) on the departure of the alien, his departure and the address at which he intends to spend the succeeding night.

(2) Nothing in this Article shall apply to the occupier or keeper of any

premises who is required by Article 7 of the Aliens Order to keep a register of aliens staying at those premises, or with respect to any alien who is residing at his registered place of residence.

5.—(1) Exemption from any of the restrictions imposed by Articles 1, 2 and 3 of this Order may be granted in writing to any alien by or on behalf of the Secretary of State or the registration officer of the registration district in which the alien has his place of residence.

(2) Any exemption under this Article may be granted for a specified period and in respect of a specified area and subject to conditions and may be cancelled or varied—

(i) in the case of an exemption granted by or on behalf of the Secretary of State, by or on behalf of the Secretary of State; and

(ii) in the case of an exemption granted by or on behalf of a registration officer, by or on behalf of the Secretary of State or the registration officer.

(3) Any exemption under this Article granted by or on behalf of a registration officer shall cease to have effect upon the alien to whom it was granted changing his place of residence if the change involves his removal from one registration district to another registration district.

6.—(1) In this Order—

The expression "keeper" in relation to any premises includes any person for the time being in charge or control of those premises; and the expression "place of residence" means—

(i) in relation to an alien having a registered place of residence in the United Kingdom, his registered place of residence;

(ii) in relation to an alien having a residence in the United Kingdom but no registered place of residence therein, his ordinary dwelling-place; and

(iii) in relation to an alien who has no residence in the United Kingdom, the address which he last reported at a police station in accordance with Article 3 of this Order.

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

7. Nothing in this Order shall apply to or with respect to—

(i) any person recognised by His Majesty as being a consul-general, consul, vice-consul or consular agent; or

(ii) any alien under sixteen years of age.

8.—(1) This Order may be cited as the Aliens (Movement Restriction) Order, 1940, and shall come into force on the third day of June, 1940.

(2) The Order made by me under Article 11 of the Aliens Order on the eleventh day of May, 1940, is hereby revoked.

Order, under Article 2 (3) of the Aliens, Order, 1920.

No. 961, 30th May, 1940.

Whereas it is provided by Article 2 (3) of the Aliens Order, 1920, that the Secretary of State may be order add any port to the list of approved ports specified in the Second Schedule to the said Order:

Now, I in pursuance of the powers conferred upon me by the said Article hereby order as follows:—

There shall be added to the list of approved ports specified in the Second Schedule to the Order the port of Swansea, within the limit of King's Dock.

This Order shall come into operation forthwith.

Aliens (Protected Areas) (No. 3) Order, under Article 9 of the Aliens Order, 1920, as subsequently amended.

No. 857, 31st May, 1940.

In pursuance of the powers conferred upon me by Article 9 of the Aliens Order, 1920, as subsequently amended (hereinafter called "the Aliens Order"), I hereby order as follows:—

1. Each of the areas described in the Schedule to this Order is, on the recommendation of the Admiralty, declared to be a protected area for the purposes of Article 9 of the Aliens Order, and is hereinafter referred to as a "protected area".

2.—(1) Except as hereinafter provided, an alien shall not enter or remain in any protected area without the permission in writing of the registration officer of a registration district comprised in whole or in part in the protected area.

(2) This Article shall not apply—

(*a*) with respect to any protected area in which the alien was at the date of this Order ordinarily resident;

(*b*) to any alien who is exempted by the Secretary of State—

(i) from the requirements of Article 6 of the Aliens Order, or

(ii) from the requirements of Article 6A of the Aliens Order and is not required to comply with any requirement set out in the said Article 6;

(*c*) with respect to the passage through a protected area in the course of a continuous journey from a place outside the United Kingdom

to a destination within the United Kingdom outside the protected area by an alien who arrives by sea or by air at a place within the protected area; or

(*d*) with respect to the passage of an alien through a protected area in the course of a continuous journey from a place within the United Kingdom to a destination outside the United Kingdom.

3.—(1) Except as hereinafter provided, an alien, who is ordinary resident at the date of this Order in a protected area, shall not remain in the protected area without the permission in writing of the registration officer of the registration district in which the alien was ordinarily resident as aforesaid or the Secretary of State and any application for permission shall be sent to the registration officer:

Provided that an alien may remain in the protected area pending the determination of an application made by him under this Article before the tenth day of June, 1940.

(2) This Article shall not apply to any alien who is exempted by the Secretary of State (*a*) from the requirements of Article 6 of the Aliens Order or (*b*) from the requirements of Article 6A of the Aliens Order and is not required to comply with any requirement set out in the said Article 6.

4.—(1) If the registration officer does not think fit to give permission under the last foregoing Article in the case of any alien, he shall refer the case to an advisory committee appointed for the purpose by the Secretary of State and the advisory committee shall consider the case and report to the Secretary of State thereon:

Provided that the advisory committee shall, before reporting that permission should not in its opinion be given, afford the alien an opportunity of appearing before it.

(2) If the advisory committee reports to the Secretary of State that in its opinion permission should not be given under the last foregoing Article to the alien, he may, within seven days of notice in writing of its opinion being given or sent by post to him, make representations to the Secretary of State.

5. An alien shall not have in his possession or use in a protected area—

(*a*) any camera or other photographic apparatus;

(*b*) any telescope, field-glass or similar optical instrument; or

(*c*) any nautical chart:

Provided that an alien who resides in a protected area may, with the permission in writing of the registration officer of the registration district in which the alien resides, have in his possession and use in the protected area any such article as aforesaid.

6.—(1) The occupier or keeper of any premises in a protected area at which there is staying a person whom the said occupier or keeper knows or has reasonable cause to believe to be an alien shall report to the officer in charge of the nearest police station forthwith—

(i) on the arrival of the alien, his arrival, his names in full, his nationality and the address at which he spent the preceding night; and

(ii) on the departure of the alien, his departure and the address at which he intends to spend the succeeding night.

(2) In this Article the expression "keeper" in relation to any premises includes any person for the time being in charge or control of those premises.

7.—(1) Any permission under this Order may be given for a specified period and subject to conditions.

(2) Any permission given under Article 2 or 5 of this Order may be cancelled or varied by the registration officer by whom it was given and any permission given under Article 3 of this Order may be cancelled or varied by the Secretary of State.

8. Nothing in this order, with the exception of Article 5, shall apply to or with respect to any alien under sixteen years of age.

9. The Interpretation Act, 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

10. This Order shall come into force on the tenth day of June, 1940, and may be cited as the Aliens (Protected Areas) (No. 3) Order, 1940.

SCHEDULE

OF ALIENS PROTECTED AREAS.

England and Wales.

The Tyne and Blyth Area consisting of—

in Northumberland—

the city of Newcastle-upon-Tyne;

the county borough of Tynemouth;

the non-county boroughs of Blyth, Morpeth and Wallsend;

the urban districts of Ashington, Bedlingtonshire, Gosforth, Longbenton, Newbiggin-by-the-Sea, Newburn, Prudhoe, Seaton, Valley and Whitley and Monkseaton; and

the rural districts of Castle Ward (except the parishes of Bolam Vicarage, Gallowhill, Trewick, Bolam, Shortflatt, Belsay, Harnham, Bradford, East Shaftoe, West Shaftoe, Capheaton, Kirkheaton, Walridge, Ingoe, Kearsley, Ryal and West Matfen) and Morpeth (except the parishes of Longwitton, Hartburn, Hartburn Grange, High Angerton, Highlaws, Low Angerton,

Corridge, North Middleton, Todridge, South Middleton, Deanham, Wallington Demesne and Cambo); and so much of the rural district of Hexham as consists of the parishes of Newton, Newton Hall, Stelling, Welton, Spital, Nafferton, Whittle, Horsley, Wylam, Ovingham, Ovington, Bearl, Bywell, Broomley, Hedley, Duke's Hagg, Whittonstall and Newlands.

in Durham—

the county boroughs of Gateshead, South Shields and Sunderland;

the non-county borough of Jarrow;

the urban districts of Blaydon, Boldon, Chester-le-Street, Consett, Felling, Hebburn, Hetton, Houghton-le-Spring, Ryton, Seaham, Stanley, Washington and Whickham; and

the rural districts of Chester-le-Street, Sunderland and Easington (except the parishes of Shotton, Monk Hesleden, Castle Eden, Nesbitt, Sheraton with Hulam, Hutton Henry, Wingate and Thornley).

The Lowestoft and Great Yarmouth Area consisting of—

in Suffolk—

the non-county boroughs of Aldeburgh, Beccles, Lowestoft and Southwold;

the urban districts of Bungay, Halesworth, Leiston-cum-Sizewell and Saxmundham; and

the rural districts of Blyth, Lothingland and Wainford.

in Norfolk—

the county borough of Great Yarmouth;

the urban district of North Walsham; and

the rural districts of Blofield and Flegg, Loddon and Smallburgh.

The Portland Area, consisting of—

in Dorset—

the non-county boroughs of Dorchester, Poole, Wareham and Weymouth and Melcombe Regis;

the urban districts of Portland and Swanage; and

the rural districts of Wareham and Purbeck, and Dorchester (except the parishes of Cattistock, Frome St. Quintin, Sydling-St. Nicholas, Up Cerne, Cerne Abbas, Nether Cerne, Minterne-Magna, Buckland-Newton, Melcombe-Horsey, Cheselbourne, Alton-Pancras and Piddletrenthide); so much of the rural district of Beaminster as consists of the parish of Powerstock; and so much of the rural district of Bridport as consists of the parishes of Askerswell, Loders, Bothemhampton, Shipton Gorge, Burton Bradstock, Chilcombe, Litton Cheney, Swyre and Puncknowle.

The Falmouth Area consisting of—

in Cornwall—

the city of Truro;

the non-country boroughs of Falmouth, Helston, Penryn and St. Ives;

the urban district of Camborne-Redruth; and

the rural districts of Kerrier and Truro; so much of the rural district of St. Austell as consists of the parishes of Creed, Grampound, St. Ewe, St. Goran, and St. Michael Caserhays; and so much of the rural district of West Penrith as consists of the parishes of Gwinear-Gwithian, Hayle and St. Erth.

The Severn Area consisting of—

in Glamorgan—

the city of Cardiff;

the county borough of Swansea;

the non-county boroughs of Barry, Cowbridge, Neath and Port Talbot;

the urban districts of Llwchwar, Porthcawl, Maesteg, Ogmore and Garw, Pontypridd, Caerphilly, Penarth and Bridgend; and

the rural districts of Cardiff, Cowbridge, Gower, Llantrisant and Llantwit Fardre, and Penybont; so much of the rural district of Neath as consists of the parishes of Baglan Higher, Dyffryn Clydach and Coed ffranc; and so much of the rural district of Pontardawe as consists of the parishes of Mawr, Rhyndwyclydach and Yyns-y-Mond.

in Monmouthshire—

the county borough of Newport;

the urban districts of Abercarn, Mynyddislwyn, Bedwas and Machen, Risca, Cwmbran, Usk and Caerleon; and

the rural districts of Magor, and St. Mellons, Pontypool (except the parishes of Goetre Fawr and Gwehelog Fawr) and Chepstow (except the parishes of Llangwn, Devauden, Kilgwrrwg, and Tintern).

in Gloucestershire—

the city of Bristol;

the urban districts of Mangotsfield and Kingswood; and

the rural district of Warmley; so much of the rural district of Sodbury as consists of the parishes of Dodington, Dyrham and Hinton, Tormarton, Acton Turville, Marshfield, Filton, Stoke Gifford, Winterbourne, Frampton Cotterell, Westerleigh, Pucklechurch, Wick and Abson, Doynton and Cold Ashton, and so much of the rural district of Thornbury as consists of the parishes of Redwick and Northwick, and Almondsbury.

in Somerset—

the city of Bath;

the non-county borough of Weston-super-Mare;

the urban districts of Clevedon, Keynsham and Portishead; and

the rural districts of Clutton and Long Ashton; so much of the rural district of Axbridge as consists of the parishes of Wick St. Lawrence, Kewstoke, Bleadon, Hutton, Locking, Banwell, Puxton, Congresbury, Churchill, Winscombe, Loxton, Compton, Bishop, Axbridge, Shipham, Burrington, Wrington, Butcombe, Blagdon and Cheddar; so much of the rural district of Bathavon as consists of the parishes of Whitchurch, Compton Dando, Priston, Marksbury, Camerton, Dunkerton, Corston, Kelston, Northstoke, Weston, Charlcombe, Swainswick, St. Catherine, Batheaston, Bathford, Bathampton, Claverton, Monkton Combe, Southstoke, Newton St. Loe, Englishcombe and Combe Hay; and so much of the rural district of Wells as consists of the parishes of Rodney Stoke, Westbury, Priddy and Chewton Mendip.

in Wiltshire—

the non-county boroughs of Calne and Chippenham;

the urban districts of Bradford-on-Avon, Melksham and Trowbridge;

the rural districts of Bradford and Melksham and Calne and Chippenham.

The Milford Hevan Area consisting of—

in Pembrokeshire—

the non-county boroughs of Haverfordwest, Pembroke and Tenby;

the urban districts of Fishguard and Goodwick, Milford Haven, Narberth and Neyland; and

the rural districts of Haverfordwest, Pembroke and Narberth (except the parishes of Mynachlog-ddu, Llangolman, Llandilo, Maenclochog, Vorlan, Llanycefu, New Moat, Llys-y-fran, Bletherston and Llandissilio West).

The Mersey Area consisting of—

in Lancashire—

the city of Liverpool;

the county boroughs of Barrow-in-Furness, Blackpool, Bootle, St. Helens, Southport and Warrington;

the non-county boroughs of Crosby, Fleetwood, Lytham St. Annes, Morecambe, and Heysham, and Widnes;

the urban districts of Dalton-in-Furness, Formby, Grange, Huyton with Roby, Kirkham, Litherland, Ormskirk, Poulton le Fylde, Preesall, Prescot, Rainford, Skelmersdale, Thornton Cleveleys and Ulverston; and

the rural districts of Fylde, Ulverston, Warrington, West Lancashire,

Whiston and Garstang (except the parishes of Forton, Nether Wyresdale, Bleasdale, Cabus, Garstang, Barnacre with Bonds, Kirkland, Catterall, Claughton, Myerscough and Bilsborrow); and so much of the rural district of Lancaster as consists of the parishes of Cockerham, Heaton-with-Oxcliffe, Middleton, Overton and Thurnham.

in Cheshire—

the city of Chester;

the county boroughs of Birkenhead and Wallasey;

the non-county borough of Crewe;

the urban districts of Bebington, Ellesmere Port, Hoole, Hoylake, Neston, Northwich, Winsford, Wirral and Runcorn; and

the rural districts of Chester, Runcorn and Northwich (except the parishes of Nether Peover, Lach Dennis, Allostock, Byley and Sproston); so much of the rural district of Tarvin as consists of the parishes of Mouldsworth, Ashton, Horton-cum-Peel, Kelsall, Tarvin, Priors Heys, Willington, Duddon, Hockenhull, Cotton Edmunds, Cotton Abbots, Bruen Stapleford, Burton-by-Tarvin, Clotton Hoofield, Foulk Stapleford, Waverton, Hatton, Huxley, Iddinshall, Tiverton Tilstone Fearnall, Beeston, Newton by Tattenhall, Tattenhall, Golborne, Bellow, Golborne David and Handley; and so much of the rural district of Nantwich as consists of the parishes of Alpraham, Aston juxta-Mondrum Bunbury, Claveley, Church Minshull, Cholmondeston, Leighton, Minshull Vernon, Wardle, Wettenhall, Woolstanwood and Worleston.

Scotland.

The Clyde Area consisting of—

in Argyll—

so much of the county including the islands as lies to the south and east of the Firth of Lorne and Loch Linnhe.

in Ayrshire—

the whole county except the parishes of Auchinleck, Galston, Loudoun, Sorn, Muirkirk, Old Cumnock and New Cumnock.

in Bute—

the whole county.

in Dunbarton—

the whole county except the detached portion thereof lying between the counties of Stirling and Lanark.

in Renfrewshire—

the whole county except the parishes of Eaglesham, Eastwood, Mearns and Neilston.

in Wigtownshire—

so much of the county as consists of the parishes of Inch, Kirkcolm, Kirkmaiden, Leswalt, New Luce, Old Luce, Portpatrik, Stoneykirk and Stranraer.

The Firth of Tay Area consisting of—

in Angus—

the whole county.

in Perthshire—

the Perth District of the county, together with the burghs of Perth and Abernethy; and

the parishes of Ardoch, Dunblane and Lecropt, Kilmadock, Kincardine, Auchterarder, Blackford, Crieff, Dunning, Fowlis Wester, Glendevon, Logiealmond, Madderty, Monzievaird any Strowan, Muckhart, Muthill, Trinity-Gask, Dunkeld and Dowally, Little Dunkeld, Alyth, Bendochy, Blairgowrie, Caputh, Cargill, Clunie, Collace, Coupar Angus, Kinloch, Lethendy, Meigle, Rattray, and St. Martins, including the burghs therein.

Aliens (Protected Areas) (No. 4) Order, under Articles 9 and 17 of the Aliens Order, 1920, as subsequently amended.

No. 869, 2nd June, 1940.

1. Each of the areas described in the Schedule to this Order is, on the recommendation of the Admiralty, declared to be a protected area for the purposes of Article 9 of the Aliens Order, and is hereinafter referred to as a "protected area".

2.—(1) Except as hereinafter provided, an alien shall not enter into or remain in a protected area without the written permission under this Order of the registration officer of a registration district comprised in whole or in part in the protected area or the Secretary of State.

(2) This Article shall not apply with respect to:—

(*a*) the passage through a protected area in the course of a continuous journey from a place outside the United Kingdom to a destination within the United Kingdom outside the protected area by an alien who arrives by sea or by air at a place within the protected area; or

(*b*) the passage of an alien through a protected area in the course of a continuous journey from a place within the United Kingdom to a destination outside the United Kingdom.

3. An alien shall not have in his possession or use in a protected area—

(*a*) any camera or other photographic apparatus;

(*b*) any telescope, field-glass or similar optical instrument; or

(*c*) any nautical chart.

4.—(1) The occupier or keeper of any premises in a protected area at which there is staying a person whom the said occupier or keeper knows or has reaosnable cause to believe to be an alien shall report to the officer in charge of the nearest police station forthwith—

(i) on the arrival of the alien, his arrival, his names in full, his nationality and the address at which he spent the preceding night; and

(ii) on the departure of the alien, his departure and the address at which he intends to spend the succeeding night.

(2) In this Article the expression "keeper" in relation to any premises includes any person for the time being in charge or control of those premises.

5. Any permission under this Order may be granted for a specified period and in respect of a specified area and subject to conditions, and may be cancelled or varied—

(i) in the case of a permission granted by the Secretary of State, by the Secretary of State; and

(ii) in the case of a permission granted by a registration officer, by the Secretary of State or the registration officer.

6.—(1) The Schedule to the Aliens (Protected Areas) Order, 1940, shall be amended by excluding therefrom the Harwich Area and so much of the Medway, Thames and Dover Area as is comprised in the East Anglia Area or the Kent Area described in the Schedule to this Order, and the Medway, Thames and Dover Area as so diminished shall be known as the Sevenoaks and Tonbridge Area.

(2) The Schedule to the Aliens (Protected Areas) (No. 3) Order, 1940, shall be amended by excluding therefrom the Lowestoft and Great Yarmouth Area.

7.—(1) An alien—

(*a*) to whom permission has been granted under the Aliens (Protected Areas) Order, 1940, by the registration officer of a registration district comprised in whole or in part in the Medway, Thames and Dover Area or the Secretary of State to enter into or remain in that Area, or

(*b*) to whom permission is granted under this Order by the registration officer of a registration district comprised in whole or in part in the Kent Area or the Secretary of State to enter into or remain in that Area,

may—unless it is otherwise stated in the permission and subject to any conditions

attached thereto—enter into and remain in the Sevenoaks and Tonbridge Area so long as the permission so granted is in force.

(2) For the purposes of sub-paragraph (*c*) of paragraph (2) of Article 2 of the Aliens (Protected Areas) Order, 1940, the Kent Area and the Sevenoaks and Tonbridge Area shall be deemed to be one protected area.

8. The Interpretation Act, 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

9. This Order may be cited as the Aliens (Protected Areas) (No. 4) Order, 1940, and shall come into force forthwith.

SCHEDULE OF ALIENS PROTECTED AREAS.

The East Anglia Area consisting of—

In Norfolk—

the city of Norwich;

the county borough of Great Yarmouth;

the non-county borough of King's Lynn;

the urban districts of Cromer, Diss, Downham Market, East Dereham, New Hunstanton, North Walsham, Sheringham, Swaffham, Wells and Wymondham; and

the rural districts of Marshland, Freebridge Lynn, Depwade, Docking, Walsingham, Erpingham, Smallburgh, Blofield and Flegg, Loddon, Downham, Swaffham, Mitford and Launditch, St. Faiths and Aylsham, Forehoe and Henstead.

In Suffolk—

the county borough of Ipswich;

the non-county boroughs of Lowestoft, Beccles, Southwold, Eye, Aldeburgh and Sudbury;

the urban districts of Bungay, Halesworth, Leiston-cum-Sizewell, Saxmundham, Stowmarket, Woodbridge, Hadleigh and Felixstowe; and

the rural districts of Lothingland, Wainford, Blyth, Hartismere, Deben, Gipping, Samford, Cosford and Melford.

In the Isle of Ely—

the non-county borough of Wisbech;

the urban district of March; and

the rural district of Wisbech;

In Essex—

the county borough of Southend-on-Sea;

the non-county boroughs of Colchester, Harwich, Chelmsford, Maldon, and Romford,

the urban districts of Halstead, Braintree and Bocking, Witham, Wivenhoe, Brightlingsea, West Mersea, Frinton and Walton, Clacton, Burnham-on-Crouch, Hornchurch, Brentwood, Thurrock, Billericay, Rayleigh, Benfleet, and Canvey Island; and

the rural districts of Halstead, Braintree, Lexden and Winstree, Tendring, Ongar, Chelmsford, Maldon, and Rochford.

The Kent Area consisting of—

In Kent—

the city of Canterbury;

the non-county boroughs of Chatham, Dartford, Deal, Dover, Faversham, Folkestone, Gillingham, Gravesend, Hythe, Lydd, Maidstone, Margate, New Romney, Queenborough, Ramsgate, Rochester, Sandwich, and Tenterden;

the urban districts of Ashford, Broadstairs and St. Peters, Herne Bay, Northfleet, Sheerness, Sittingbourne and Milton, Swanscombe, and Whitstable; and

the rural districts of Bridge Blean, Cranbrook, Dartford, Dover, East Ashford, Eastry, Elham, Hollingbourn, Maidstone, Malling, Romney Marsh, Sheppey, Strood, Swale, Tenterden, and West Ashford.

In Sussex—

the county borough of Hastings;

the non-county boroughs of Bexhill, and Rye; and

the rural district of Battle.

The Leighton Buzzard Area consisting of—

The Bedfordshire—

The urban districts of Leighton Buzzard and so much of the rural district of Luton as consists of the parishes of Chalgrave, Eaton Bray, Egginton Hamlet, Heath and Reach Hamlet, Hockliffe, Stanbridge Hamlet, Tilsworth, and Billington Hamlet.

In Buckinghamshire—

the urban district of Linslade and the rural district of Wing.

Aliens (No. 3) Order.

No. 890, 4th June, 1940.

His Majesty, in pursuance of section one of the Aliens Restriction Act, 1914, as amended by any subsequent enactment, and by any provision of the Defence (General) Regulations, 1939, and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered as follows—

1. This Order may be cited as the Aliens (No. 3) Order, 1940.

2. After paragraph (5) of Article 18 of the Aliens Order, 1920, as amended by subsequent orders (which Order, as so amended, is hereinafter referred to as "the principal Order") there shall be inserted the following paragraph:—

"(5A) Where an alien is found guilty of an offence under this Order consisting of failure to comply with provisions restricting, or imposing conditions as to, his having any article in his possession or under his control, the court may (without prejudice to any other penalty) order that the article shall be forfeited".

3. After Article 19 of the principal Order there shall be inserted the following Article:—

19A.—(1) A justice of the peace, if satisfied by information on oath that there is reasonable ground for suspecting that there has occurred a contravention of this Order with respect to an alien having any article in his possession or under his control, and that the article is to be found at any premises specified in the information, may grant a search warrant authorising any offier of police of a rank not lower than that of inspector, or any commissioned officer in His Majesty's forces, together with any other persons named in the warrant and any other constables or members of His Majesty's forces, to enter the premises at any time or times within one month from the date of the warrant, if necessary by force, and to search the premises and every person found therein, and to seize any article found in the premises or on any such person, being an article in respect of which the officer has reasonable ground for believing that such a contravention as aforesaid has occurred or an article which the officer has reasonable ground for believing to be evidence of such a contravention.

(2) If, with respect to any premises, any officer of police of a rank not lower than that of superintendent, or any person authorised by the Secretary of State to act under this paragraph, has reasonable ground for suspecting that there has occurred a contravention of this Order with respect to an alien having any article in his possession or under his control, and that the article is to be found at those premises, and is satisfied—

(*a*) that it is essential in the interests of the State that the premises should be searched for the purpose of seizing the article; and

(*b*) that the article is not likely to be found at the premises unless they are searched forthwith;

the said officer or person may, by a written order under his hand, confer the like powers of search and seizure in relation to the premises as might be conferred under the preceding paragraph by the warrant of a justice.

(3) No woman shall, in pursuance of a warrant granted or an order made under this Article, be searched except by a woman.

(4) Any article seized under this Article may be retained for a period of one month, or if within that period there are commenced any proceedings, being proceedings in which the article seized is or can properly be adduced in evidence, until the conclusion of those proceedings."

4. Paragraphs (3) to (7) inclusive of Article 9A of the principal Order are hereby revoked.

5. Any warrant granted under paragraph (4) of Article 9A of the principal Order and any order made under paragraph (5) of that Article, being a warrant or order which is in force at the date of the coming into operation of this Order, shall continue in force and have effect as if granted or made under paragraph (1) or (2), as the case may be, of Article 19A of the principal Order as amended by this Order.

Aliens (Wireless Apparatus Restriction) Order, under Article 11 of the Aliens Order, 1920, as subsequently amended.

No. 1061, 6th June, 1940.

1. An enemy alien shall not, without the permission of the Secretary of State, have in his possession or under his control any wireless transmitting apparatus or wireless receiving apparatus.

2. In this Order the expression "wireless transmitting apparatus" means apparatus for making communications by means of wireless telegraphy, wireless telephony or wireless television, and the expression "wireless receiving apparatus" means apparatus for receiving communications or information made or given by the said means.

3. This Order may be cited as the Aliens (Wireless Apparatus Restriction) Order, 1940.

Aliens (Protected Areas) (No. 5) Order, under Articles 9 and 17 of the Aliens Order, 1920, as subsequently amended.

No. 931, 8th June, 1940.

1. Each of the areas described in the Schedule to this Order is, on the recommendation of the Admiralty, declared to be a protected area for the purposes of Article 9 of the Aliens Order, and is hereinafter referred to as a "protected area".

2.—(1) Except as hereinafter provided, an alien shall not enter into or remain in a protected area without the written permission under this Order of the registration officer of a registration district comprised in whole or in part in the protected area or the Secretary of State.

(2) This Article shall not apply with respect to:—

(*a*) the passage through a protected area in the course of a continuous journey from a place outside the United Kingdom to a destination within the United Kingdom outside the protected area by an alien who arrives by sea or by air at a place within the protected area;

(*b*) the passage of an alien through a protected area in the course of a continuous journey from a place within the United Kingdom to a destination outside the United Kingdom; or

(*c*) the passage of a alien through a protected area in the course of a continuous journey by train from a place outside the protected area to a destination outside the protected area.

3. Except as hereinafter provided, an alien shall not, without the written permission under this Order of the registration officer of a registration district comprised in whole or in part in a protected area, have in his possession or use in the protected area—

(*a*) any camera or other photographic apparatus;

(*b*) any telescope, field-glass or similar optical instrument; or

(*c*) any nautical chart.

4.—(1) The occupier or keeper of any premises in a protected area at which there is staying a person whom the said occupier or keeper knows or has reasonable cause to believe to be an alien shall report to the officer in charge of the nearest police station forthwith—

(i) on the arrival of the alien, his arrival, his names in full, his nationality and the address at which he spent the preceding night; and

(ii) on the departure of the alien, his departure and the address at which he intends to spend the succeeding night.

(2) In this Article the expression "keeper" in relation to any premises includes any person for the time being in charge or control of those premises.

5. Any permission under this Order may be granted for a specified period and in respect of a specified area and subject to conditions, and may be cancelled or varied—

(i) in the case of a permission granted by the Secretary of State, by the Secretary of State; and

(ii) in the case of a permission granted by a registration officer, by the Secretary of State or the registration officer.

6.—(1) Paragraph (2) of Article 2 of the Aliens (Protected Areas) (No. 4) Order, 1940, shall be amended by the addition at the end thereof of the following sub-paragraph:—

"(*c*) the passage of an alien through a protected area in the course of a

continuous journey by train from a place outside the protected area to destination outside the protected area".

(2) Article 3 of the said Order shall be amended by the addition at the end thereof of the words "unless he obtains the written permission under this Order of the registration officer of a registration district comprised in whole or in part in the protected area to have in his possession or use in the protected area any such article as aforesaid".

7. Nothing in Articles 2 and 3 of this Order or of the Aliens (Protected Areas) (No. 4) Order, 1940, shall apply to an alien of French nationality.

8. The Interpretation Act, 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

9. The Aliens (Protected Areas) Order, 1940, the Aliens (Protected Areas) (No. 2) Order, 1940, the Aliens (Protected Areas) (No. 3) Order, 1940, and Articles 6 and 7 of the Aliens (Protected Areas) (No. 4) Order, 1940, shall be revoked.

10. This Order may be cited as the Aliens (Protected Areas) (No. 5) Order, 1940, and shall come into operation on the tenth day of June, 1940.

SCHEDULE.

Of Aliens Protected Areas.

England and Wales.

The Tyne and Blyth Area consisting of—

in Northumberland—

the city of Newcastle-upon-Tyne;

the county borough of Tynemouth;

the non-county boroughs of Blyth, Morpeth and Wallsend;

the urban districts of Ashington, Bedingtonshire, Gosforth, Longbenton, Newbiggin-by-the-Sea, Newburn, Prudhoe, Seaton Valley and Whitley and Monkseaton; and

the rural districts of Castle Ward (except the parishes of Bolam Vicarage, Gallowhill, Trewick, Bolam, Shortflatt, Belsay, Harnham, Bradford, East Shaftoe, West Shaftoe, Capheaton, Kirheaton, Walridge, Ingoe, Kearsley, Ryal and West Matfen) and Morpeth (except the parishes of Longwitton, Hartburn, Hartburn Grange, High Angerton, Highlaws, Low Angerton, Corridge, North Middleton, Todridge, South Middleton, Deanham, Wallington Demesne and Cambo); and so much of the rural district of Hexham as consists of the parishes of Newton, Newton Hall, Stelling, Welton, Spital, Nafferton, Whittle, Horsley, Wylam, Ovingham, Ovington, Bearl, Bywell, Broomley, Hedley, Duke's Hagg, Whittonstall and Newlands.

In Durham—

the county boroughs of Gateshead, South Shields and Sunderland;
the non-county borough of Jarrow;
the urban districts of Blaydon, Boldon, Chester-le-Street, Consett, Felling, Hebburn, Hetton, Houghton-le-Spring, Ryton, Seaham, Stanley, Washington and Whickham and
the rural districts of Chester-le-Street, Sunderland and Easington (except the parishes of Shotton, Monk Hesleden, Castle Eden, Nesbitt, Sheraton with Hulam, Hutton Henry, Wingate and Thornley).

The Lincolnshire and Yorkshire Area consisting of—

In Lincolnshire—
the administrative county of the Parts of Holland;
the administrative county of the Parts of Lindsey (except the urban district of Gainsborough, the rural district of Gainsborough and the parish of Holton cum Beckering in the rural district of Welton);
the county borough of Grimsby;
the urban districts of Bourne and Sleaford; and
the rural districts of East Kesteven and South Kesteven.

In Yorkshire—
the administrative county of the East Riding (except the rural district of Derwent);
the city of Kingston-upon-Hull;
the borough of Goole; and
the rural districts of Goole and Throne.

The Southern Area consisting of

In Kent—
the borough of Royal Tunbridge Wells;
the urban districts of Sevenoaks, Southborough and Tonbridge, and so much of the urban district of Orpington as is outside the Metropolitan Police District; and
the rural districts of Sevenoaks and Tonbridge.

In Sussex—
the administrative county of East Sussex (except the boroughs of Bexhill and Rye and the rural district of Battle);
the administrative county of West Sussex; and
the county boroughs of Brighton and Eastbourne.

In Hampshire—
the administrative county of Southampton (except the boroughs of Aldershot, Andover and Basingstoke, the urban districts of Alton, Farnborough and Fleet and the rural districts of Alton, Andover, Basingstoke, Hartley

Wintney, and Kingsclere and Whitchurch);
the administrative county of the Isle of Wight;
the city of Portsmouth; and
the county boroughs of Bournemouth and Southampton.

In Dorset—
the administrative county of Dorset (except the borough of Shaftesbury and the rural district of Shaftesbury).

In Devon—
the administrative county of Devon (except the boroughs of Barnstaple, Bideford, Great Torrington, Okehampton and South Molton, the urban districts of Holsworthy, Ilfracombe, Lynton and Northam, and the rural districts of Barnstaple, Bideford, Broadwoodwidger, Holsworthy, Okehampton, South Molton and Torrington); and
the cities of Exeter and Plymouth.

In Cornwall—
the administrative county of Cornwall (except the urban district of Bude-Stratton, the rural district of Stratton and the parish of Boyton in the rural district of Launceston).

In Somerset—
the boroughs of Chard and Yeovil;
the urban districts of Crewkerne and Ilminster; and
the rural districts of Chard and Yeovil.

The Severn Area consisting of—

In Glamorgan—
the city of Cardiff;
the county borough of Swansea;
the non-county boroughs of Barry, Cowbridge, Neath and Port Talbot;
the urban districts of Llwchwr, Porthcawl, Maesteg, Ogmore and Garw, Pontypridd, Caerphilly, Penarth and Bridgend; and
the rural districts of Cardiff, Cowbridge, Gower, Llantrisant and Llantwit Fardre, and Penybont; so much of the rural district of Neath as consists of the parishes of Baglan Higher, Dyffryn Clydach and Coed ffranc; and so much of the rural district of Pontardawe as consists of the parishes of Mawr, Rhyndwyclydach and Yyns-y-Mond.

In Monmouthshire—
the county borough of Newport;
the urban districts of Abercarn, Mynyddislwyn, Bedwas and Machen, Risca, Cwmbran, Usk and Caerleon; and
the rural districts of Magor and St. Mellons, Pontypool (except the parishes

of Goetre Fawr and Gwehelog Fawr) and Chepstow (except the parishes of Llangwn, Devauden, Kilgwrrwg and Tintern).

In Gloucestershire—

the city of Bristol;

the urban districts of Mangotsfield and Kingswood; and

the rural districts of Warmley, so much of the rural district of Sodbury as consists of the parishes of Dodington, Dyrham and Hinton, Tormarton, Acton Turville, Marshfield, Filton, Stoke Gifford, Winterbourne, Frampton Cotterell, Westerleigh, Pucklechurch, Wick and Abson, Doynton and Cold Ashton, and so much of the rural district of Thornbury as consists of the parishes of Redwick and Northwick, and Almondsbury.

In Somerset—

the city of Bath;

the non-county borough of Weston-super-Mare;

the urban districts of Clevedon, Keynsham and Portishead; and

the rural districts of Clutton, and Long Ashton; so much of the rural district of Axbridge as consists of the parishes of Wick St. Lawrence, Kewstoke, Bleadon, Hutton, Locking, Banwell, Puxton, Congresbury, Churchill, Winscombe, Loxton, Compton, Bishop, Axbridge, Shipham, Burrington, Wrington, Butcombe, Blagdon and Cheddar; so much of the rural district of Bathavon as consists of the parishes of Whitchurch, Compton Dando, Priston, Marksbury, Camerton, Dunkerton, Corston, Kelston, Northstoke, Weston, Charlcombe, Swainswick, St. Catherine, Batheaston, Bathford, Bathampton, Claverton, Monkton Combe, Southstoke, Newton St. Loe, Englishcombe and Combe Hay; and so much of the rural district of Wells as consists of the parishes of Rodney Stoke, Westbury, Priddy and Chewton Mendip.

In Wiltshire—

the non-county boroughs of Calne and Chippenham;

the urban districts of Bradford-on-Avon, Melksham and Trowbridge;

the rural districts of Bradford and Melksham and Calne and Chippenham.

The Milford Haven Area consisting of—

in Pembrokeshire—

the non-county boroughs of Haverfordwest, Pembroke and Tenby;

the urban districts of Fishguard and Goodwick, Milford Haven, Narberth and Neyland; and

the rural districts of Haverfordwest, Pembroke and Narberth (except the parishes of Mynachlog-ddu, Llangolman, Llandilo, Maenclochog, Vorlan, Llanycefu, New Moat, Llys-y-fran, Bletherston and Llandissilio West).

The Mersey Area consisting of—

in Lancashire—

the city of Liverpool;

the county boroughs of Barrow-in-Furness, Blackpool, Bootle, St. Helens, Southport and Warrington;

the non-county boroughs of Crosby, Fleetwood, Lytham St. Annes, Morecambe and Heysham, and Widnes;

the urban district of Dalton-in-Furness, Formby, Grange, Huyton with Roby, Kirkham, Litherland, Ormskirk, Poulton le Fylde, Preesall, Prescot, Rainford, Skelmersdale, Thornton Cleveleys and Ulverston; and

the rural districts of Fylde, Ulverston, Warrington, West Lancashire, Whiston and Garstang (except the parishes of Forton, Nether Wyresdale, Bleasdale, Cabus, Garstang, Barnacre with Bonds, Kirkland, Catterall, Claughton, Myerscough and Bilsborrow); and so much of the rural district of Lancaster as consists of the parishes of Cockerham, Heaton-with-Oxcliffe, Middleton, Overton and Thurnham.

In Cheshire—

the city of Chester;

the county boroughs of Birkenhead and Wallasey;

the non-county borough of Crewe;

the urban districts of Bebington, Ellesmere Port, Hoole, Hoylake, Neston, Northwich, Winsford, Wirral and Runcorn; and

the rural districts of Chester, Runcorn, and Northwich (except the parishes of Nether Peover, Lach Dennis, Allostock, Byley and Sproston); so much of the rural district of Tarvin as consists of the parishes of Mouldsworth, Ashton, Horton-cum-Peel, Kelsall, Tarvin, Priors Heys, Willington, Duddon, Hockenhull, Cotton Edmunds, Cotton, Abbots, Bruen Stapleford, Burton-by-Tarvin, Clotton Hoofield, Foulk Stapleford, Waverton, Hatton, Huxley, Iddinshall, Tiverton, Tilstone Fearnall, Beeston, Newton by Tattenhall, Tattenhall, Golborne Bellow, Golborne David and Handley; and so much of the rural district of Nantwich as consists of the parishes of Alpraham, Aston juxta-Mondrum, Bunbury, Claveley, Church Minshull, Cholmondeston, Leighton, Minshull Vernon, Wardle, Wattenhall, Woolstanwood and Worleston.

Scotland.

The Orkney and Zetland Area consisting of—

the counties of Orkney and Zetland.

The North of Scotland Area consisting of—

in Caithness—
the whole county.
In Southerland—
the whole county.
In Ross and Cromarty—
the whole county, including the islands.
In Inverness—
the whole county, including the islands.
In Argyll—
so much of the county, including the islands, as lies to the north and west of the Firth of Lorne and Loch Linnhe.

The Firth of Tay Area consisting of—
in Angus
the whole county.
in Perthshire—
the Perth District of the county, together with the burghs of Perth and Abernethy; and
the parishes of Ardoch, Dunblane and Lecropt, Kilmadock, Kincardine, Auchterarder, Blackford, Crieff, Dunning, Fowlis Wester, Glendevon, Logiealmond, Madderty, Monzievaird and Strowan, Muckhart, Muthill, Trinity-Gask, Dunkeld and Dowally, Little Dunkeld, Alyth, Bendochy, Blairgowrie, Caputh Cargill, Clunie, Collace, Coupar Angus, Kinloch, Lethendy, Meigle, Rattray, and St. Martins, including the burghs therein.

The Firth of Forth Area consisting of—
in Clackmannanshire—
the whole county.
In East Lothian—
the whole county.
In Kinross-shire—
the whole county.
In Midlothian—
the whole county.
in Stirlingshire—
the whole county.
In West Lothian—
the whole county.
In Fifeshire—
the whole county.

The Clyde Area consisting of—

in Argyll—
so much of the county including the islands as lies to the south and east of the Firth of Lorne and Loch Linnhe.
In Ayrshire—
the whole county except the parishes of Auchinleck, Galston, Loudoun, Sorn, Muirkirk, Old Cumnock and New Cumnock.
In Bute—
the whole county.
In Dunbarton—
the whole county except the detached portion thereof lying between the counties of Stirling and Lanark.
In Renfrewshire—
the whole county except the parishes of Eaglesham, Eastwood, Mearns and Neilston.
In Wigtownshire—
so much of the county as consists of the parishes of Inch, Kirkcolm, Kirkmaiden, Leswalt, New Luce, Old Luce, Portpatrick, Stoneykirk and Stranraer.

Aliens (French Nationality) (Exemption) Order, under Article 17 (2) of the Aliens Order, 1920, as subsequently amended.

No. 969, 12th June, 1940.

1. Every alien of French nationality shall be exempt from any restriction imposed upon aliens by that description by any Order made after the thirty-first day of August, 1939, by the Secretary of State under Article 11 of the Aliens Order, 1920, as subsequently amended.

2. This Order may be cited as the Aliens (French Nationality) (Exemption) Order, 1940.

Aliens (Protected Areas) (No. 6) Order, under Article 9 of the Aliens Order, 1920, as subsequently amended.

No. 988, 14th June, 1940.

1. Each of the areas described in the Schedule to this Order is, on the recommendation of the Admiralty, declared to be a protected area for the purposes of Article 9 of the Aliens Order, and is hereinafter referred to as a "protected area".

2.—(1) Except as hereinafter provided, an alien shall not enter into or re-

main in a protected area without the written permission under this Order of the registration officer of a registration district comprised in whole or in part in the protected area or the Secretary of State.

(2) This Article shall not apply with respect to the passage of an alien through a protected area in the course of a continuous journey by train from a place outside the protected area to a destination outside the protected area.

3. Except as hereinafter provided, an alien shall not, without the written permission under this Order of the registration officer of a registration district comprised in whole or in part in a protected area, have in his possession or use in the protected area—

(*a*) any camera or other photographic apparatus;

(*b*) any telescope, field-glass or similar optical instrument; or

(*c*) any nautical chart.

4.—(1) The occupier or keeper of any premises in a protected area at which there is staying a person whom the said occupier or keeper knows or has reasonable cause to believe to be an alien shall report to the officer in charge of the nearest police station forthwith—

(i) on the arrival of the alien, his arrival, his names in full, his nationality and the address at which he spent the preceding night; and

(ii) on the departure of the alien, his departure and the address at which he intends to spend the succeeding night.

(2) In this Article the expression "keeper" in relation to any premises includes any person for the time being in charge or control of those premises.

5. Any permission under this Order may be granted for a specified period and in respect of a specified area and subject to conditions, and may be cancelled or varied—

(i) in the case of a permission granted by the Secretary of State, by the Secretary of State; and

(ii) in the case a permission granted by a registration officer, by the Secretary of State or the registration officer.

6. Nothing in Articles 2 and 3 of this Order shall apply to an alien of French nationality.

7. The Interpretation Act, 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

8. This Order may be cited as the Aliens (Protected Areas) (No. 6) Order, 1940, and shall come into force forthwith.

SCHEDULE

Of Aliens Protected Areas.

England and Wales.

The High Wycombe Area consisting of—

In Buckinghamshire—

the non-county borough of Chepping Wycombe; and so much of the rural district of Wycombe as consists of the parishes of Bradenham, Chepping Wycombe (Rural), Fingest, Great Marlow, Hughenden, Little Marlow, and West Wycombe.

The Stanmore and Northwood Area consisting of—

in Hertfordshire—

the urban districts of Bushey, Chorleywood, and Rickmansworth;

in the rural district of Barnet, the parish of Elstree, and in the rural district of Watford, the parish of Aldenham and that part of Watford Rural parish known as Watford Rural No. 1 Detached Area.

in Middlesex—

the urban districts of Harrow, and Ruislip-Northwood; and the parish of Harefield in the urban district of Uxbridge.

The Northampton Area consisting of—

In Northamptonshire—

the county borough of Northampton;

the non-county boroughs of Higham Ferrers and Kettering;

the urban districts of Burton Latimer, Desborough, Irthlingborough, Raunds, Rothwell, Rushden, and Wellingborough; and

the rural districts of Brixworth, Kettering, Northampton, and Wellingborough.

Protected Area (Orkney and Zetland) Byelaws, for War under Regulation 14 of the Defence (General) Regulations, 1939.

No. $\frac{1006}{S.\ 45}$, 17th June, 1940.

BYE-LAWS.

1. In these bye-laws the expression "road" means any highway and any other road to which the public has access, and includes bridges over which a road passes, and the expression "competent authority" means such officer of His Majesty's naval, military or air forces or of any police force as may be appointed for the purpose by the Commandant of the protected area.

2. No person, except a member of His Majesty's forces or of a police force on duty, shall be out of doors on, or in the vicinity of, any road between the hours of 11 p.m. and 5 a.m. without the permission of the competent authority.

3. These bye-laws may be cited as the Protected Area (Orkney and Zetland) Byelaws, 1940.

Direction, under Article 17 (2) of the Aliens Order, 1920.

No. 1145, 29th June, 1940.

I hereby, in pursuance of paragraph (2) of Article 17 of the Aliens Order, 1920 (which Order, as amended by any subsequent Order in Council, is hereinafter referred to as "the Order"), by this Direction revoke the Direction dated the fourteenth day of March, 1940, under Article 14 of the Order (by which Direction aliens coming to Great Britain from the Channel Islands or going from Great Britain to the Channel Islands were in certain circumstances exempted from certain provisions of the Order).

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Regulations, under section 21 of the Finance (No. 2) Act, 1939, and Part II of the Fifth Schedule, Finance Act, 1937.

No. 177, 5th February, 1940.

Procedure to be followed on applications and appeals to the Board of Referees (hereinafter called the Board) under Sections 13 and 16 of the Finance (No. 2) Act, 1939 (hereinafter called "the Act").

Procedure.

1. Applications and appeals shall be made in the manner prescribed by the following provisions.

Applications under Section 13 (7).

2. Applications under the provisions of Section 13 (7) of the Act to determine an amount to be substituted for the profits for the standard period shall be made in the form set out as Form A in the Schedule hereto annexed. There shall be attached to an application a concise statement of the facts and grounds upon which the application is based, signed by the Applicant or a person duly authorised by the Applicant and verified by a statutory declaration in support

thereof. The Form of Declaration set out as Form F in the Schedule hereto annexed should be used. The application, statement, and declaration shall be delivered to the Surveyor for the District in which the Applicant resides or carries on business. The Applicant, if the Surveyor so requires, shall also deliver eight copies of the application and of the statement of facts and grounds.

3. Upon receipt of the application and of the documents mentioned in paragraph 2 hereof, the Surveyor shall, as soon as may be, deliver the same to the Commissioners of Inland Revenue (hereinafter called the Commissioners).

4. Within 30 days after the receipt by the Commissioners of the documents mentioned in paragraph 2 hereof, the Commissioners shall deliver the application, statement and declaration to the Registrar of the Board, and, unless they intimate to the Board that they do not oppose the application, they shall also deliver to the Registrar five copies of the application and statement and six copies of any counter-statement they may desire to append thereto showing to what extent they admit or do not admit the accuracy of the statement made by the Applicant in support of his application. At the same time they shall deliver to the Applicant a copy of such counter-statement (if any).

If the Commissioners intimate to the Board that they do not oppose the application, the Board may, if they think fit, forthwith give the direction sought, without hearing the parties.

Appeals under Section 16 (5).

5. In any case in which agreement is not reached between the Commissioners and the person carrying on the part of the trade or business transferred, or the person carrying on the part thereof not transferred, as to the apportionments to be made for the purposes of the proviso to the above-mentioned subsection, the determination by the Commissioners of the apportionments made by them shall be notified to each of the said persons by the Commissioners in the form set out as Form B in the Schedule hereto annexed.

6. Notice of appel to the Board from the determination of the Commissioners shall be given within 30 days from the date of such notification of the determination of the Commissioners, or within such further time as the Commissioners may allow. Such notice shall be in the form set out as Form C in the Schedule hereto annexed. There shall be appended thereto a schedule setting out the apportionment made by the Commissioners and a statement of the facts and grounds relied on by the Appellant in support of the appeal, signed by the Appellant or a person duly authorised by the Appellant and verified by a statutory declaration made in support thereof. The Form of Declaration set

out as Form F in the Schedule hereto annexed should be used.

The notice, schedule, statement and declaration shall be delivered to the Surveyor for the District in which the Appellant resides or carries on business.

Together with these documents there shall be delivered to the Surveyor eight copies of the notice of appeal, the schedule, and statement of facts and grounds.

7. Upon receipt of the notice of appeal and of the documents mentioned in paragraph 6 hereof, the Surveyor shall, as soon as may be, deliver the same to the Commissioners.

8. Within 30 days after the receipt by the Commissioners of the documents mentioned in paragraph 6 hereof, the Commissioners shall deliver the notice, schedule, statement and declaration to the Registrar of the Board, together with five copies of the notice, schedule and statement, and six copies of any counter-statement they may desire to append thereto showing to what extent they admit or do not admit the accuracy of the statement made by the Appellant in support of his appeal. At the same time they shall deliver to the Appellant a copy of such counter-statement (if any).

9. If in any case notice of appeal is given by one only of the parties between whom profits, losses, capital, or assets have been apportioned by the Commissioners, the Surveyor shall forthwith upon receipt of the notice of appeal notify the other party of such receipt, and shall supply that party with a copy of the notice and statement. Such other party shall be entitled to take part in the proceedings consequent upon the said notice of appeal, or, if desirous of so doing, to enter a cross appeal. For the purposes of participation in the said proceedings or of any cross appeal, such other party shall, mutatis mutandis, have the same obligations and rights, as regards furnishing a statement, adducing evidence and being heard, as are by these Regulations imposed or conferred upon a person proceeding with an appeal under Section 16 (5) of the Act.

Paragraph 6, 7 and 8 shall, with the necessary modifications, apply accordingly, and particularly—

(*a*) the time within which documents must be delivered by such other party shall be 30 days after receipt of the notification aforesaid; and

(*b*) the counter-statement of the Commissioners (if any), and the other documents referred to in paragraph 8, shall be delivered to the Registrar within 30 days from the receipt by the Commissioner of the documents of such other party.

10. Upon the hearing of any appeal against an apportionment made by the Commissioner under the said sub-section (5), the Board shall determine the

amounts to be apportioned to the part of the trade or business transferred and to the part thereof not transferred respectively.

Appeals under Section 16 (6).

11. In any case in which the Commissioners refuse an application made to them in pursuance of the provisions of the above-mentioned subsection, or in which the Applicant is dissatisfied with any modifications made by the Commissioners, the determination of the Commissioners upon such application shall be notified to the Applicant in the form set out as Form D in the Schedule hereto annexed.

12. Notice of appeal to the Board from the determination of the Commissioners shall be given within 30 days from the date of such notification of the determination of the Commissioners, or such further time as the Commissioners may allow. Such notice shall be in the form set out as Form E in the Schedule hereto annexed. There shall be appended thereto a schedule of any modifications made by the Commissioners and a statement of the facts and grounds relied on by the Appellant in support of the appeal, signed by the Appellant or a person duly authorised by the Appellant, and verified by a statutory declaration made in support thereof. The Form of Declaration set out as Form F in the Schedule hereto annexed should be used.

The notice, schedule (if any), statement and declaration shall be delivered to the Surveyor for the District in which the Appellant resides or carries on business.

Together with these documents there shall be delivered to the Surveyor eight copies of the notice, the schedule (if any), and the statement.

13. Upon receipt of the notice of appeal and of the documents mentioned in paragraph 12 hereof, the Surveyor shall, as soon as may be, deliver the same to the Commissioners.

14. Within 30 days after the receipt by the Commissioners of the documents mentioned in paragraph 12 hereof, the Commissioners shall deliver the notice, schedule (if any), statement and declaration to the Registrar of the Board, together with five copies of the notice, schedule (if any), and statement, and six copies of any counter-statement they may desire to append thereto showing to what extent they admit or do not admit the accuracy of the statement made by the Appellant in support of his appeal. At the same time they shall deliver to the Appellant a copy of such counter-statement (if any).

Proceedings after Application or after Notice of Appeal.

15. In case no matter of fact shall be in dispute, the Board shall, except

in cases dealt with summarily under paragraph 4 hereof, appoint a date and place for the hearing.

16. In case any matter of fact shall be in dispute, the Chairman of the Board shall, upon an interlocutory appointment, give directions as to proof and procedure, and fix a time by which copies of documents intended to be used at the hearing must be in the hands of the Registrar.

17. Not less than five days' notice shall be given of an interlocutory appointment before the Chairman of the Board, and not less than fourteen days of an appointment for a hearing before the Board.

18. Attendance before the Board may be made by duly appointed representatives, of whose names notice in writing must be given to the Registrar not less than two days before the time fixed for the hearing.

Upon any appointment before the Board the Commissioners may appear by any representative appointed by them, and, subject to the directions of the Board, may be heard upon the questions arising for determination.

19. No adjournment of an appointment by the Board shall be made except by order of the Board.

20. Unless otherwise directed by the Chairman, a shorthand note shall be taken at every interlocutory hearing, and a copy of the transcript thereof shall be sent by the Registrar to the Applicant or Appellant. A shorthand note shall be taken of evidence given at all hearings by the Board, unless otherwise directed by the Chairman.

Save as aforesaid, no shorthand note shall be taken or transcript made, nor the same printed, without the order of the Chairman evidenced by a note under the hand of the Registrar. Where such order is obtained at the instance of an Applicant or Appellant, the cost of any transcript and print shall be borne by such Applicant or Appellant under arrangement to be made with the official shorthand writer. Copies thereof must be sent by the Applicant or Appellant obtaining such order both to the Registrar and to the Commissioners of Inland Revenue.

21. Copies of documents intended to be used on an application or appeal, and draft proofs of any witnesses whom it is intended to call, shall be exchanged by the Applicant or Appellant and the Commissioners of Inland Revenue at least 14 days before the date fixed at an interlocutory appointment for the delivery of documents to the Registrar; and final proofs shall be exchanged, and six copies thereof, and of all documents intended to be used at the hearing, sent to the Registrar by the party intending to use the same on or before such date. This shall not preclude any witness from supplementing his proof at the hearing in cross-examination or re-examination.

22. Copies of any direction or determination of the Board shall be sent by the Registrar to the Applicant or Appellant, and to the Commissioners of Inland Revenue or their Solicitor.

General.

23. Any statement or counter-statement delivered pursuant to these Regulations shall set forth concisely in numbered paragraphs material facts only. It shall be typed or printed on one side only of half-sheets of foolscap paper, as shall also be proofs, and, so far as possible, all documents (other than Memoranda and Articles of Association, prospectuses, balance sheets, and trading and profit and loss accounts) supplied for the use of the Board. Statements and proofs which shall be found to depart substantially from this provisions shall be deemed not to have been duly delivered.

24. Copies of Forms A, C, E, and F shall be supplied on request by the Secretary of the Commissioners.

25. Delivery of notices and documents shall be made to the Baord of Referees by letter addressed to the Registrar at Room 552, Royal Courts of Justice, London, W. C. 2; to the Commissioners of Inland Revenue, by letter addressed to the Secretary of the Commissioners of Inland Revenue, Somerset House, London, W. C. 2; to an Applicant or Appellant, by letter addressed to him at the address appearing on Forms A, C or E.

26. In exceptional circumstances compliance with any of these Regulations may be waived in any particular instance by order of the Board or of the Chairman.

27. The Interpretation Act, 1889, shall apply for the purpose of the interpretation of these provisions in like manner as it applies for the purpose of the interpretation of an Act of Parliament.

28. In these Regulations the expression "Surveyor" means a Surveyor as defined by the Income Tax Act, 1918.

SCHEDULE.

From A.

FINANCE (No. 2) ACT, 1939.

Part III—Excess Profits Tax.

Particulars of application to the Board of Referees for a direction under Section 13 (7).

1. Name and address of Applicant(s) .. ..
2. Trade or business in question .. ..
3. The standard period with reference to which the application is made .. ..
4. What amount is sought to be substituted for the profits of the standard period .. ..
5. The basis on which the above-mentioned amount is computed .. ..
6. Where the Applicant is a company, whether the above-mentioned amount is in excess of the amount specified in the proviso to Section 13 (7), and, if so, what is the specific cause peculiar to the trade or business on which the Applicant relies .. ..

Application is hereby made for a direction by the Board of Referees that the standard profits for a full year shall be ascertained as if the profits for the standard period were the amount set out in (4) above.

A statement is appended hereto of the facts and grounds upon which the application is based.

(Signed) .....

(Signature of Applicant(s) or authorised representative.)

To the Board of Referees.

Notes.—1. This form, when completed, should be forwarded, together with the statement referred to, to the Inspector of Taxes for the District in which the Applicant resides or carries on business.

2. The facts set out in the statement must be duly verified by a statutory declaration in support thereof.

Form B.

FINANCE (No. 2) ACT, 1939.

Part III—Excess Profits Tax.

Determination of Apportionments by the Commissioners of Inland Revenue under Section 16 (5).

No. of Case

Whereas part of the trade or business of , thereto-

fore carried on by at , was on the day of , 19 , transferred to of ;

The Commissioners of Inland Revenue, in relation to the part of the said trade or business transferred, and to the part of the said trade or business not transferred, have made the apportionments set out in the Schedule appended hereto.

(Signed) .....

Assistant Secretary of the Commissioners of Inland Revenue.

day of 194 .

Form C.

FINANCE (No. 2) ACT, 1939

Part III—Excess Profits Tax.

Notice of Appeal under Section 16 (5)

No. of Case

Name and address of Appellant(s) .....

.....

Whereas in pursuance of the above-mentioned subsection the Commissioners of Inland Revenue have made the apportionments set out in the Schedule appended hereto;

And whereas the above-named Appellant(s) is/are dissatisfied with the apportionments so made;

The Appellant(s) hereby appeal(s) to the Board of Referees.

A statement is appended hereto setting out the apportionments claimed by the Appellant(s), and the facts and grounds relied on in support of the appeal.

(Signed) .....

(Signature of Appellant(s) or authorised representative.)

To the Board of Referees.

Notes.—1. This notice of appeal should, within 30 days from the date of the notification of the determination of the Commissioners, be forwarded, together with the Schedule and statement referred to, and eight copies of each of these documents, to the Inspector of Taxes for the District in which the Appellant resides or carries on business.

2. The facts set out in the statement must be duly verified by a statutory declaration in support thereof.

Form D.

FINANCE (No. 2) ACT, 1939.

Part III—Excess Profits Tax.

Determination of the Commissioners of Inland Revenue under Section 16 (6).

No. of Case

Upon the application of of to be treated, for the purposes of the provisions relating to the computation of standard profits, as if he/it/they had carried on the trade or business of , now carried on by him/it/them at , as from the date of the commencement of [that trade or business] [the trade or business of which it was fromerly the main part], the Commissioners of Inland Revenue have determined to [allow the said application subject to the modifications set out in the Schedule appended hereto] [refuse the said application].

(Signed) .....

Assistant Secretary of the Commissioners of Inland Revenue.

day of 194 .

Form E.

FINANCE (No. 2) ACT, 1939.

Part III—Excess Profits Tax.

Notice of Appeal under Section 16 (6).

No. of Case

Name and address of Appellant(s) .....

.....

Whereas the above-named Appellant(s) made application to the Commissioners or Inland Revenue under the provisions of Section 16 (6) to be treated, for the purposes of the provisions relating to the computation of standard profits, as if he/it/they had carried on the trade or business of , now carried on by him/it/them at , as from the date of the commencement of [that trade or business] [the trade or business of which it was formerly the main part];

And whereas the said Commissioners [refused such application] [allowed such application subject to modifications, and the Appellant(s) is/are dissatisfied with those modifications which are set out in the Schedule appended hereto];

The Appellant(s) hereby appeal(s) to the Board of Referees against the said [refusal] [modifications].

A statement is appended hereto setting out the facts and grounds relied on in support of the appeal.

(Signed) .....

(Signature of Appellant(s) or authorised representative.)

To the Board of Referees.

Notes.—1. This notice of appeal should, within 30 days from the date of the notification of the determination of the Commissioners, be forwarded, together with the Schedule and statement referred to, and eight copies of each of these documents, to the Inspector of Taxes for the District in which the Appellant resides or carries on business.

2. The facts set out in the statement must be duly verified by a statutory declaration in support thereof.

Form F.

FINANCE (No. 2) ACT, 1939.

Part III—Excess Profits Tax.

Statutory Declaration for Verification of Facts appearing in Statements.

(To be declared before any Justice of the Peace, Notary Public, or other Officer by law authorised to administer an Oath, and to be appended at the foot of the statement.)

I, , of* , being the† ,

do solemnly and sincerely declare that the facts appearing in the abovewritten statement are true to the best of my knowledge, information and belief, and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

(Signed) .....

Declared by the said

at in the County of

this day of 194

Before me

* Insert address.

† Insert "Applicant" or "Appellant," as may be appropriate, or capacity in which the declaration is made.

In the case of a company the declaration should be made by a director or the secretary of the company. In the case of a firm the declaration should be made by a partner.

Rating and Valuation (Postponement of Valuations) Act.

No. 3 & 4 Geo. 6, Ch. 12. 21st March, 1940.

1.—(1) The period for which the valuation lists in force under the Valuation (Metropolis) Act, 1869, on the date of the passing of this Act shall remain in force is hereby extended until the fifth day of April in the prescribed year, and section forty-six of that Act shall, in relation to that period, have effect as if the references to the first four years, the fifth year, and the last four years, of the period were respectively references to every year except the last year, the last year, and every year except the first year, of the period.

(2) While the said valuation lists remain in force, any increase or reduction in value attributable directly or indirectly to the present emergency, to the extent that the increase or reduction—

(*a*) is peculiar to a particular hereditament; or

(*b*) affects a particular hereditament and also other hereditaments of a comparable character in the rating area in question but does not represent a general alteration in the values of all classes, or substantially all classes, of hereditaments in that area,

shall, in relation to that hereditament, be deemed to be an alteration in the matters stated in the valuation list within the meaning of paragraph (1) of section forty-six of the said Act (which relates to supplemental lists) and to be such an increase or reduction in value as is referred to in section forty-seven of the said Act (which relates to provisional lists).

This subsection shall apply in relation to any such increase or reduction as aforesaid whether it occurred before or after the passing of this Act, and any such increase or reduction—

(i) shall be taken into account for the purposes of the said section forty-seven notwithstanding that it occurred before the beginning of the year; and

(ii) shall, if a provisional list or a requisition for a provisional list has been made in the preceding twelve months in respect of the hereditament, be taken into account for the purposes of any revision under the said section forty-six, notwithstanding that the increase or reduction occurred before the beginning of those twelve months.

(3) In subsection (1) of section one of the Rating and Valuation (Postponement of Valuations) Act, 1938, for the reference to the first day of April nineteen hundred and forty-one there shall be substituted a reference to the first day of April in the prescribed year.

(4) In this section, the expression "the prescribed year" means such year as His Majesty may by Order in Council appoint, not being later than the

second year after that in which the end of the present emergency falls; and in this subsection the word "year" means a year beginning with the first day of January, and the expression "the end of the present emergency" means such date as may be declared by His Majesty under the Courts (Emergency Powers) Act, 1939, to be the date on which the emergency that was the occasion of the passing of that Act came to an end.

2. This Act may be cited as the Rating and Valuation (Postponement of Valuations) Act, 1940, and the Rating and Valuation Acts, 1925 to 1938 and this Act may be cited together as the Rating and Valuation Acts, 1925 to 1940, and the Rating and Valuation (Metropolis) Acts, 1869 to 1938 and this Act may be cited together as the Rating and Valuation (Metropolis) Acts, 1869 to 1940.

VI. 金　融

1. 金融一般

Order in Council amending Regulation 3 (1) of the Defence (Finance) Regulations (Isle of Man).

No. 1839, 20th December, 1939.

1. In paragraph (1) of Regulation three of the Defence (Finance) Regulations (Isle of Man), 1939, the following provision shall be inserted after paragraph (*aa*)—

"or

(*ab*) draw, issue or negotiate any bill of exchange or promissory note, transfer any security or acknowledge any debt, so that a right (whether actual or contingent) to receive a payment in the United Kingdom or in the Isle of Man is created or transferred in favour of a person who is resident outside the United Kingdom and the Isle of Man, or make any payment to any such person".

2. In the concluding words of the said paragraph (1), for the words "the due enforcement of sub-paragraph (*b*)" there shall be substituted the words "the due enforcement of sub-paragraphs (*ab*) and (*b*)".

3. This Order shall come into operation on the eighth day of January, nineteen hundred and forty.

Rent Restrictions Regulations.

No. 238, 13th February, 1940.

1. These regulations may be cited as the Rent Restictions Regulations, 1940.

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

3. The forms contained in the First Schedule to these regulations shall be substituted for the form contained in the First Schedule to the Increase of Rent and Mortgage Interest (Restrictions) Act, 1920 (hereinafter referred to as the Act of 1920).

4. Every rent book or other similar document used by or on behalf of any landlord in respect of any dwelling-house to which the principal Act apply shall contain a notice, in the appropriate form set out in the Second Schedule to these regulations, or in a form substantially to the like effect, of all the matters referred to in the said form.

5. The Rent Restrictions Regulations, 1938, are hereby revoked but the revocation thereof shall not affect the validity of any notice given or application made thereunder before the date of these regulations. Nor shall the validity of any notice given or application made under the Rent Restrictions Regulations, 1934, prior to the 4th August, 1938 (the date of the Rent Restriction Regulations, 1938), be affected.

FIRST SCHEDULE.

Part 1.

Dwelling-houses to which the Rent and Mortgage Interest Restrictions Acts apply otherwise than by virtue of section 3 of the Rent and Mortgage Interest Restrictions Act, 1939.

Form A.

(To be used when the tenant is in possession.)

Rent and Mortgage Interest Restrictions Acts.

Notice of Increase of Rent.

Date .....

To ....., tenant of .....

Take notice that the rent of the above premises will as from ..... be .....per.....[and as from ..... be.....per.....].

Details showing how this rent is made up are given below.

(Signed) .....

(Address).....

		£ s. d.	
(*a*)	Standard Rent of the premises		per
(*b*)	per cent. of £ s. d. (the net rent of the premises)		" "
(*c*)	per cent. of £ s. d. spent on improvements and structural alterations not including decorations and repairs to the premises ..		" "
(*d*)	Increase of rates payable by the landlord in respect of the premises from £ s. d. in [1914] to £ s. d. for the current rating period		" "
(*e*)	per cent. of £ s. d. being the net rent of the sub-tenancies (if any) in the house ..		" "
	Total rent ..		

Any increase of rent over the standard rent under heads (*b*) (*c*) and (*d*) can only be charged after notice has been given by the landlord in the statutory form of notice or a form substantially to the same effect. At least four weeks' notice must be given in the case of an increase under heads (*b*) and (*c*), but only one week's notice is necessary in the case of an increase under head (*d.*) Where a valid notice of increase has been served on any tenant (whether in the form prescribed by the Act of 1920 or, if served after the 19th July, 1933, in the form for the time being prescribed), the increase may be continued without further notice to any subsequent tenant.

The maximum permitted increase under head (*b*) is 40 per cent. of the net rent. If the tenant considers that the premises are not in a reasonable state of repair he can apply to the sanitary authority for a certificate to that effect. (A fee of one shilling is chargeable on an application for a certificate but if the certificate is granted the shilling can be deducted from the rent.) Where a certificate is granted, and the tenant serves a copy of it on the landlord, the tenant may withhold that part of the increase in the rent set out under (*b*) above until the landlord has executed the necessary repairs to the satisfaction of the sanitary authority.

If, however, the landlord can prove to the County Court that the condition of the house is due to the tenant's neglect or default or breach of agreement, he may be able to recover all or part of the money withheld.

Instead of withholding the amount under (*b*) the tenant may apply direct to the County Court for an order suspending this amount. In that case, he must satisfy the Court, by producing a certificate from the sanitary authority, or in some other manner, that the house is not in a reasonable state of repair.

The address of the sanitary authority is .....

.....

The maximum permitted increase under head (*c*) is 6 per cent. of the cost if the work was done before 2nd July, 1920, and 8 per cent. if done after that date. If the tenant claims that the work was unnecessary or the cost excessive, he can apply to the County Court for an order reducing the part of the increase in rent set out under (*c*), but an order can only be made if he was the tenant when the work was done and had not consented to it in writing, or was the first tenant after the work was done, and was not informed of the nature and cost of the improvements and the increased rent chargeable before taking the house.

The maximum permitted increase under head (*d*) is the increase in the current rates payable by the landlord over the corresponding amount paid in the rating period which included the 3rd August, 1914, or, if for some reason no rates were payable for that rating period, the period when rates first became payable thereafter. "Rates payable by the landlord" include any compounding allowance made to him.

Where part of a house is lawfully sub-let, the maximum permitted increase chargeable by the landlord of the whole house under head (*e*) is 5 per cent. of the net rent of the part sub-let; the maximum permitted increase chargeable by the tenant who has sub-let the part is 10 per cent. of the net rent of the part sub-let.

Form B.

(To be used when the landlord is in possession.)

Rent and Mortgage Interest Restrictions Acts.

Notice to prospective tenant of increase of rent.

Date .....

To .....prospective tenant of .....

Take notice that the rent proposed to be charged for the above premises is .....per ..... and is a rent which has been increased in accordance with the provisions of the Rent and Mortgage Interest Restrictions Acts, 1920 to 1939.

Details showing how this rent is made up are given below.

(Signed) .....

(Address) .....

		£ s. d.	
(*a*)	Standard Rent of the premises		per
(*b*)	per cent. of £ s. d. (the net rent of the premises)		„ „

(*c*)	per cent. of £ s. d. spent on improvements and structural alterations not including decorations and repairs to the premises		„ „
(*d*)	Increase of rates payable by the landlord in respect of the premises from £ s. d. in [1914] to £ s. d. for the current rating period		„ „

If the prospective tenant does not take the dwelling-house this notice has no effect. If he takes the dwelling-house the increase of rent is operative forthwith.

The maximum permitted increase under head (*b*) is 40 per cent. of the net rent. If the tenant considers that the premises are not in a reasonable state of repair he can apply to the sanitary authority for a certificate to that effect. (A fee of one shilling is chargeable on an application for a certificate but if the certificate is granted the shilling can be deducted from the rent.) Where a certificate is granted, and the tenant serves a copy of it on the landlord, the tenant may withhold that part of the increase in the rent set out under (*b*) above until the landlord has executed the necessary repairs to the satisfaction of the sanitary authority.

If, however, the landlord can prove to the County Court that the condition of the house is due to the tenant's neglect or default or breach of agreement, he may be able to recover all or part of the money withheld.

Instead of withholding the amount under (*b*) the tenant may apply direct to the County Court for an order suspending this amount. In that case, he must satisfy the Court, by producing a certificate from the sanitary authority, or in some other manner, that the house is not in a reasonable state of repair.

The address of the sanitary authority is .....

.....

The maximum permitted increase under head (*c*) is 6 per cent. of the cost if the work was done before 2nd July, 1920, and 8 per cent, if done after that date. If the tenant claims that the work was unnecessary or the cost excessive, he can apply to the County Court for an order reducing the part of the increase in rent set out under (*c*), but an order can only be made if he was the tenant when the work was done and had not consented to it in writing, or was the first tenant after the work was done, and was not informed of the nature and cost of the improvements and the increased rent chargeable before taking the house.

The maximum permitted increase under head (*d*) is the increase in the

current rates payable by the landlord over the corresponding amount paid in the rating period which included the 3rd August, 1914, or, if for some reason no rates were payable for that rating period, the period when rates first became payable thereafter. "Rates payable by the landlord" include any compounding allowance made to him.

Part II.

Dwelling-houses to which the Rent and Mortgage Interest Restrictions Acts apply by virtue of section 3 of the Rent and Mortgage Interest Restrictions Act, 1939.

Form A.

(To be used when the tenant is in possession.)

Rent and Mortgage Interest Restrictions Acts.

Notice of Increase of Rent.

Date .....

To....., tenant of.....

Take notice that the rent of the above premises will as from..... .....be.....per ..... [and as from ..... be ..... per .....].

Details showing how this rent is made up are given below.

(Signed) .....

(Address) .....

	£ s. d.	
(*a*) Standard Rent of the premises		per
(*b*) per cent. of £ s. d. spent on improvements and structural alterations not including decorations and repairs to the premises		" "
(*c*) Increase of rates payable by the landlord in respect of the premises from £ s. d. in [1939] to £ s. d. for the current rating period		" "
Total rent ..		

Any increase of rent over the standard rent under heads (*b*) and (*c*) can only be charged after notice has been given by the landlord in the statutory form of notice or a form substantially to the same effect. At least four weeks' notice must be given in the case of an increase under head (*b*), but only one

week's notice is necessary in the case of an increase under head (*c*). Where a valid notice of increase has been served on any tenant in the form for the time being prescribed, the increase may be continued without further notice to any subsequent tenant.

The maximum permitted increase under head (*b*) is 8 per cent. If the tenant claims that the work was unnecessary or the cost excessive, he can apply to the County Court for an order reducing the part of the increase in rent set out under (*b*), but an order can only be made if he was the tenant when the work was done and had not consented to it in writing, or was the first tenant after the work was done, and was not informed of the nature and cost of the improvements and the increased rent chargeable before taking the house.

The maximum permitted increase under head (*c*) is the increase in the current rates payable by the landlord over the corresponding amount paid in the rating period which included the 1st September, 1939, or, if for some reason no rates were payable for that rating period, the period when rates first became payable thereafter. "Rates payable by the landlord" include any compounding allowance made to him.

Form B.

(To be used when the landlord is in possession.)

Rent and Mortgage Interest Restrictions Acts.

Notice to prospective tenant of increase of rent.

Date .....

To ..... prospective tenant of .....

Take notice that the rent proposed to be charged for the above premises is .....per .....and is a rent which has been increased in accordance with the provisions of the Rent and Mortgage Interest Restrictions Acts, 1920 to 1939.

Details showing how this rent is made up are given below.

(Signed) .....

(Address) .....

	£ s. d.	
(*a*) Standard Rent of the premises		per
(*b*) per cent. of £ s. d. spent on improvements and structural alterations not including decorations and repairs to the premises		" "

(*c*) Increase of rates payable by the landlord in respect of the premises from £ s. d. in [1939] to £ s. d. for the current rating period . . . . . " "

If the prospective tenant does not take the dwelling-house this notice has no effect. If he takes the dwelling-house the increase of rent is operative fourthwith.

The maximum permitted increase under head (*b*) is 8 per cent. If the tenant claims that the work was unnecessary or the cost excessive, he can apply to the County Court for an order reducing the part of the increase in rent set out under (*b*), but an order can only be made if he was the tenant when the work was done and had not consented to it in writing, or was the first tenant after the work was done, and was not informed of the nature and cost of the improvements and the increased rent chargeable before taking the house.

The maximum permitted increase under head (*c*) is the increase in the current rates payable by the landlord over the corresponding amount paid in the rating period which included the 1st September, 1939, or if for some reason no rates were payable for that rating period, the period when rates first became payable thereafter. "Rates payable by the landlord" include any compounding allowance made to him.

SECOND SCHEDULE.

Part I.

Form of Notice to be inserted in every Rent Book, or similar document in respect of a dwelling-house to which the Rent and Mortgage Interest Restrictions Acts apply otherwise than by virtue of section 3 *of the Rent and Mortgage Interest Restrictions Act,* 1939.

1. Address of premises .....
2. Name and Address of landlord.....
3. Name and Address of agent (if any) .....
4. The standard rent of the premises is..... per .....
5. The current rent includes £ s. d. per ..... in respect of the permitted increase of [40] per cent. of the net rent, part of which is in respect of the landlord's liability for repairs.
6. If there is disagreement as to the rent properly chargeable, the landlord, tenant, or sub-tenant can apply to the County Courty to settle the question.
7. If the tenant considers that the premises are not in a reasonable state of repair, he is entitled to apply to the sanitary authority for a certificate to that effect. Where a certificate is granted, and the tenant serves a copy of it on the landlord, the tenant may deduct from the rent the whole of the amount stated

in paragraph 5 of this notice, until the landlord has executed the necessary repairs to the satisfaction of the sanitary authority. If, however, the landlord can prove to the County Court that the condition of the house is due to the tenant's neglect or default or breach of agreement, he can recover all or part of the money withheld.

Alternatively the tenant may apply to the County Court for an order reducing the rent. In that case he must satisfy the Court by producing a certificate from the sanitary or otherwise, that the house is not in a reasonable state of repair.

The address of the sanitary authority is .....
.....

8. If the tenant sub-lets part of the premises unfurnished he must give the landlord a statement in writing of the sub-letting, giving particulars of occupancy, including the rent charged. The penalty for failing to do this without reasonable excuse, or for giving false particulars, is a fine not exceeding £10. The particulars must be given to the landlord within fourteen days after sub-letting. Where particulars have once been given to the landlord, it is not necessary to supply them again if the only change is a change of sub-tenant.

9. Documents authorised or required by the Rent and Mortgage Interest Restrictions Acts to be served by the tenant on the landlord may be served on the agent named above or on the person who receives the rent, and if the full name and place of abode or place of business of the landlord is required for the purpose of proceedings under the said Acts, the agent or person who receives the rent must, on request in writting, disclose that information.

10. A landlord is entitled to apply to the County Court for an order for possession against a tenant who is overcharging his sub-tenant, and where the County Court has already fixed the proper rent for a sub-tenancy a tenant who overcharges his sub-tenant is liable to a fine of £100.

Part II.

Form of Notice to be inserted in every Rent Book, or similar document in respect of a dwelling-house to which the Rent and Mortgage Interest Restrictions Acts apply by virtue of section 3 *of the Rent and Mortgage Interest Restrictions Act,* 1939.

1. Address of premises .....
2. Name and Address of landlord.....
3. Name and Address of agent (if any) .....
4. The standard rent of the premises is ..... per .....

5. If there is disagreement as to the rent properly chargeable, the landlord, tenant, or sub-tenant can apply to the County Court to settle the question.

6. If the tenant sub-lets part of the premises unfurnished he must give the landlord a statement in writing of the sub-letting, giving particulars of occupancy, including the rent charged. The penalty for failing to do this without reasonable excuse, or for giving false particulars, is a fine not exceeding £10. The particulars must be given to the landlord within fourteen days after sub-letting or if the part was already sub-let on the 2nd September, 1939, not later than the 2nd December, 1939. Where particulars have once been given to the landlord, it is not necessary to supply them again if the only change is a change of sub-tenant.

7. Documents authorised or required by the Rent and Mortgage Interest Restrictions Acts to be served by the tenant on the landlord may be served on the agent named above or on the person who receives the rent, and if the full name and place of abode or place of business of the landlord is required for the purpose of proceedings under the said Acts, the agent or person who receives the rent must, on request in writing, disclose that information.

8. A landlord is entitled to apply to the County Court for an order for possession against a tenant who is overcharging his sub-tenant, and where the County Court has already fixed the proper rent for a sub-tenancy a tenant who overcharges his sub-tenant is liable to a fine of £100.

Given under the official seal of the Minister of Health this thirteenth day of February, nineteen hundred and forty.

Order in Council amending Regulation 1 of the Defence (Finance) Regulations.

No. 608, 30th April, 1940.

His Majesty, in pursuance of section one of the Emergency Powers (Defence) Act, 1939, and of all powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, that at the end of paragraph (2) of Regulation one of the Defence (Finance) Regulations, 1939, there shall be inserted the following proviso:—

"Provided that where the Treasury have by an order made under this paragraph transferred to themselves securities in respect of which returns had before the date of the making of that order been made to the Bank of England under an order made under the last foregoing paragraph, then, if by an order or directions subsequently made or given under this paragraph the Treasury transfer to themselves securities which would have been transferred to them under the former order if such a return as aforesaid had been made

before that date, the minimum price at which the securities may be transferred shall be the price specified in the former order subject to such reduction as the Treasury think fit in respect of any dividend or interest payable since the date of the making of that order, or a price which in the opinion of the Treasury is the market value of the securities on the date of the making or giving of the subsequent order or directions, whichever is the less."

Order in Council substituting new Regulations for Regulations 5A and 8 of the Defence (Finance) Regulations.

No. 688, 9th May, 1940.

1. For Regulation five A of the Defence (Finance) Regulations, 1939, there shall be substituted the following Regulation—

5A.—(1) The Treasury may, by an order made by them generally with respect to any description of securities, or by a certificate given by them or on their behalf with respect to any particular securities, exempt the securities to which the order or certificate relates from the provisions of Regulation one of these Regulations, and any such order or certificate shall be deemed to relate not only to the securities specified therein, but also to any security to which the owner of the securities so specified may become or has become entitled as such, either by way of bonus or in consequence of any conversion operation, amalgamation or reconstruction.

(2) Any order made by the Treasury or certificate given by them or on their behalf before the ninth day of May, nineteen hundred and forty, for the purpose of exempting securities from the provisions of Regulation one of these Regulations, shall be deemed to be an order or certificate made or given under this Regulation.

(3) Any certificate given under this Regulation may be revoked or varied by a notice served by or on behalf of the Treasury on the person to whom the certificate was issued.

(4) In this Regulation the expression 'security' includes a deposit receipt in respect of the deposit of securities."

2. For Regulation eight of the Defence (Finance) Regulations, 1939, there shall be substituted the following Regulation—

8.—(1) The Treasury may give to any person directions requiring him, within such time and in such manner as may be specified in the directions, to furnish to them or to any person designated in the directions as a person authorised to require it, any information in his possession or control which the

Treasury or the person so authorised, as the case may be, may require for the purpose of securing compliance with or detecting evasion of these Regulations.

(2) A person required by any such directions as aforesaid to furnish information shall produce such books, accounts or other documents (hereinafter referred to as 'documents') in his possession or control as may be required by the Treasury or by the person authorised to require the information, as the case may be, and for the purpose of inspecting any such documents any person so authorised as aforesaid, or any person authorised to act on behalf of the Treasury under this paragraph, may enter any premises and may take possession of any of the documents or take in relation thereto any other steps which appear to him necessary for preserving them and preventing interference therewith.

(3) No person shall, with intent to evade the provisions of these Regulations, destroy, mutilate, deface, secrete or remove any documents.

(4) Any information given by a person in compliance with this Regulation may be given in evidence against him notwithstanding that it may tend to incriminate him.

(5) The provisions of this Regulation shall be without prejudice to any other provisions of these Regulations relating to the giving of information, and the provisions of the last foregoing paragraph shall be without prejudice to any question as to the admissibility as evidence of information obtained under statutory powers in the absence of any such express provision.

(6) The Treasury may, to such extent and subject to such restrictions as they think proper, delegate their powers under this Regulation to any person or class or description of persons approved by them."

Order in Council amending the Defence (Finance) Regulations.

No. 708, 12th May, 1940.

1.—(1) Regulation three of the Defence (Finance) Regulations, 1939, (hereinafter referred to as "the principal Regulations") shall be amended as follows, that is to say:—

(*a*) sub-paragraph (*aa*) of paragraph (1) shall be omitted;

(*b*) in sub-paragraph (*ab*) of paragraph (1) the words "transfer any security" shall be omitted; and

(*c*) at the end of sub-paragraph (*b*) of paragraph (6) there shall be inserted the words "a unit or sub-unit of a unit trust and a coupon representing dividends or interest".

(2) Proceedings in respect of a contravention, before the thirteenth day of

May, nineteen hundred any forty, of any provision of Regulation three of the principal Regulations may be instituted, and any punishment imposed in any such proceedings may be enforced, as if this Order had not been made.

2. After Regulation three of the principal Regulations there shall be inserted the following Regulations:—

3A.—(1) Subject to any exemptions which may be granted by order of the Treasury, no person shall, either on his own behalf or on behalf of any other person, agree to transfer or acquire, or transfer, or acquire otherwise than by operation of law or by inheritance, any securities or any interest in securities, unless the Treasury or persons authorised by or on behalf of the Treasury are satisfied that no person resident outside the United Kingdom and the Isle of Man has, immediately before the transfer, acquisition or agreement any interest in the securities:

Provided that nothing in this paragraph shall prohibit—

(*a*) any agreement, transfer, or acquisition which is effected with permission granted by the Treasury or by a person authorised by them or on their behalf, or

(*b*) the transfer or acquisition, before the eleventh day of June, nineteen hundred and forty of securities or any interest in securities in pursuance of a contract made before the thirteenth day of May, nineteen hundred and forty.

(2) Subject to any exemptions which may be granted by order of the Treasury, no person shall, except with permission granted by the Treasury or by a person authorised by them or on their behalf—

(*a*) transfer any security or create or transfer any interest in a security to or in favour of a person resident outside the United Kingdom and the Isle of Man;

(*b*) transfer any security from a register in the United Kingdom to a register outside the United Kingdom, or do any act which is calculated to secure, or forms part of a series of acts which together are calculated to secure, the substitution for any security which is either in or registered in the United Kingdom of any security which is either outside or registered outside the United Kingdom; or

(*c*) procure that, in any register or book in which securities are registered or inscribed, an address outside the United Kingdom and the Isle of Man shall, except by way of substitution for another such address, be registered in respect of any security.

In this paragraph the expression 'security' includes a coupon representing dividends or interest.

(3) Subject to any exemptions which may be granted by order of the Treasury, no person who holds any securities as trustee or agent shall, except with permission granted by the Treasury or by a person authorised by them or on their behalf, do any act whereby he recognises or gives effect to the transfer of those securities or the creation or transfer of any interest therein by, to, or in favour of a person resident outside the United Kingdom and the Isle of Man:

Provided that nothing in this paragraph shall restrict the doing of any act for the doing of which permission has been granted to any person by the Treasury or by a person authorised by them or on their behalf under any other paragraph of this Regulation, or the doing of any act recognising or giving effect to any transaction for which permission has been so granted or which has been entered into before the eleventh day of May, nineteen hundred and forty.

(4) Subject to any exemptions which may be granted by order of the Treasury, no person shall, except with permission granted by the Treasury or by a person authorised by them or on their behalf, enter any transfer of securities in any register or book in which those securities are registered or inscribed unless there has been produced to him such evidence that the transfer does not involve a contravention of this Regulation as may be prescribed by instructions issued by or on behalf of the Treasury.

(5) Nothing in paragraph (1) of this Regulation shall prohibit the making of any agreement to which one at least of the parties is a member of the Stock Exchange, London, or of the Associated, Stock Exchanges, or of the Provincial Brokers' Stock Exchange, and nothing in paragragh (2) of this Regulation shall prohibit the execution, by or on behalf of the transferor, of any instrument of transfer of securities in pursuance of any such agreement; but this paragraph shall not authorise the doing of any other act which would, apart from this paragraph, constitute a breach of this Regulation.

(6) In this Regulation the following expressions have the meanings hereby respectively assigned to them, that is to say:—

'acquire by inheritance' means acquire in the capacity of a beneficiary under a will or intestacy, or in the capacity of a personal representative of a deceased person; and

'security' includes a deposit receipt in respect of the deposit of securities but does not include a Treasury bill or any bill issued by a local authority in the United Kingdom or the Isle of Man;

and for the purposes of this Regulation an interest in securities does not include an interest in expectancy on the determination of a life, or any interest merely as a trustee.

3B.—(1) Subject to any exemptions which may be granted by order of the

Treasury, no person shall, except with permission granted by the Treasury or by a person authorised by them or on their behalf, issue any bearer bond, share warrant to bearer, or other document of title by the delivery of which the title to securities or to any interest in securities is transferable:

Provided that nothing in this Regulation shall restrict the issue of any such document of title for the purpose of replacing any such document which has been lost or destroyed.

(2) In relation to the issue of documents of title relating to securities the issue of which is authorised by any Act of Parliament passed before the twenty-fourth day of August, niniteen hundred and thirty-nine, this Regulation shall bind the Crown, and the Treasury shall not, by virtue of any contract made by them or on their behalf in relation to any such securities, be required to grant any permission or exemption under the last foregoing paragraph for the issue of any document of title relating to any such securities.

(3) In this Regulation the expression 'security' does not include a Treasury bill or any bill issued by a local authority in the United Kingdom or the Isle of Man."

3. This Order shall come into force on the thirteenth day of May, nineteen hundred and forty.

Draft Order in Council adding Regulation 3C to, and amending Regulation 5B of, the Defence (Finance) Regulations (Isle of Man), 1939.

No. 893, 7th June, 1940.

1. After Regulation three B of the Defence (Finance) Regulations (Isle of Man), there shall be inserted the following Regulation:—

3C.—(1) Save as is provided in this Regulation no person shall draw, issue or negotiate any bill of exchange or promissory note or acknowledge any debt so that a right (whether actural or contingent) to receive a payment in the United Kingdom or in the Isle of Man is created or transferred in favour of a person who is resident in any territory specified in an order of the Treasury in that behalf or make any payment to any such person:

Provided that this Regulation shall have effect subject to such exemptions, if any, as may be granted by order of the Treasury and shall not prevent the doing of any act for which permission has been granted by or on behalf of the Treasury.

(2) Any person who is desirous of carrying out any such transaction as is mentioned in paragraph (1) of this Regulation may, with permission granted by or on behalf of the Treasury and subject to any conditions which may be im-

posed by or on behalf of the Treasury, make a payment in sterling to the credit of such a special account as is hereinafter mentioned, that is to say—

(*a*) if the territory specified in the order is declared by the order to be a territory with respect to which an agreement is in force for the regulation of payments between the United Kingdom and that territory, a special account recognised for the purposes of this Regulation by the Bank of England as an account established under the agreement;

(*b*) if the territory specified in the order is not declared by the order to be such a territory as aforesaid, the Treasury special account, that is to say such account, being an account in the name of the Treasury, as may be designated by or under the order as the Treasury special account for that territory.

(3) Where a payment is made to the credit of a Treasury special account under this Regulation, the receipt of the Treasury or a person authorised by the Treasury for the sum paid shall, to the extent of the sum paid, be a good discharge to the person from whom the debt was due:

Provided that where the debt is not in sterling the extent of the discharge shall be ascertained by converting the amount paid into the currency in which the debt was payable at such rate of exchange as the Treasury may determine.

(4) The amount standing to the credit of any Treasury special account shall from time to time as the Treasury may direct be applied in accordance with any agreement made for the regulation of payments between the United Kingdom and the territory in question or, if no such agreement is made, for the purpose of paying, in whole or in part and in such other and at such times as the Treasury thinks fit, debts due from persons resident in the territory in question to persons resident in the United Kingdom or in such other territories as may be specified in an order of the Treasury in that behalf.

(5) The power conferred by paragraph (1) of Regulation three of there Regulations on the Treasury or a person acting on their behalf to impose such restrictions on the making of payments and the doing of any other acts by bankers in the course of their business as appear to the Treasury to be necessary or expedient for the purpose of securing the due enforcement of sub-paragraphs (*a*) and (*b*) of that paragraph shall apply in relation to the due enforcement of this Regulation as it applies in relation to the due enforcement of those sub-paragraph."

2. Regulation five B of the Defence (Finance) Regulations (Isle of Man), 1939, shall be amended as follows:—

(*a*) for paragraph (1) there shall be substituted the following paragraph:—

"(1) Subject to any exemptions which may be granted by order of the Treasury, no person shall, except with permission granted by or on behalf of the Treasury, export goods of any class or description to a destination in any territory to which this Regulation is applied by order of the Treasury, unless it is shown to the satisfaction of the Commissioners of Customs and Excise:—

(*a*) that payment for the goods has been made to a person resident in the United Kingdom in such manner as may be prescribed in relation to the territory in question;

(*b*) that payment for the goods is to be so made not later than six months, or such longer period as may be allowed by or on behalf of the Treasury, after the date of export,

and in either case that the amount of the payment of the goods represents the full value of the goods, subject to such deductions, if any, as may be allowed by or on behalf of the Treasury.";

(*b*) paragraphs (2) to (5), and paragraph (9), shall be revoked;

(*c*) paragraphs (6), (7) and (8) shall be renumbered as paragraphs (2), (3) and (4), and in sub-paragraph (*b*) of the said paragraph (7) for the words "paragraph (6) of this Regulation" there shall be substituted the words "paragraph (2) of this Regulation"; and

(*d*) for the marginal note there shall be substituted the following marginal note:—

"Requirements as to payment for goods exported to certain territories."

3.—(1) This Order shall come into force on the 10th day of June, 1940.

(2) Proceedings in respect of a contravention, before the tenth day of June, nineteen hundred and forty, of Regulation five B of the Defence (Finance) Regulations (Isle of Man), 1939, may be instituted, and any punishment imposed in any such proceedings may be enforced, as if this Order had not been made.

Currency Restrictions Exemption (No. 4) Order.

No. 1843, 20th December, 1939.

1. There are hereby exempted—

(*a*) from paragraph (*a*) of the said paragraph (1), the taking or sending out of the United Kingdom of any bills of exchange or promissory notes payable in any currency issued by the government of, or under the law of, any of the countries specified in paragraph 4 of this order, not being bills or notes which are legal tender in any of those countries;

(*b*) from paragraph (*aa*) of the said paragraph (1), the transfer of any security from a register in the United Kingdom to a register in any of the said countries;

(*c*) from sub-paragraph (*ab*) of the said paragraph (1), any such transaction as is mentioned in that sub-paragraph, so long as no right to receive a payment in the United Kingdom or in the Isle of Man is created or transferred in favour of a person who is resident outside the said countries, and so long as no payment is made to any person who is resident outside the said countries;

(*d*) from sub-paragraph (*b*) of the said paragraph (1), any such transaction as is mentioned in that sub-paragraph, so long as all payments received or receivable outside the United Kingdom and the Isle of Man, and all property acquired or to be acquired outside the United Kingdom and the Isle of Man, are received or receivable, or, as the case may be, is situated within the said countries.

2. Nothing in either of the said sub-paragraphs (*ab*) and (*b*) shall prevent any person resident neither in the United Kingdom nor in any of the countries specified in paragraph 4 of this order drawing, issuing or negotiating any bill of exchange or promissory note, transferring any security, acknowledging any debt or making any payment.

3. Nothing in the said sub-paragraph (*ab*) shall apply to any transaction the sole purpose whereof is the transfer to a person resident neither in the United Kingdom nor in any of the countries specified in paragraph 4 of this Order—

(*a*) of proceeds of the sale or redemption of any securities to which he is beneficially entitled;

(*b*) of interest or dividends on any securities registered or inscribed in his name or in the name of his nominee; or

(*c*) of interest or dividends on bearer securities collected on his behalf by a bank having the custody thereof on his behalf, being in any of the three cases securities in the case of which any repayments of principal or any payments of interest or dividends are to be made in sterling.

In this paragraph references to interest include references to any payments by way of annuity.

4. The countries hereinbefore mentioned are any part of His Majesty's dominions outside the United Kingdom (except Canada, Newfoundland and Hong Kong), any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and is being exercised by His Majesty's Government in the United Kingdom or in any Dominion, any British protectorate or protected state, Egypt, the Anglo-Egyptian Sudan and Iraq.

5. This Order may be cited as the Currency Restrictions Exemption (No. 4) Order, 1939.

6. The Currency Restrictions Exemption (No. 3) Order, 1939, is hereby revoked.

7. This Order shall come into force on the eighth day of January, nineteen hundred and forty.

Order in Council under section 2 of the Currency (Defence) Act.

No. 1858, 20th December, 1939.

Whereas it is provided by subsection (1) of section two of the Currency (Defence) Act, 1939, that until such date as His Majesty may be Order in Council appoint postal orders shall be current in the United Kingdom in the same manner and to the same extent as current coins and shall be legal tender for the payment of any amount in the United Kingdom:

Now, therefore, His Majesty, in pursuance of the said subsection (1) is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, that after the twentieth day of December, nineteen hundred and thirtynine, postal orders shall be no longer current and legal tender by virtue of that subsection.

Currency Restrictions Exemption (Export to Channel Islands) Order.

No. 72, 19th January, 1940.

1. There is hereby exempted from sub-paragraph (*a*) of the said paragraph (1) the taking or sending out of the United Kingdom of any bank notes, postal orders, gold, securities or foreign currency which are being taken or sent from the United Kingdom to any part of the Channel Islands.

2. This Order may be cited as the Currency Restrictions Exemption (Export to Channel Islands) Order, 1940.

Currency Restrictions (Travellers' Exemption) Amendment Order.

No. 455, 29th March, 1940.

1. Article 1 of the Currency Restrictions (Travellers' Exemption) Order, 1939, shall be amended by substituting for paragraph (*b*) thereof the following paragraphs:—

"(*b*) If that person is about to leave the United Kingdom for any destination in territory which is enemy territory within the meaning of the Trading with the Enemy Act, 1939, bank notes or foreign currency not exceeding in the aggregate two pounds sterling in value, and

(*c*) If that person is about to leave the United Kingdom for any other destination, bank notes or foreign currency not exceeding in the aggregate ten pounds sterling in value".

2. This Order may be cited as the Currency Restrictions (Travellers' Exemption) Amendment Order, 1940.

Currency and Securities Restriction Exemptions (No. 1) Order.

No. 710, 12th May, 1940.

1.—(*a*) There are hereby exempted from sub-paragraph (*a*) of paragraph (1) of Regulation 3 the taking or sending out of the United Kingdom of any bills of exchange or promissory notes payable in any currency issued by the Government of, or under the law of, any of the countries specified in paragraph 4 of this Order, not being bills or notes which are legal tender in any of those countries;

(*b*) From sub-paragraphs (*ab*) of the said paragraph (1) any such transaction as is mentioned in that sub-paragraph so long as no right to receive a payment in the United Kingdom or in the Isle of Man is created or transferred in favour of a person who is resident outside the said countries, and so long as no payment is made to any person who is resident outside the said countries;

(*c*) From sub-paragraph (*b*) of the said paragraph (1) any such transaction as is mentioned in that sub-paragraph, so long as all payments received or receivable outside the United Kingdom and the Isle of Man, and all property acquired or to be acquired outside the United Kingdom and the Isle of Man are received or receivable, or, as the case may be, is situated within the said countries.

2. Nothing in either of the said sub-paragraphs (*ab*) and (*b*) shall prevent any person resident neither in the United Kingdom nor in any of the countries specified in paragraph 4 of this Order drawing, issuing, or negotiating any bill of exchange or promissory note, transferring any security, acknowledging any debt or making any payment.

3. There are hereby exempted from the said Regulation 3A all transactions which would be excluded from the operation thereof if, in the expression "outside the United Kingdom" (wherever it occurs), there were included with the United Kingdom the countries mentioned in paragraph 4 of this Order.

4. The countries hereinbefore mentioned are any part of His Majesty's dominions outside the United Kingdom (except Canada, Newfoundland and Hong Kong), any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and is being exercised by His Majesty's Government in the United Kingdom or in any dominion, any British Protectorate or Protected State, Egypt, the Anglo-Egyptian Sudan and Iraq.

5. This Order may be cited as the Currency and Securities Restriction Exemptions (No. 1) Order, 1940.

6. The Currency Restriction Exemptions (No. 4) Order, 1939, is hereby revoked.

7. This Order shall come into force on the 13th day of May, 1940.

3. 銀　行

Defence (Whitsun Bank Holiday) Regulation.

No. 705, 11th May, 1940.

1. These Regulations may be cited as the Defence (Whitsun Bank Holiday) Regulations, 1940.

2. Monday the thirteenth day of May, nineteen hundred and forty (being the Monday in Whitsun week) shall not be a bank holiday under the Bank Holidays Act, 1871, or a public holiday under the Holidays Extension Act, 1875, or section eight of the Customs Consolidation Act, 1876:

Provided that the said day shall be deemed to be a bank holiday in England and Northern Ireland for the purposes of—

(*a*) sections one to three of the Bank Holidays Act, 1871, in so far as they relate to any bill of exchange or promissory note or the making of any payment, not being a bill or note payable at sight or on demand or a payment in respect of any such bill or note;

(*b*) paragraph (1) of section fourteen of the Bills of Exchange Act, 1882; and

(*c*) any provision of any other enactment, or of any instrument, providing that, in computing a period of time, a bank holiday shall be disregarded, or that, where the date on which anything is to be done falls on a bank holiday, it shall be done on some other day.

3. For the purposes of the Shops Acts, 1921 to 1938, nothing done or omitted to be done in relation to the employment of any person about the business of a shop, or to the closing of any shop, during the week ending with the eleventh day of May, nineteen hundred and forty, shall be deemed to be a contravention of those Acts if it would not have been such a contravention if the said thirteenth day of May had been a bank holiday and the shop assistant had not been employed or the shop had been closed, as the case may be, on that day.

Order in Council amending Regulation 3 of the Defence (Savings Banks) Regulations, 1939.

No. 905, 4th June, 1940.

Regulation three of the Defence (Savings Banks) Regulations, 1939, shall have effect subject to the following amendments:—

(*a*) in paragraph (1) for the words "during the month of September, 1939" there shall be substituted the words "during any period for which this Regulation is in force";

(*b*) in paragraph (2) for the words "during the said month" there shall be substituted the words "during any such period";

(*c*) at the end of the Regulation the following paragraph shall be added—

"(6) This Regulation shall be in force for such period or periods as the Treasury may from time to time by order direct."

4. 公 債

Government Stock Regulations.

No. 207 (1940), 31st October, 1939.

1. Where any Government stock standing in the books of the Bank in the joint names of three or more persons is declared in the manner hereinafter prescribed to form part of a trust subject to the law of Scotland, all things required to be done for the purpose of transferring that stock or in connection with the payment or accumulation of dividends thereon or with the receipt or

re-investment of redemption money in respect of such stock may be done by a quorum of the persons entered as the holders as provided in the Trusts (Scotland) Act, 1921.

2.—(1) In this case of any Government stock held and declared to be subject as aforesaid, in the event of—

(*a*) the appointment in terms of the Trusts (Scotland) Act, 1921, of a new trustee by any person entitled so to do by deed of assumption, or by the Court, the Bank may accept as sufficient evidence of transmission to the new trustee (whether in conjunction or not with any trustee remaining in office) a deed of assumption in the form of Schedule B to the Trusts (Scotland) Act, 1921, or to the like effect with minute of acceptance by the assumed trustee or on official or duly authenticated extract thereof, or a certified copy of the Interlocutor of the Court, as the case may require;

(*b*) the resignation of a trustee in terms of the said recited Act, the Bank may accept as sufficient evidence of the divestiture of such resigning trustee a minute of resignation in the form to Schedule A of the said recited Act with acceptance of intimation of resignation by the continuing trustee or trustees or an official or duly authenticated extract thereof;

(*c*) the removal of a trustee by the Court, a certified copy of the Interlocutor of the Court shall be accepted by the Bank as sufficient evidence of such removal and divestiture.

(2) In the case of deed stock, the appropriate evidence in respect of any of the foregoing provisions must be accompanied by the relative register certificate.

3.—(1) The Bank may accept as sufficient evidence that any Government stock is subject as aforesaid a statutory declaration made in accordance with the immediately succeeding paragraph, and any such declaration shall remain of full force and effect, for all the purposes of these Regulations, until the Bank shall have been served with notice to the contrary.

(2) The statutory declaration shall be made by the persons in whose names the stock is standing or into whose names stock is about to be transferred, and shall be in the form in the schedule to these Regulations or in a form to the like effect.

4. In these Regulations the expressions "trust", "trustee" and "the Court" have the same meaning as in the Trusts (Scotland) Act, 1921.

5. These Regulations may be cited as the Government Stock Regulations, 1939, and shall be construed as one with the Government Stock Regulations, 1918.

SCHEDULE

Form of Declaration.

We, A.B., C.D., etc. (designation) do solemnly and sincerely declare that the sum of £ : : (title of Stock) standing in our names *or* [about to be transferred into our names] forms part of a trust subject to the law of Scotland, and that we, being the trustees thereof, are not expressly precluded by the instrument creating the trust from exercising any of the powers and provisions contained in Section 3 of the Trusts (Scotland) Act, 1921 [save only as to].

And we make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act, 1835.

Order in Council amending Regulations 3 (1) of the Defence (Finance) Regulations.

No. 1827, 20th December, 1939.

1. In paragraph (1) of Regulation three of the Defence (Finance) Regulations, 1939, the following sub-paragraph shall be inserted after sub-paragraph (*aa*)—

"(*ab*) draw, issue or negotiate any bill of exchange or promissory note, transfer any security or acknowledge any debt, so that a right (whether actual or contingent) to receive a payment in the United Kingdom or in the Isle of Man is created or transferred in favour of a person who is resident outside the United Kingdom and the Isle of Man, or make any payment to any such person, or".

2. In the concluding words of the said paragraph (1), for the words "the due enforcement of sub-paragraph (*b*)" there shall be substituted the words "the due enforcement of sub-paragraph (*ab*) and (*b*)".

3. This Order shall come into operation on the eighth day of January, nineteen hundred and forty.

Conversion Loan (Exchange or Repayment) Rules.

No. 49, 17th January, 1940.

1. In these Rules the following expressions have the meanings hereby assigned to them respectively, that is to say—

"application" includes an exchange application and a redemption application, "exchange application" means an application for an exchange of old securities for new securities pursuant to the offer in that behalf made on the

seventeenth day of January, nineteen hundred and forty, and "redemption application" means an application to receive, on the date fixed by the redemption notice, repayment in cash in respect of old securities;

"appropriate authority" means, in relation to an application, the person to whom the application is required by these Rules to be made;

"the Bank" means the Bank of England or the Bank of Ireland, as the case may require;

"the Commissioners" means the National Debt Commissioners;

"committee" includes, in relation to a stockholder, a person authorised under section one of the Lunacy Act, 1908, to exercise in relation to the stockholder any of the powers of a committee, and a person appointed under section one-hundred and thirty-two of the Lunacy Act, 1890, by a judge of county courtsto realise the property of the stockholder, and, in the application of these Rules to Scotland, means a curator bonis, guardian or tutor;

"minor" means a female between the ages of twelve and twenty-one, or a male between the ages of fourteen and twenty-one;

"new securities" means stock or bonds of the £2 per cent. Conversion Loan, 1943–1945, offered by the said offer to the holders of old securities:

"old securities" means stock or bonds of the £4 10*s.* per cent. Conversion Loan, 1940–1944;

"the redemption notice" means the notice to redeem the old securities given on the seventeenth day of January, nineteen hundred and forty;

"stockholder" means the holder of any old securities, whether stock or bonds.

2.—(1) A stockholder desiring to receive on the date fixed by the redemption notice repayment in each in respect of his holding of old securities must make a redemption application in respect thereof in accordance with these Rules.

(2) If, in the case of any holding of old securities (not being the holding of the Commissioners corresponding to the holdings held on the Post Office Register), neither an exchange application nor a redemption application has been duly made on or before the eighth day of February, nineteen hundred and forty, the said offer shall be deemed to have been accepted in the case of that holding.

3.—(1) Within one month from the said eighth day of February, nineteen hundred and forty, the Postmaster-General and the trustees of every trustee savings bank shall furnish the Commissioners with a statement, in a from approved by the Com-missioners, showing—

(*a*) the aggregate amount of the holdings of old securities inscribed or registered in the Post Office Register in respect of which redemp-

tion application have been duly made to the Postmaster-General or the trustees, as the case may be; and

(*b*) the aggregate amount of the holdings of old securities so inscribed or registered in respect of which exchange applications have been duly made as aforesaid; and

(*c*) the aggregate amount of the holdings of old securities so inscribed or registered in respect of which the said offer is to be deemed, by virtue of Rule 2 of these Rules, to have been accepted.

(2) The Commissioners, as soon as practicable after the expiration of the said month, shall make to the Bank of England a redemption application in respect of such amount of old securities held by them on account of the Post Office Register as is equal to the sum of the amounts shown in the statements aforesaid in pursuance of sub-paragraph (*a*) of the foregoing paragraph, and an exchange application in respect of such amount of old securities so held by them as is equal to the sum of the amounts shown as aforesaid in pursuance of sub-paragraphs (*b*) and (*c*) of that paragraph.

4. Applications relating to holdings of the descriptions specified in the first column of the following table shall be made to the persons respectively specified in the second column of that table:—

Description of holding.	*Person to whom application is to be made.*
Stock inscribed or registered in the books of the Bank of England.	The Bank of England.
Stock inscribed or registered in the books of the Bank of Ireland at Belfast.	The Bank of Ireland at Belfast.
Stock inscribed or registered in a part of the Post Office Register kept by the trustees of a trustee savings bank.	The trustees of the savings bank in question.
Stock inscribed or registered in any other part of the Post Office Register.	The Postmaster-General.
Bearer bonds.	The Bank of England.

5.—(1) An application relating to stock inscribed or registered, whether in the books of the Bank or in the Post Office Register—

(*a*) shall be made on a form to be supplied for the purpose by the appropriate authority or a form to the like effect;

(*b*) shall give particulars of the amount of the holding to which the application relates and of the full name, address and description, of every person in whose name the holding is entered in the books of the Bank or in the Post Office Register, as the case may be;

(*c*) in the case of a redemption application relating to stock registered

in the books of the Bank as transferable by deed, shall be accompanied by the register certificate or certificates; and

(*d*) shall be signed by every person making the application:

Provided that, in the case of an application made by a corporation, the application shall be sealed with the common seal of the corporation, or, in the case of a corporation not having a common seal, shall be executed in manner provided in paragraph (2) of Regulation 7 of the Government Stock Regulations, 1918.

(2) An application relating to bearer bonds shall—

(*a*) be made on a form to be supplied for the purpose by the Bank of England or a form to the like effect;

(*b*) specify the respective denoting numbers (entered in numerical order) and denominations of the bonds to which the application relates;

(*c*) specify the full name and address of the person making the application; and

(*d*) be accompanied by the bonds to which the application relates and any coupons for interest payable thereon on or after the first day of July, nineteen hundred and forty.

(3) An application may be sent by post.

6.—(1) In the cases specified in the first column of the following table, being cases in which the stockholder is the sole stockholder or the last surviving stockholder on a joint account, an application may be made by the persons respectively specified in the second column of that table:—

Case.	*Person by whom application may be made.*
1. Where the stockholder is an infant (other than a minor who is domiciled in Scotland) and the holding is not registered in the Post Office Register, or where the stockholder is an infant who has not attained the age of seven years and the holding is registered in the Post Office Register.	1. The stockholder's parent or other guardian.
2. Where the stockholder is an infant who has attained the age of seven years, and the holding is registered in the Post Office Register.	2. The stockholder.
3. Where the stockholder is a minor domiciled in Scotland and the holding is not registered in the Post Office Register.	3. The stockholder and his parent or other guardian acting jointly.

4. Where the stockholder is of unsound mind.	4. The stockholder's committee,
5. Where the stockholder is under any disability other than those specified in the cases aforesaid.	5. Any person entitled in law to administer the stockholder's property.

(2) Where a stockholder is under any of the disabilities mentioned in the first column of the last foregoing table and the holding is held jointly by him and one or more other stockholders, an application may (without prejudice to the provisions of the next following Rule in a case in which that Rule applies) be made by the other stockholder or stockholders together with any person who, under the foregoing provisions of this Rule, would be entitled to make the application if the first-mentioned stockholder had been the sole stockholder or the last surviving stockholder on a joint account.

(3) In a case in which stock is inscribed or registered in the name of a deceased person who was a sole stockholder or the last surviving stockholder on a joint account, and the stock has not been transferred in pursuance of Regulation 5 of the Government Stock Regulations, 1918, an application may be made by his personal representative or representatives, or, if there are more than two personal representatives, a majority of them.

7. where a holding is held jointly by more than two stockholders, whether or not the stockholders are trustees within the meaning of section four of the National Loans Act, 1939, an application in respect of the holding may be made by a majority of the stockholders.

8. Where a notice in lieu of distringas is in force in respect of a holding, an application may be made by any person who would be entitled to make the application if the notice were not in force.

9.—(1) The appropriate authority may accept, as evidence of any fact on which the validity of an application depends, a statutory declaration of that fact made by not less than two competent persons.

(2) Nothing in this Rule shall be taken as imposing any obligation upon the appropriate authority to require proof by such statutory declaration as aforesaid of any fact whereof they have other evidence which they are entitled to accept and act upon.

10. Trustees within the meaning of section four of the National Loans Act, 1939, shall not be liable for any loss resulting from their not making a redemption application.

11.—(1) Where any old securities are exchanged for new securities, the new securities, and the interest thereon, shall be subject to the same trusts, charges, rights, notices in lieu of distringas and restraints, as affect the old

securities exchanged and the interest thereon respectively, and all powers of attorney, requests as to interest, and other documents relating to the old securities exchanged and the interest thereon, or either of them, shall apply to the new securities and the interest thereon respectively.

(2) In any Act passed or instrument executed before the day following the seventeenth day of January, nineteen hundred and forty, references to any old securities may, if the securities are exchanged for new securities, be construed as references to the new securities received in exchange therefor, and in the case of any testamentary instrument executed before that day, any disposition which would have operated as a specific bequest of any old securities shall, if they are exchanged for new securities, be construed as a specific bequest of the new securities.

12.—(1) The Bank, the Postmaster-General and the trustees and officers of trustee savings banks, may act on any evidence authorised by these Rules and are hereby indemnified for so doing.

(2) Nothing in these Rules shall affect the Bank, the Postmaster-General or any trustee or officer of a trustee savings bank, with notice of any trust.

13.—(1) These Rules may be cited as the Conversion Loan (Exchange or Repayment) Rules, 1940.

(2) The Interpretation Act, 1889, applies for the purpose of the interpretation of these Rules as it applies for the purpose of the interpretation of an Act of Parliament.

An Act to extend the power of the Treasury to make rules under subsection (2) of section two of the National Loans Act, 1939.

3 & 4 Geo. 6, Ch. 3. 23rd January, 1940.

1.—(1) The power of the Treasury to make rules under subsection (2) of section two of the National Loans Act, 1939, with respect to the exchange of securities in pursuance of any arrangement made by them shall include, and be deemed always to have included, power to make provision by the rules, in a case where the arrangement includes an offer of securities to be created under the said Act in exchange for securities that are to be redeemed,—

(*a*) for requiring holders of the securities that are to be redeemed desiring to receive repayment in cash in respect of their holdings on the date fixed for the redemption thereof to make an application in that behalf in accordance with the rules; and

(*b*) for securing that, if no such application is made with respect to any such securities within such period as may be provided in the rules,

the holder thereof shall be deemed, subject to the provisions of the rules, to have accepted the offer.

(2) The said power shall also include, and be deemed always to have included, power to specify by the rules the persons by whom an application accepting an offer of exchange of securities, or such an application as is mentioned in the preceding subsection, may be made in cases where—

(*a*) any holder of securities that may be exchanged has died, or is outside the United Kingdom, or is of unsound mind, or is an infant, or is otherwise under disability; or

(*b*) a notice in lieu of distringas is in force with respect to a holding.

2.—(1) This Act may be cited as the National Loans Act, 1940.

(2) This Act and the National Loans Act, 1939, shall be construed as one and may be cited together as the National Loans Acts, 1939 and 1940.

Securities (Exemption) Order, 1940.

No. 356, 15th March, 1940.

1. There are hereby exempted from the provisions of Regulation 1 of the Defence (Finance) Regulations, 1939, the securities described in the Schedule to this Order.

2. This Order may be cited as the Securities (Exemption) Order, 1940, and shall come into force on the eighteenth day of March, 1940.

SCHEDULE.

Buenos Ayres (Province of), Argentina, 5 per Cent. Sterling Loan of 1908 (Drainage Loan).

Buenos Ayres (Province of), Argentina, 5 per Cent. Consolidation Gold Loan, 1915.

Buenos Ayres (Province of), Argentina, 5 per Cent. External Gold Loan, 1910.

Chile, Republic of, 5 per Cent. Loan of 1896.

Chile, Republic of, 5 per Cent. Loan (1905).

Chile, Republic of, 5 per Cent. Loan of 1909.

Chile, Republic of, 5 per Cent. Loan, 1910.

Chile, Republic of, 5 per Cent. Loan, 1911.

Chile, Republic of, 5 per Cent. Loan, 1911 (Second Series).

Chile, Republic of, 5 per Cent. Annuities—Series A, B and C.

Chile, Republic of, 7½ per Cent. Loan of 1922.

Chile, Republic of, 6 per Cent. Sterling Loan, 1928.

Chile, Republic of, 6 per Cent. Sterling Loan, 1929.

China, Republic of, 4½ per Cent. Gold Loan of 1908.

China, Republic of, 5 per Cent. Hukuang Railways Sinking Fund Gold Loan, 1911.

China, Republic of, 5 per Cent. Gold Loan of 1912.

China, Republic of, 5 per Cent. Reorganisation Gold Loan of 1913 (All Issues).

China, Republic of, 5 per Cent. Lung-Tsing-U-Hai Railway Loan, 1913.

Egypt, Kingdom of, Unified Debt (4 per Cent).

Egyptian Guaranteed 3 per Cent. Loan.

Turkish Government 4 per Cent. Loan, 1891 (Egyptian Tribute).

Turkish Government 3⅓ per Cent. Conversion Loan, 1894 (Egyptian Tribute).

Credit Foncier Egyptien 3 per Cent. Land Mortgage Obligations.

Credit Foncier Egyptien 3 per Cent. Obligations.

Credit Foncier Egyptien 3½ per Cent. Obligations.

Greece, Kingdom of, 5 per Cent. Loan of 1881.

Greece, Kingdom of, 4 per Cent. Monopoly Loan, 1887.

Greece, Kingdom of, 5 per Cent. Loan of 1884.

Greece, Kingdom of, 4 per Cent. Rentes, 1889.

Greece, Kingdom of, 5 per Cent. Loan of 1890 (Piraeus-Larissa Railway).

Greece, Kingdom of, 5 per Cent. Funding Loan of 1893.

Greece, Kingdom of, 4 per Cent. Loan of 1902 (Greek Railways Loan).

Greece, Kingdom of, 5 per Cent. National Loan of 1907.

Greece, Kingdom of, 4 per Cent. Loan of 1910.

Greece, Kingdom of, 5 per Cent. Loan of 1914.

Mexico, United States of, Internal 5 per Cent. Consolidated Silver Loan of 1894.

Mexico, United States of, 5 per Cent. External Consolidated Gold Loan of 1899.

Mexico, United States of, 4 per Cent. Gold Bonds of 1904.

Mexico, United States of, 4 per Cent. External Gold Loan of 1910.

Mexico, United States of, 6 per Cent. 10-year Treasury Bonds of 1913, Series "A."

Roumania, Kingdom of, 4 per Cent. Consolidation Loan of 1922.

Roumania, Kingdom of, 4 per Cent. External Loan of 1922.

Roumania, Kingdom of, Monopolies Institute 7 per Cent. Guaranteed Sterling Bonds.

Roumania, Kingdom of, 4½ per Cent. Loan of 1913.

Kieff (City of) Russia 5 per Cent. Gold Loan of 1914.

Kieff (City of) Russia Municipal Electric Tramway 5 per Cent. Loan of 1914.

Perm (City of) Russia 5 per Cent. Loan of 1914.
Moscow (City of) Russia 4½ per Cent. of 1912.
Nikolaef (City of) Russia 5 per Cent. Gold Bonds of 1912.
St. Petersburg (City of) Russia 4½ per Cent. Loan of 1913.
Russia 5 per Cent. Loan (1822).
3 per Cent. Loan of 1859.
4 per Cent. Rentes, 1894.
3½ per Cent. Gold Loan of 1894.
5 per Cent. Loan, 1906.
4½ per Cent. Loan, 1909.
Consolidated 4 per Cent. Railroad Bonds (Series I).
Consolidated 4 per Cent. Railroad Bonds (Series II).
Consolidated 4 per Cent. Railroad Bonds (Series III).
Dvinsk-Vitebsk Railway 4 per Cent. Bonds.
Grand Russian Railway 4 per Cent. Bonds (Nicolas Railway), 1888.
Koursk-Kharkof-Azof Railway 4 per Cent. Bonds, Series "A."
Nicolas Railway 4 per Cent. Bonds (1st and 2nd Emissions), 1867 and 1869.
Trans-Caucasian Railway 3 per Cent. Loan.

Consolidated Fund (No. 1) Act.

3 & 4 Geo. 6 Ch. 11, 21st March, 1940.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom and apply towards making good the supply granted to His Majesty for the service of the years ending on the thirty-first day of March, one thousand nine hundred and thirty-nine and one thousand nine hundred and forty, the sum of two million, fifty-seven thousand, four hundred pounds, two shillings and five pence.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, one thousand nine hundred and forty-one, the sum of eight hundred and eighty-one million, one hundred and sixty-five thousand, four hundred pounds.

3.—(1) The Treasury may borrow from any person by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole eight hundred and eighty-three million, two hundred and twenty-two thousand, eight hundred pounds, two shillings and five pence.

(2) The date of payment of any Treasury Bills issued under this section

shall be a date not later than the thirty-first days of March, one thousand nine hundred and forty-one, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

(5) The interest on any money borrowed under this section shall be paid out of the permanent annual charge for the National Debt.

4. This Act may be cited as the Consolidated Fund (No. 1) Act, 1940.

Acquisition of Securities (No. 2) Order.

No. 527, 13th April, 1940.

1. All securities of the descriptions mentioned in the first column of the Schedule to this Order, being securities in respect of which returns have been made to the Bank of England under paragraph 2 of the Securities (Restrictions and Returns) Order, 1939, are hereby transferred to the Treasury at the prices specified in the second column of that Schedule in relation to securities of those descriptions respectively,

Provided that this Order shall not apply—

(*a*) to any securities to which such order or certificate of exemption as is mentioned in paragraph (1) of Regulation 5A of the Defence (Finance) Regulations, 1939, applies, or

(*b*) to any securities sold to a person not resident in the United Kingdom, the Isle of Man or the Channel Islands, in accordance with permission granted by or on behalf of the Treasury.

2. The reference in paragraph 1 of this Order to returns made under paragraph 2 of the Securities (Restrictions and Returns) Order, 1939, includes a reference to returns purporting to be made under that paragraph but made after the expiration of the period prescribed for the making of such returns.

3. This Order may be cited as the Acquisition of Securities (No. 2) Order, 1940.

SCHEDULE.

Description and Acquisition Price of Securities to which the Treasury Order of the 13th April, 1940, applies.

Title of Security. (Column 1)	*Price per Share.* (Column 2) £	s.	d.	
Air Reduction Company Inc. (N.Y.) Capital Stock. Shares of no par value	12	9	1	Ex dividend due 15th April.
Alpha Portland Cement Company Common Stock. Shares of no par value	3	11	11	
American Car and Foundry Company 7% Non-Cumulative Preferred Stock. Shares of $100	10	8	3	
American Car and Foundry Company Common Stock. Shares of no par value	6	12	8	
American Cyanamid Company Class "B" Common Stock. Shares of $10	9	14	7	
American Fork & Hoe Company Common Stock. Shares of no par value	3	2	0	
American Superpower Corporation $6 Cumulative 1st Preferred Stock. Shares of no par value	16	2	10	
Armour and Company (Illinois) $6 Cumulative Convertible Prior Preferred Stock. Sahers of no par value	14	5	1	
Baldwin Locomotive Works Common Stock. Shares of $13. Voting Trust Certificates	3	17	6	
Bethlehem Steel Corporation (Del.) 7% Cumulative Preferred Stock. Shares of $100	30	10	11	
Bethlehem Steel Corporation (Del.) Common Stock. Shares of no par value	19	17	10	
Bohn Aluminum & Brass Corporation Common Stock. Shares of $5	6	12	8	
Borden Company (N.J.) Capital Stock. Shares of $15	5	17	2	
Bristol-Myers Company (Del.) Capital Stock. Shares of $5	12	17	9	

Description and Acquisition Price of Securities to which the Treasury Order of the 13th April, 1940, applies—*cont.*

Title of Security, (Column 1)	*Price per Share.* (Column 2) £	s.	d.	
Buffalo, Niagara & Eastern Power Corporation $5 Cumulative 1st Preferred Stock. Shares of no par value	24	18	2	Ex dividend due 1st May.
Buffalo, Niagara & Eastern Power Corporation $1.60 Cumulative Preferred Stock. Shares of $25	5	2	3	
Case (J.I.) Company (Wis.) Common Stock. Shares of $100	16	17	1	
Celotex Corporation (Del.) Common Stock. Shares of no par value	2	13	11	
Central Hanover Bank and Trust Company Capital Stock. Shares of $20	25	16	9	
Central Power and Light Company 7% Cumulative Preferred Stock. Shares of $100	27	4	0	Ex dividend due 1st May.
Chartered Investors, Inc. $5 Cumulative Preferred Stock. Shares of no par value	20	16	5	Cum dividend due 1st June.
Chemical Bank and Trust Company Capital Stock. Shares of $10	12	9	9	
Chesapeake and Ohio Railway Company Common Stock. Shares of $25	9	17	1	
Chicago Pneumatic Tool Company (N.J.) $2.50 Cumulative Convertible Prior Preferred Stock. Shares of no par value	11	18	0	
Chicago Pneumatic Tool Company (N.J.) Common Stock. Shares of no par value	2	18	11	
Chrysler Corporation Common Stock. Shares of $5	21	16	3	
Cleveland-Cliffs Iron Company $5 Cumulative Preferred Stock. Shares of no par value	14	5	1	
Cliffs Corporation Capital Stock. Shares of $5	4	6	9	

Description and Acquisition Price of Securities to which the Treasury Order of the 13th April, 1940, applies—*cont.*

Title of Security. (Column 1)	*Price per Share.* (Column 2) £	s.	d.	
Consolidated Gas Electric Light and Power Company of Baltimore Common Stock. Shares of no par value	20	6	6	
Consolidated Oil Corporation Common Stock. Shares of no par value	1	17	3	Ex dividend due 15th May.
Continental Gas and Electric Corporation 7% Cumulative Prior Preference Stock. Shares of $100	23	2	3	
Continental Illinois National Bank and Trust Company of Chicago Common Stock. Shares of $33⅓	22	8	7	
The Continental Insurance Company Capital Stock. Shares of $2.50	10	0	2	
Crane Company 5% Cumulative Convertible Preferred Stock. Shares of $100	24	10	9	
Deere and Company Common Stock. Shares of no par value	5	12	10	
Eagle-Picher Lead Company Common Stock. Shares of $10	2	17	1	
Electric Auto-Lite Company (Ohio) Common Stock. Shares of $5	9	19	7	
Engineers Public Service Company $5.50 Cumulative Preferred Stock. Shares of no par value	20	11	5	
Fairbanks, Morse & Company Common Stock. Shares of no par value	11	14	10	
First Notional Stores, Inc. Common Stock. Shares of no par value	10	18	2	
Flintkote Company Common Stock. Shares of no par value	4	18	7	
General Electric Company (N.Y.) Common Stock. Shares of no par value	9	9	8	Ex dividend due 25th April.

Description and Acquisition Price of Securities to which the Treasury Order of the 13th April, 1940, applies—*cont.*

Title of Security. (Column 1)	*Price per Share.* (Column 2) £	s.	d.	
General Foods Corporation (Del.) Common Stock. Shares of no par value	11	18	7	
General Refractories Company Capital Stock. Shares of no par value	7	8	9	
Georgia Power Company $6 Cumulative Preferred Stock. Shares of no par value	24	8	3	
Guaranty Trust Company of New York Capital Stock. Shares of $100	74	2	1	
Hecla Mining Company Capital Stock. Shares of 25 cents	1	12	3	
Houdaille-Hershey Corporation $2.50 Class "A" Cumulative Convertible Preference Stock. Shares of no par value	9	5	11	
Household Finance Corporation (Del.) Common Stock. Shares of no par value	17	2	1	Ex dividend due 15th April.
Humble Oil and Refining Company Capital Stock. Shares of no par value	15	7	4	
International Business Machines Corporation (N.Y.) Capital Stock. Shares of no par value	43	7	5	
International Harvester Company (N.J.) Common Stock. Shares of no par value	14	2	7	Ex dividend due 15th April.
Jersey Central Power and Light Company 5½% Cumulative Preferred Stock. Shares of $100	22	16	1	
Jones and Laughlin Steel Corporation Common Stock. Shares of $100	7	6	3	
Kroger Grocery & Baking Company (Ohio) Common Stock. Shares of no par value	8	8	7	Cum dividend due 1st June.
Lambert Company (Del.) Common Stock. Shares of no par value	3	18	9	

Description and Acquisition Price of Securities to which the Treasury Order of the 13th April, 1940, applies—*cont.*

Title of Security. (Column 1)	*Price per Share.* (Column 2) £ s. d.	
Lone Star Cement Corp. (Me.) Common Stock. Shares of no par value	10 16 11	
Massachusetts Utilities Associates 5% Cumulative Convertible Participating Preferred Stock. Shares of $50	7 13 8	Ex dividend due 15th April.
May Department Stores Company Common Stock. Shares of $10	12 17 9	
Midland Steel Products Company 8% Cumulative 1st Preferred Stock. Shares of $100	29 7 5	
Mississippi Power & Light Company $6 Cumulative 1st Preferred Stock. Shares of on par value	21 1 4	Ex dividend due 1st May.
The National City Bank of New York Capital Stock. Shares of $12.5	7 5 8	
National Lead Company (N.J.) Common Stock. Shares of $10	5 7 3	
New York Central Railroad Company Capital Stock. Shares of no par value	4 3 1	
New York, Chicago and St. Louis Railroad Company 6% Cumulative Preferred Stock Series "A". Shares of $100.	8 1 9	
Ohio Edison Company $7 Cumulative Preferred Stock. Shares of no par value	28 10 1	
Omnibus Corporation Common Stock. Shares of $6	3 6 4	
Otis Elevator Company Common Stock. Shares of no par value	3 17 6	
Pacific Gas & Electric Company Common Stock. Shares of $25	8 9 10	Ex dividend due 15th April.
Packard Motor Car Company Common Stock. Shares of no par value	0 17 5	

Description and Acquisition Price of Securities to which the Treasury Order of the 13th April, 1940, applies—*cont.*

Title of Security. (Column 1)	*Price per Share.* (Column 2) £ s. d.	
Philadelphia Company 6% Cumulative Preferred Stock. Shares of $50	11 8 1	Ex dividend due 1st May.
Philip Morris & Company Ltd. Inc. Capital Stock. Shares of $10	23 8 5	
Prudential Investors, Inc. (Del.) $6 Cumulative Preferred Stock. Shares of no par value	24 17 7	Ex dividend due 15th April.
Public Service Corporation of New Jersey 6% Cumulative Preferred Stock. Shares of $100	31 5 10	Ex dividends due 15th April and 15th May.
Pullman Incorporated (Del.) Capital Stock. Shares of no par value	6 8 11	
Radio Corporation of America $3.50 Cumulative Convertible 1st Preferred Stock. Shares of no par value	16 17 1	
Schenley Distillers Corporation Common Stock. Shares of $5	3 7 7	
Starrett (L.S.) Company Common Stock. Shares of no par value	8 4 10	
Tide Water Associated Oil Company (Del.) Common Stock. Shares of $10	2 12 1	
Union Pacific Railroad Company 4% Non-Cumulative Preferred Stock. Shares of $100	20 18 11	
United Carbon Company (Del.) Common Stock. Shares of on par value	15 18 6	
United Shoe Machinery Corporation (N.J.) Common Stock. Shares of $25	18 2 6	
United States Rubber Company (N.J.) Common Stock. Shares of $10	8 15 5	