

(3) Where the offence against an order of the Ministry is committed by a corporation or company, every director and officer of the corporation or company shall be guilty of the like offence, unless he proves that the act constituting the offence took place without his knowledge or consent.

(4) Where, under an order of the Ministry, any act if done without lawful authority, or without lawful authority or excuse, is an offence against the order of the Ministry, the burden of proving that the act was done with lawful authority, or with lawful authority or excuse, shall rest on the person alleged to be guilty of the offence.

3.—(1) A person alleged to be guilty of an offence against an order of the Ministry may be tried by a court of summary jurisdiction constituted in accordance with this section, and not otherwise.

(2) A prosecution in respect of an offence against an order of the Ministry shall not be instituted except by a police officer or constable, or by or with the consent of the Attorney General for Northern Ireland.

(3) Any person aggrieved by a conviction of a court of summary jurisdiction for any offence against an order of the Ministry may appeal in manner provided by the Summary Jurisdiction Acts (Northern Ireland).

(4) A court of summary jurisdiction, when trying a person charged with an offence against an order of the Ministry, shall be constituted of two or more resident magistrates, but one resident magistrate may act alone in doing anything antecedent to the hearing of the charge under the order, or in adjourning a court or the hearing of a case, or in committing the defendant to prison or admitting him to bail, until the time to which the court or case has been adjourned.

4.—A person convicted of an offence against an order of the Ministry shall be liable to be sentenced to imprisonment with or without hard labour for a term not exceeding two years or to a fine not exceeding one hundred pounds or to both such imprisonment and fine, and the court may in addition to any other sentence which may be imposed order that any goods or articles in respect of which the offence has been committed shall be forfeited."

PART II.

ENACTMENTS IN WHICH THE MINISTRY IS TO BE SUBSTITUTED FOR THE MINISTER OF HOME AFFAIRS AND THE MINISTRY OF HOME AFFAIRS.

1.—The Civil Defence Acts (Northern Ireland), 1938 and 1939.

2.—The Constabulary Acts (Northern Ireland), 1922 to 1934, and the Special Constables Act, 1914, as it applies in Northern Ireland.

Transfer of Functions.

ORDER, DATED THE 25TH DAY OF JUNE, 1940, MADE BY THE GOVERNOR OF NORTHERN IRELAND UNDER SECTION 1 OF THE MINISTRIES ACT (NORTHERN IRELAND), 1940.

1940. No. 97.

BY THE GOVERNOR OF NORTHERN IRELAND.

ABERCORN.

Whereas by sub-section (3) of section one of the Ministries Act (Northern Ireland), 1940, it is provided that the Governor of Northern Ireland may by order transfer to the Ministry of Public Security established by the said Act (in this order referred to as "the Ministry") from any department any functions exercisable by such department (whether under any enactment or otherwise) in relation to or connected with any of the purposes mentioned in sub-section (2) of the said section, that is to say, public security, civil defence, the preservation of the peace and the maintenance of order, the co-ordination of civil defence services and the protection of persons and property from injury or damage, in the present emergency, or may by order direct that the Ministry and such department shall exercise any of the said functions concurrently :

Now I, James Albert Edward, Duke of Abercorn, Knight of the Most Noble Order of the Garter, Knight of the Most Illustrious Order of Saint Patrick, Governor of Northern Ireland, in exercise of the powers conferred upon me by sub-section (3) of section one of the said Act, and of all other powers enabling me in this behalf, do hereby order that the following functions shall be, and are hereby, transferred to the Ministry, that is to say :—

1.—The functions exercisable by the Ministry of Home Affairs under the Civil Defence Acts (Northern Ireland), 1938 and 1939.

2.—The functions exercisable by the Minister of Home Affairs and the Ministry of Home Affairs in relation to the Royal Ulster Constabulary and to Special Constables whether under the Constabulary Acts (Northern Ireland), 1922 to 1934, or the Special Constables Act, 1914, or otherwise, except functions exercisable under the Civil Authorities (Special Powers) Acts (Northern Ireland), 1922 and 1933.

Given at the Houses of Parliament, Stormont, this 25th day of June, one thousand nine hundred and forty.

By His Grace's Command.

Craigavon.

Prohibition of Processions.

1940. No. 69.

Whereas it is provided by sub-section 2 of Section 1 of the Ministries Act (Northern Ireland), 1940, that the Ministry of Public Security for Northern Ireland (hereinafter referred to as "the Ministry") shall have power to issue such Orders as the Minister of Public Security for Northern Ireland may consider necessary