



# Civil Defence Act 1939

## 1939 CHAPTER 31

### PART III

#### PRIVATE SHELTERS AND TRAINING IN CERTAIN FACTORIES, MINES AND BUILDINGS.

#### **12 Application of Part III.**

This Part of this Act, except the provisions thereof relating to the training of employed persons, shall apply only in relation to areas specified in that behalf in an order made by the Minister, and accordingly in this Part of this Act, except in the said provisions, references to factory premises, mines and commercial buildings shall be construed as references to factory premises, mines and commercial buildings (as defined for the general purposes of this Act) which are situate in such an area :

Provided that the Minister may by order declare that any specified factory premises, mine or commercial building shall be treated for the purposes of this Part of this Act as if the premises, mine or building were included in such an area as aforesaid, and while such an order is in force the premises, mine or building shall be so treated accordingly.

#### **13 Code for occupiers of factories, and c.**

- (1) For the guidance of occupiers and owners of factory premises, factories, mines and commercial buildings, and other persons concerned, in providing air-raid shelter, the Minister shall issue a code prescribing requirements with which the shelter must comply, and giving advice as to incidental matters and as to methods to be followed in providing the shelter, or, if such a code has been issued before the commencement of this Act, he may by order approve the code for the purposes of this Act; and he may from time to time by order revise any such code by revoking, varying or adding to its provisions.
- (2) In this Act the expression " the code " means the said code as for the time being in force, or, in relation to shelter provided before the issue or approval of any such code, the said code as first issued or approved, and the expression " shelter of the approved standard " means air-raid shelter which at least complies with all the requirements prescribed by the code :

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Provided that any air-raid shelter provided before the passing of this Act which the Minister is satisfied is substantially equivalent to shelter which complies with all the requirements prescribed by the code shall be deemed for the purposes of this Act to be shelter of the approved standard.

#### **14 Duty of occupiers of factory premises and owners of mines and commercial buildings to make reports.**

- (1) It shall be the duty of every person who is the occupier of any factory premises, the owner of any mine or the owner of any commercial building—
  - (a) not later than three months from the appropriate date to make a report in writing, in the case of factory premises to the factory inspector for the district, in the case of a mine to the mines inspector for the district, and in the case of a commercial building, to the local authority, stating what measures he has taken or is taking or proposing to take to provide air-raid shelter for the persons working or living in the factory premises, working in or about the mine, or working or living in the commercial building, as the case may be;
  - (b) on the completion of any works mentioned in any such report which have not been begun or are still incomplete at the date of the report, to report their completion in writing to the said inspector or local authority, as the case may be.
- (2) If any person fails to make a report which he is required to make under the preceding subsection, he shall be liable on summary conviction to a fine not exceeding one hundred pounds, and, if the failure in respect of which he was so convicted continues after the conviction, he shall be liable on summary conviction to a fine not exceeding ten pounds for each day on which the failure so continues :

Provided that no person shall be convicted of an offence under this section in relation to any commercial building if he proves that he did not know, and had no reasonable ground for suspecting, that the building was a commercial building.

- (3) In this section the expression " the appropriate date " means, in relation to any factory premises, mine or commercial building, whichever of the three following dates is the latest, that is to say—
  - (a) the first issue or approval of a code under the last preceding section;
  - (b) the making of an order applying this Part of this Act to, or to an area containing, the premises, mine or building;
  - (c) the fulfilment of the conditions specified in the definition of " factory premises ", " mine ", or " commercial building ", as the case may be, contained in the provisions of this Act defining those expressions for the general purposes thereof.

#### **15 Power of occupier or owner to execute works.**

- (1) Subject to the provisions of this Part of this Act as to appeals and notices, the occupier of any factory premises, the owner of any mine and the owner of any commercial building may execute any works for the purpose of providing shelter of the approved standard in the premises, or, in the case of a mine or commercial building, in any part of the mine or building or on any land appurtenant to the mine or building.

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- (2) Before commencing any such works, the occupier of any factory premises who is not the owner of the whole of the premises and the owner of any commercial building who is not the occupier of the whole of the building shall serve upon the persons hereinafter mentioned a notice in writing stating his intention to provide shelter of the approved standard, specifying with such particularity as the occupier or owner thinks reasonably necessary the nature and situation of the shelter, and specifying the number of persons that the shelter is to be constructed to accommodate.
- (3) The said notice shall, in the case of factory premises, be served on the immediate landlord of the occupier, or, where he holds different parts of the premises under different landlords, on each of his immediate landlords, and, in the case of a commercial building, shall be served on—
- (a) every lessee of the whole or any part of the building whose lease is immediately derived from the estate or interest of the owner; and
  - (b) the occupier of the building, or, where different parts of the building are occupied by different persons, each of those persons.
- (4) Where the occupier of factory premises or the owner of a commercial building holds any part of the premises or building on lease, he shall, before commencing any such works, serve upon his immediate landlord, or where he holds different parts of the premises or building under different landlords, on each of his immediate landlords, such a notice as is mentioned in subsection (2) of this section, and each person upon whom such a notice or a copy thereof is served in satisfaction of an obligation imposed by this subsection, shall within seven days from the date of the service of the notice or copy himself serve a copy thereof upon his immediate landlord or landlords, if any :
- Provided that, where the occupier of factory premises has, under the said subsection (2) served a copy of a notice on any person, the service of that notice shall be treated as satisfying his obligation under this subsection to serve a notice on that person.
- (5) The rights conferred by this section on the occupier of factory premises, the owner of a mine and the owner of a commercial building shall be exercisable by him notwithstanding any limitation on his interest in the premises, mine or building or any agreement or restrictive covenant to the contrary, and notwithstanding, in the case of the owner of a commercial building, that he is not in occupation of the part of the building, or the land affected, and the person who exercises any such right shall not be liable to pay damages for anything done by him which is reasonably necessary for the due exercise of the right.

## **16 Power of factory inspector, mines inspector or local authority to require provision of air-raid shelter.**

- (1) A factory inspector may serve on the occupier of factory premises, a mines inspector may serve on the owner of a mine, and the local authority may serve on the owner of a commercial building (whether or not any report has been made under the preceding provisions of this Part of this Act) a notice in writing requiring him to provide air-raid shelter of the approved standard for all or any of the persons working or living in the factory premises, working in or about the mine, or working or living in the commercial building, as the case may be.
- (2) Any such notice shall specify with such particularity as the inspector or authority thinks or think reasonably necessary the nature and situation of the shelter, and shall specify the number of persons that the shelter is to be constructed to accommodate.

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- (3) Any such notice shall also state—
- (a) that the shelter is to be provided within such time as may be specified in the notice or such longer time as the Minister may allow;
  - (b) that that time will begin to run twenty-eight days after the service of the notice, or, if an appeal is brought against the notice, from the date of the determination or abandonment of the appeal.
- (4) An occupier or owner on whom such a notice has been served shall not exercise any power to execute works conferred by the last preceding section except for the purpose of complying with the said requirements.
- (5) If any person fails to comply with the requirements of a notice served on him under this section, he shall be liable on summary conviction to a fine not exceeding one hundred pounds and, if the default in respect of which he was so convicted continues after the conviction, he shall be liable on summary conviction to a fine not exceeding fifty pounds for each day on which the default so continues :

Provided that the court by which a person is convicted of an offence may fix a reasonable period from the date of conviction for compliance by the defendant with the requirements of the notice, and, where a court has fixed such a period, the said daily penalty shall not be recoverable in respect of any day before the expiration thereof.

- (6) Where a notice is served under this section on the occupier of factory premises who is not the owner of the whole of the premises, he shall, within fourteen days from the date of the service of the notice on him, serve a copy thereof on his immediate landlord, or, where he holds different parts of the premises under different landlords, on each of his immediate landlords.
- (7) Where a notice is served under this section on the owner of a commercial building who is not the occupier of the whole of the building, he shall, within fourteen days from the date of the service of the notice on him, serve a copy thereof on—
- (a) every lessee of the whole or any part of the building whose lease is immediately derived from the estate or interest of the owner; and
  - (b) the occupier of the building or, where different parts of the building are occupied by different persons, each of those persons.
- (8) Where a notice is served under this section on the occupier of factory premises or the owner of a commercial building and the occupier or owner holds any part of the premises or building on lease, he shall within fourteen days from the date of the service of the notice on him serve a copy thereof upon his immediate landlord or where he holds different parts of the premises or building under different landlords, on each of his immediate landlords, and each person upon whom a copy of such a notice is served in satisfaction of an obligation imposed by this subsection shall within seven days from the date of the service of the copy on him himself serve a copy upon his immediate landlord or landlords, if any:

Provided that, where the occupier of factory premises has under subsection (6) of this section served a copy of a notice on a person, the service of the copy shall be treated as satisfying his obligation under this subsection to serve a copy on that person.

- (9) A notice under this section requiring the provision of air-raid shelter shall be deemed to be complied, with if, by an agreement under Part II of this Act between the occupier of the premises or the owner of the building, as the case may be, and the local authority for the purposes of that Part, that shelter is provided in a public air-raid shelter.

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## 17 Appeals.

- (1) Where a notice is served under subsection (2) of section fifteen or subsection (1) of section sixteen of this Act, any person who was served thereunder with the notice or is entitled to any interest which may, under the provisions of this Part of this Act relating to factory premises occupied under short leases, become the subject of a charge in respect of the expenses of the occupier of the premises in providing the shelter to which the notice relates, or is, under the provisions of this Part of this Act relating to increases of rent in the case of certain commercial buildings, liable to an increase of rent in respect of the expenses of the owner of the building in providing the said shelter, may, within the period specified in subsection (4) of this section, appeal to the Minister on the ground that—
  - (a) the proposals or requirements of the notice are not appropriate, or are not those most appropriate to the circumstances of the case; or
  - (b) it is not reasonable to require the provision of any air-raid shelter in the case of the premises, mine or building.
- (2) If the Minister allows an appeal on the ground specified in paragraph (a) of subsection (1) of this section, he shall vary the terms of the notice in such manner as he thinks fit and if he allows it on the ground specified in paragraph (b) thereof, he shall cancel the notice.
- (3) Where under either of the last two preceding sections an occupier or owner has served a notice, or is required to serve a copy of a notice served upon him, with respect to air-raid shelter, he shall not begin to execute works for the purpose of providing the shelter to which the notice relates before the expiration of the period specified in subsection (4) of this section, or, if within that period an appeal is brought against the notice, until the determination or abandonment of the appeal.
- (4) The period referred to in the preceding provisions of this section shall,—
  - (a) where a notice has been served by a factory inspector, mines inspector or local authority, be twenty-one days from the service of the notice by that inspector or authority;
  - (b) in the case of factory premises where no notice has been served by a factory inspector, be fourteen days from the service of the notice by the occupier;
  - (c) in the case of a commercial building where no notice has been served by the local authority, be fourteen days from the service of the notice by the owner.

## 18 Provisions as to factory premises occupied under short leases.

- (1) The provisions of this section shall have effect where the occupier of factory premises who is not the owner of the whole of the premises incurs expenses in executing works in pursuance of a notice served by or on him under the preceding provisions of this Part of this Act, being a notice which or, as the case may be, a copy of which, has been duly served on all the persons on whom the occupier is required to serve it by the said provisions, and not being a notice cancelled on appeal.
- (2) On the termination, within the period of ten years immediately following the date of the completion of the works, of any tenancy of the whole or any part of the premises, being a tenancy in existence at that date, the interest expectant on the termination of the tenancy shall, unless it is otherwise agreed in connection with the works or after the completion thereof, be charged in favour of the outgoing tenant with a sum which bears to the net ascertained cost of the works, the proportion which so much of the

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said period as is unexpired at the termination of the tenancy bears to the whole of the period.

- (3) In this section, the expression " the net ascertained cost of the works," means such sum as may, within the six months next following the completion of the works, be agreed by all persons entitled to interests which may become subject to such a charge as aforesaid, or as may be decided in proceedings commenced within the said six months, to be the amount of the reasonable expenses incurred in executing the works, as reduced by any grant out of moneys provided by Parliament towards those expenses:

Provided that, in relation to a tenancy not extending to the whole of the premises, the said expression shall be construed as if for the reference to the amount of the said expenses reduced as aforesaid, there were substituted a reference to an amount bearing to that amount (as so reduced) the same proportion that the annual value, at the date of the completion of the works, of the premises comprised in the tenancy bears to the annual value at that date of the whole of the premises.

Where the air-raid shelter which has been provided in pursuance of the notice provides a greater degree of protection or accommodation than is contemplated by the code, no greater expense shall be deemed for the purposes of this subsection to have been reasonably incurred in executing the works for the purpose of providing the shelter than would have been so incurred if that greater degree of protection or accommodation had not been provided.

- (4) Any charge created by this section on any interest in factory premises shall have priority over all other incumbrances on that interest, except charges created or arising under any enactment authorising a charge for the recovery of expenses incurred by a local authority and charges created under any enactment authorising advances of public money; and any charge created under this section may be registered under section ten of the Land Charges Act, 1925, as a land charge of Class A and the person in whose favour the charge is created shall, for the purpose of enforcing it, have the same powers and remedies under the Law of Property Act, 1925, and otherwise, as he would have if he were a mortgagee by deed having powers of sale and lease, and of appointing a receiver.
- (5) The provisions of this section shall have effect in relation to any tenancy notwithstanding any term thereof requiring the tenant to pay outgoing or any similar term.
- (6) Where the occupier of factory premises has become liable to pay any sums to the local authority (for the purposes of Part II of this Act) under an agreement for the provision by that authority of a public air-raid shelter for the use, in whole or in part, of persons working or living in the premises, subsections (2) to (5) of this section shall apply as if those sums were expenses incurred in executing works in pursuance of a notice duly served by the occupier under the preceding provisions of this Part of this Act (not being a notice cancelled on appeal), and as if the date of the conclusion of the agreement were the date of the completion of the works.

## **19 Provisions as to commercial buildings when owner does not occupy the whole building.**

- (1) Where works are, by virtue of this Part of this Act, executed by the owner of a commercial building in any part thereof of which he is not the occupier, the occupier of that part of the building shall be entitled to recover from the owner compensation

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for any damage he has sustained by reason of any interference with his use of that part of the building during the execution of the works.

Any such compensation shall be charged on the estate or interest of the owner in the building, and any such charge shall have priority over all other encumbrances on that estate or interest, except charges arising under any enactment authorising a charge for the recovery of expenses incurred by a local authority and charges created under any enactment authorising advances of public money, and may be registered under section ten of the Land Charges Act, 1925, as a land charge of Class A, and the person in whose favour the charge is created shall, for the purpose of enforcing it, have the same powers and remedies under the Law of Property Act, 1925, and otherwise, as he would have if he were a mortgagee by deed having powers of sale and lease and of appointing a receiver.

- (2) Where the usefulness of any part of a commercial building is impaired by reason of the execution therein of any works by virtue of this Part of this Act by the owner of the building, then, unless it is otherwise agreed in connection with, or after, the provision of the shelter, the rent payable under every lease derived from the estate or interest of the owner, being a lease in existence at the date of the completion of the works and comprising the part of the building the usefulness of which is so impaired, shall be decreased to the extent and for the period specified in the subsequent provisions of this section.
- (3) The said decrease shall be at an annual rate equal to the diminution of the annual value of the part of the building ascribable to the impairment, ascertained as at the date of the completion of the works.
- (4) Where a notice has been served under the preceding provisions of this Part of this Act by or on the owner of a commercial building who is not the occupier of the whole of the building and the owner has incurred expenses in providing shelter of the approved standard in pursuance of the notice, then, unless the notice has been cancelled on appeal, the rent payable under every lease derived from his estate or interest (being a lease in existence at the date of the completion of the works) shall, unless it is otherwise agreed in connection with, or after, the provision of the shelter, be increased to the extent and for the period specified in the subsequent provisions of this section :

Provided that no increase shall be payable by any person unless the owner has served the notice, or, as the case may be, a copy thereof, on all the persons on whom he is required to serve it by the preceding provisions of this Part of this Act within the time limited by those provisions.

- (5) The said increase shall be at the annual rate of the total of the two following amounts, that is to say :—
  - (a) one-tenth of the expenses of the owner under the notice;
  - (b) any diminution of the annual value of any part of the building ascribable to an impairment of the usefulness thereof by reason of the execution of the works ascertained as at the date of the completion of the works :

Provided that, in the case of a lease of part of a commercial building, the increase shall be calculated by reference not to the whole of the said total but to an amount bearing thereto the same proportion as the annual value of the part of the building at the date of the completion of the works bears to the annual value of the whole building at that date.

- (6) The said increase shall operate in relation to a lease notwithstanding that the rent payable thereunder is decreased under the provisions of subsection (2) of this section,

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and any such increase and any such decrease shall be set off against each other accordingly.

- (7) The rent on which any such increase or decrease as aforesaid operates is all rent payable under the lease in question in respect of any rent period beginning after the date of the completion of the works :

Provided that no increase or decrease shall operate in respect of more than ten years.

In this subsection the expression " rent period " means the quarter or other period in respect of which an instalment of rent becomes payable under the lease in question.

- (8) In this section the expression " expenses " in relation to a notice means the expenses reasonably incurred by the owner in providing shelter of the approved standard in pursuance of the notice together with—
- (a) the amount of any compensation properly paid by the owner under subsection (1) of this section; and
  - (b) where the owner is the occupier of any part of the building in which works were executed for the purpose of providing the shelter, the amount of compensation which he would have been entitled to recover under that subsection from the owner of the building if he himself had not been the owner thereof, and the works had been done by the owner by virtue of the provisions of this Part of this Act.

Where air-raid shelter which has been provided in pursuance of the notice provides a greater degree of protection or accommodation than is contemplated by the code, no greater expense shall be deemed for the purposes of this subsection to have been reasonably incurred in executing the works for the purpose of providing the shelter than would have been so incurred if that greater degree of protection or accommodation had not been provided.

- (9) Notwithstanding anything in this section, if any lessee proves that he or his predecessor in title, as the case may be, was not a person on whom the notice or a copy of the notice in question was required to be served by the preceding provisions of this Act and had no reasonable opportunity of appealing to the Minister against the notice and that by reason of his or his said predecessor's inability to appeal he has suffered damage, such reduction shall be made in the amount of the increase of the rent payable under his lease as may be just.
- (10) A surety for the payment of any rent which is increased under this section shall not be discharged by reason of the increase but shall not be liable in respect of the increase.
- (11) Where an owner claims or could have claimed an increase of rent under this section in respect of any expenses, he shall not be entitled to claim those expenses or any part thereof under any term of a lease requiring the tenant to pay outgoings or any similar term.
- (12) Subsections (4), (5), (7), (10) and (11) of this section shall apply in relation to any sums for which the owner of a commercial building becomes liable to a local authority (for the purposes of Part II of this Act) under an agreement for the provision of a public air-raid shelter for the use, in whole or in part, of persons working or living in the building, as if—
- (a) the owner had provided shelter of the approved standard in pursuance of a notice duly served by him under the preceding provisions of this Part of this



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Act (not being a notice cancelled on appeal) and the said sums were expenses under that notice; and

- (b) the date of the conclusion of the agreement were the date of the completion of the works.

## **20 Contributions in respect of works commenced before the passing of this Act.**

- (1) Where any person having any estate or interest in factory premises or a commercial building or any part thereof has, before the passing of this Act, commenced works for the purpose of providing air-raid shelter of the approved standard for all or any of the persons working or living in the premises or building, he may make a claim to the tribunal by which claims for compensation and increases and decreases of rent are determined under this Act for the payment of contributions by all or any of the persons hereinafter mentioned towards the expenses incurred in providing the shelter, and the said tribunal may order the payment of such contributions by such of the said persons as it considers just.
- (2) The persons liable to make contributions under the preceding subsection are persons having an estate in fee simple or a leasehold interest in the factory premises or commercial building, or any part thereof, being an estate or interest in existence at the passing of this Act or at the date of the completion of the works, whichever is the later, and not being an estate or interest in reversion expectant on a lease the unexpired term of which is ten years or more.
- (3) The said tribunal in determining a claim under this section—
- (a) may set aside or vary the terms of any agreement entered into before the passing of this Act to such extent as may be necessary to give effect to its determination;
- (b) may order that the contributions (if any) shall take the form of increases or decreases of rent, or of lump sum or periodical payments, and, if they take the form of payments, may order that they shall be charged on the interests of the persons liable therefor.
- (4) In this section, references to the expenses incurred by any person in providing air-raid shelter shall include references to—
- (a) any sum which he is liable to pay as compensation for interference with the use of any part of the factory premises or commercial building during the execution of the works, or for the impairment of the value of any such part by reason of the execution of the works;
- (b) if the works are executed in a part of the premises or building occupied by him or impair the value of a part in which he has an estate or interest, such sum as may be just in respect of the interference with the use of that part or, as the case may be, the impairment of its value.
- (5) The provisions of this Act relating to the determination of claims for compensation and increases and decreases of rent shall apply in relation to the determination of claims for contributions under this section.

## **21 Saving for rights of occupier or owner existing apart from this Part.**

Nothing in this Part of this Act shall be construed as preventing the occupier of any factory premises, the owner of any mine or the owner of any commercial building from doing anything with a view to providing air-raid shelter which he would have

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been entitled to do if this Part of this Act had not been enacted, unless the doing thereof is inconsistent with compliance with the requirements of a notice duly served on him under this Part of this Act.

## **22 Exchequer grants in respect of provision of air-raid shelter in factory premises, mines, commercial buildings, and c.**

- (1) Subject to the provisions of this section, there shall be paid out of moneys provided by Parliament to every occupier of factory premises and to every owner of a mine or commercial building who provides or secures the provision of air-raid shelter of the approved standard for all or any of the persons working or living in the factory premises, working in or about the mine, or working or living in the commercial building, as the case may be, a grant equal to the appropriate proportion of so much of the expenses of a capital nature incurred by him in providing or securing the provision of the shelter as the Minister considers reasonable.
- (2) Subject to the provisions of this section, there shall be paid out of moneys provided by Parliament to every other person who incurs expenses of a capital nature in providing or securing the provision of air-raid shelter of the approved standard for all or any of the persons employed by him (otherwise than in a building in connection with which a grant is payable under subsection (1) of this section or a building wholly or mainly occupied as a school, college, university, hotel, restaurant, club, place of public entertainment or amusement, hospital or nursing home), a grant equal to the appropriate proportion of so much of those expenses as the Minister considers reasonable :

Provided that nothing in this subsection shall apply to any public utility undertakers.

- (3) In this section the expression " the appropriate proportion " means an amount in the pound equal to the standard rate of income tax for the year 1939-40.
- (4) No grant shall be paid under this section in respect of expenses incurred in providing or securing the provision of air-raid shelter unless either—
  - (a) the shelter has been provided before the end of September nineteen hundred and thirty-nine; or
  - (b) work on the shelter is then in progress, or preparatory measures are then being taken for the provision of the shelter and (in each case) the Minister is satisfied that the shelter will be provided within a reasonable time thereafter;

and no expenses shall be deemed for the purposes of this section to be reasonable in so far as they exceed such standard as may be prescribed by regulations of the Minister made with the consent of the Treasury, unless they were incurred in circumstances so prescribed.

- (5) This section applies in relation to shelter provided before, as well as in relation to shelter provided after, the passing of this Act.

## **23 Training of employees.**

- (1) This section applies to every person who employs more than thirty persons in any factory premises, in or about any mine or in any commercial building.
- (2) It shall be the duty of every person to whom this section applies, not later than one month from the date on which this section first applies to him, to make a report in writing, in the case of factory premises, to the factory inspector for the district, in the

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case of a mine, to the mines inspector for the district, and, in the case of a commercial building, to the local authority, stating what measures he has taken or is taking or proposing to take to secure that all the persons employed by him in the premises, in or about the mine or in the building are trained as respects the routine to be followed in the event of an air-raid and that a suitable proportion of those persons are trained and equipped to give first-aid treatment, to deal with the effects of gas and to fight fires.

- (3) A factory inspector may, in the case of factory premises, a mines inspector may, in the case of a mine, and the local authority may, in the case of a commercial building, serve on an employer to whom this section applies a notice in writing requiring him to take such measures in relation to the aforesaid matters as may be specified in the notice, and it shall thereupon be the duty of the employer, subject to the next following subsection, to comply with the requirements of the notice.
- (4) Any person upon whom a notice is served as aforesaid may, within fourteen days after receipt of the notice, appeal to the Minister, and the Minister may on any such appeal cancel or vary the notice, and the decision of the Minister shall be final.
- (5) If any person to whom this section applies fails to make such a report as aforesaid or to comply with the requirements of such a notice as aforesaid, he shall be liable on summary conviction to a fine not exceeding one hundred pounds, and, if the default in respect of which he was so convicted continues after the conviction, he shall be liable on summary conviction to a fine not exceeding fifty pounds for each day on which the default so continues.

#### **24 Saving for certain authorities.**

The provisions of this Part of this Act requiring owners and occupiers to make reports and authorising inspectors and local authorities to serve notices shall not require the making of reports by, or authorise the service of any notice on, any local authority or any police authority as defined in the Police Pensions Act, 1921.

#### **25 Local authority for purposes of Part III.**

Subject to the special provisions of this Act with respect to the administrative county of London, in this Part of this Act the expression " local authority " means the council of a county borough or county district:

Provided that, in the last preceding section, it includes, subject as aforesaid, any local authority within the meaning of the Act of 1937.