

THE JOINT MILK COUNCIL (ELECTION OF MEMBERS BY DISTRIBUTORS) REGULATIONS (NORTHERN IRELAND), 1941, DATED THE TWENTY-EIGHTH DAY OF NOVEMBER, 1941, MADE BY THE MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND UNDER SECTION NINE OF THE MILK AND MILK PRODUCTS ACT (NORTHERN IRELAND), 1934, (24 AND 25 GEO. V. Ch. 16).

1941. No. 204.

The Ministry of Agriculture for Northern Ireland in exercise of the powers conferred on it by Section Nine of the Milk and Milk Products Act (Northern Ireland), 1934, and of every other power enabling it in that behalf, hereby makes the following Regulations, that is to say:—

1.—These Regulations may be cited as the Joint Milk Council (Election of Members by Distributors) Regulations (Northern Ireland), 1941, and shall be construed as one with the Joint Milk Council (Election of Members by Distributors) Regulations (Northern Ireland), 1937 (a).

2.—As from the date hereof Part III, paragraphs 8 and 9, of the Joint Milk Council (Election of Members by Distributors) Regulations (Northern Ireland), 1937 (a), shall cease to have effect until the expiration of a period of six months after such date as the Governor of Northern Ireland may by Order in Council declare to be the date on which the present emergency came to an end.

In witness whereby the Official Seal of the Ministry of Agriculture for Northern Ireland is hereunto affixed this 28th day of November, Nineteen hundred and forty-one, in the presence of

(L.S.)

(Signed) *G. S. Robertson,*

Secretary.

MINISTRY OF PUBLIC SECURITY.

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Adaptation of Enactments, p. 71.*

*Variation of Order in Council as
to establishment of, p. 75.*

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of Functions to, p. 76.*

Transfer of Functions and Adaptation of Enactments.

ORDER IN COUNCIL, DATED 28TH NOVEMBER, 1941, MADE UNDER SECTION THREE OF THE MINISTRIES ACT (NORTHERN IRELAND), 1940, AND SECTION ONE OF THE MINISTRIES ACT (NORTHERN IRELAND), 1941.

1941. No. 199.

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND.

ABERCORN.

WHEREAS by section one of the Ministries Act (Northern Ireland), 1941 (in this Order referred to as "the Act of 1941") it is provided that the Governor of Northern Ireland may by Order in Council transfer from the Minister of Public Security and the Ministry of Public Security to any other department any of the powers specified in sub-section (2) of section one of the Ministries Act (Northern Ireland), 1940 (in this Order referred to as "the Act of 1940") and any functions which, before the passing of the Act of 1941, were, or could have been, transferred by an order under sub-section (3) of the said section; that section three of the Act of 1940 shall apply for the purpose of giving full effect to the Act of 1941; and that any Order in Council or other Order made under the Act of 1940 may be varied or revoked by an Order in Council made under the Act of 1941;

AND WHEREAS by section three of the Act of 1940 it is provided that the said Governor may by Order in Council make such incidental, consequential and supplemental provisions as may be necessary or expedient for giving full effect to the Act of 1940, including provisions for such matters as are mentioned in sub-section (1) of the said section three, and that any such Order in Council may be varied or revoked by a subsequent Order in Council; and by virtue of section one of the Act of 1941 the like provision may be made by Order in Council for the purpose of giving full effect to that Act;

AND WHEREAS it is expedient that the powers of the Minister and the Ministry of Public Security for the purpose of the preservation of the peace and the maintenance of order, being powers specified in sub-section (2) of section one of the Act of 1940, and the other functions in relation to or connected with the said purpose which, before the passing of the Act of 1941, were transferred to that Ministry by an Order made under sub-section (3) of the said section, should be transferred to the Minister and the Ministry of Home Affairs:

AND WHEREAS, for the purpose of giving full effect to the Act of 1940 and the Act of 1941, it is expedient that provision should be made, and certain enactments should be modified and adapted, as hereafter appearing in this Order:

NOW, THEREFORE, 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, by and with the advice of the Privy Council of Northern Ireland, in exercise of the powers conferred upon me by the enactments of the Act of 1940 and the Act of 1941 hereinbefore recited, do hereby order as follows:—

1.—(1) This Order may be cited as the Ministries (Transfer of Functions and Adaptation of Enactments) Order, 1941.

(2) In this Order the word “formerly” shall be construed as referring to times previous to the commencement of the Act of 1940, and the expression “Order of 1940” means the Ministry of Public Security (Adaptation of Enactments) Order, 1940.

(3) The Interpretation Act, 1921, applies for the purpose of the interpretation of this Order in like manner as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

2.—The functions exercisable by the Minister of Public Security and the Ministry of Public Security for the purpose of the preservation of the peace and the maintenance of order, and in relation to the Royal Ulster Constabulary and Special Constables, shall be, and are hereby, transferred—

(a) to the Minister of Home Affairs, to the extent to which they were formerly exercisable by that Minister ; and

(b) to the Ministry of Home Affairs, to the extent to which they were formerly exercisable by that Ministry.

3.—(1) In the Constabulary Acts (Northern Ireland), 1922 to 1934, and the Special Constables Act, 1914 (as it applies in Northern Ireland) references to the Ministry of Public Security which, by virtue of the Order of 1940, were substituted for references to the Minister of Home Affairs or the Ministry of Home Affairs, shall be construed as formerly.

(2) In paragraph (b) of section two of the Fisheries (Flax Water) Act (Northern Ireland), 1941, the reference to the Ministry of Public Security shall be construed as a reference to the Ministry of Home Affairs.

4.—(1) All property, rights and liabilities of the Ministry of Public Security held, enjoyed or incurred in connection with the functions transferred by this Order shall, subject to the provisions of paragraph (4) of this Article, be transferred to the Ministry of Home Affairs ; and accordingly, by virtue of this Order and without further conveyance, transfer or assignment—

(a) the said property, real or personal, shall vest in the Ministry of Home Affairs ;

(b) the said rights shall be enjoyed by the said Ministry ; and

(c) the said liabilities shall become liabilities of the said Ministry.

(2) Anything commenced by or on behalf of the Ministry of Public Security before the date hereof in connection with the functions transferred by this Order may be carried on or completed by or on behalf of the Ministry of Home Affairs.

(3) The name of the Ministry of Home Affairs shall be substituted for the name of the Ministry of Public Security in any instrument,

contract or legal proceedings made or commenced before the date hereof in connection with the functions transferred by this Order.

(4) Where any property, rights or liabilities of the Ministry of Public Security were formerly held, enjoyed or incurred by the Minister of Home Affairs, or would, but for the operation of the Act of 1940, have been property, rights or liabilities of that Minister, the foregoing provisions of this Article shall have effect as if for references therein to the Ministry of Home Affairs there were substituted references to the Minister of Home Affairs.

5.—Paragraph 2 of Part II of the Schedule to the Order of 1940, and paragraph 2 of the Order made by the Governor of Northern Ireland on the 25th day of June, 1940, under sub-section (3) of section one of the Act of 1940, are hereby revoked.

6.—In section six of the Education (Emergency Provisions) Act (Northern Ireland), 1940, the reference to the Ministry of Public Security shall be construed as including a reference to the Ministry of Home Affairs.

7.—Section three of the Civil Authorities (Special Powers) Act (Northern Ireland), 1922, as set out with modifications and adaptations in Part I of the Schedule to the Order of 1940, shall be subject to the following further modifications, that is to say :—

- (a) in sub-section (1) the words “ constituted in accordance with this section and not otherwise ” shall be omitted ;
- (b) sub-section (4) shall not have effect.

8.—The modifications and adaptations effected by this Order shall apply to any rule, regulation, order or other instrument made or issued in connection with the functions transferred by this Order under any of the enactments so modified or adapted and in force immediately before the making of this Order in like manner as they apply to the enactment under which the instrument was made or issued, and any such rule, regulation, order or other instrument shall continue in force in like manner and subject to the like powers of revocation and alteration as if it had been made or issued under the said enactment as so modified or adapted.

Given at Stormont Castle, Belfast, this twenty-eighth day of November, 1941.

John M. Andrews.
Glentoran.

R. Dawson Bates.

John F. Gordon.

J. H. Robb.

Basil Brooke.

W. Grant.
