

## SCHEDULE 2

### AMENDMENTS

#### PART I

##### ALCOHOLISM AMENDMENTS

###### *The Inebriates Act 1898*

In section 30 of the Inebriates Act 1898, for the words from " shall be " onwards substitute—

“the First Schedule to this Act shall have effect for the purposes of the following enactments, namely—

the Licensing Act 1902, section 6,

the Licensing (Scotland) Act 1903, section 71, and

the Licensing (Scotland) Act 1959, section 160,

(being enactments which operate by reference to the list of offences set out in the Schedule).”.

###### *The Licensing Act 1902*

In section 6(1) of the Licensing Act 1902, for the words from the beginning to " shall" substitute

—  
“Where a person is convicted of an offence mentioned in the First Schedule to the Inebriates Act 1898 and such person has, during the period of twelve months immediately preceding the date of the offence, been convicted on three occasions of an offence mentioned in the said Schedule, the court may”.

###### *The Licensing (Scotland) Act 1903*

In section 73 of the Licensing (Scotland) Act 1903—

(a) for the words " section three of the Habitual Drunkards Act, 1879 " substitute

“subsection (2) below”; and

(b) at the end add—

“(2) In this section " habitual drunkard" means a person who, not being a person suffering from mental disorder within the meaning of the Mental Health (Scotland) Act 1960, is notwithstanding, by reason of habitual intemperate drinking of intoxicating liquor, at times dangerous to himself or to others, or incapable of managing himself and his affairs.”.

## PART II

### OTHER AMENDMENTS

#### *The Civil Defence Act 1939*

After section 62(1) of the Civil Defence Act 1939 insert—

- “(1A) In subsection (1)(b) above ' local authority', in the first place where it occurs—
- (a) in the case of England and Wales, includes any authority having power to levy a rate as defined for the purposes of the General Rate Act 1967, or for whose expenses a precept may be issued for the levying of such a rate, and any combination or joint committee of any such authorities;
  - (b) in the case of Scotland, means a regional, islands or district council.”.

#### *The Enemy Property Act 1953*

In section 4(1) of the Enemy Property Act 1953 after " custodian" in the first place where it occurs insert

“of enemy property appointed under section 7 of the Trading with the Enemy Act 1939 (hereinafter referred to as ' the Act of 1939 ')”.

#### *The Miscellaneous Financial Provisions Act 1955*

In section 1(3) of the Miscellaneous Financial Provisions Act 1955 for " the said proviso " substitute

“the proviso to subsection (1) of the said section three”.

#### *The Protection of Birds Act 1967*

In the Protection of Birds Act 1967—

- (a) in section 3(2), for " the said section 6(1) " substitute  
“section 6(1) of the principal Act”;
- (b) in section 12(2), for the words " This Act shall be construed as one with the principal Act " substitute  
“In this Act ' the principal Act' means the Protection of Birds Act 1954; and this Act shall be construed as one with that Act”.