



Emergency Laws (Miscellaneous Provisions) Act 1947

1947 CHAPTER 10

1 Continuation for further periods of certain Defence Regulations

- (1) Subject to the provisions of section two and section seven of this Act, the following provisions shall have effect as respects the Defence Regulations which are continued in force until the thirty-first day of December, nineteen hundred and forty-seven, by section one of the Emergency Laws (Transitional Provisions) Act, 1946 (hereafter in this Act referred to as " the Act of 1946 ") :—
- (a) the Defence Regulations and parts of Defence Regulations specified in Part I of the First Schedule to this Act shall not be further continued in force, and shall accordingly expire on the said date ;
 - (b) the Defence Regulations and parts of Defence Regulations specified in Part II of the said Schedule shall, unless previously revoked, continue in force until the thirty-first day of December, nineteen hundred and forty-eight, and shall then expire
 - (c) the Defence Regulations and parts of Defence Regulations specified in Part III of the said Schedule shall, unless previously revoked, continue in force until the tenth day of December, nineteen hundred and fifty, and shall then expire.
- (2) The Defence Regulations continued in force by this section shall continue to have effect subject to the exceptions, limitations and modification specified in the First Schedule to the Act of 1946 :

Provided that Regulation sixteen of the Defence (General) Regulations, 1939 (which relates to the stopping up or diversion of highways) shall be further limited so as only to be applicable for the purpose of working open-cast coal or constructing or extending an electricity generating station, and accordingly shall have effect as set out in Part IV of the First Schedule to this Act.

- (3) The provisions of the Act of 1946 which apply to Defence Regulations continued in force by section one of that Act shall continue to apply to such of those Regulations as are continued in force by or under this Act.

2 Permanent enactment of provisions similar to those contained in or made under certain Defence Regulations

- (1) The provisions set out in the Second Schedule to this Act' which reproduce provisions contained in the Defence Regulations therein mentioned, with minor modifications and adaptations and the addition of transitional provisions, shall have permanent effect.
- (2) Section two hundred and fifty-one of the Merchant Shipping Act, 1894 (which provides for the maintenance in London of the General Register and Record Office of Seamen, and was modified by an order made under Regulation eighty-six of the Defence (General) Regulations, 1939, so as to enable the said Office to be removed to Cardiff) shall have effect as if the words " in the port of London " were omitted and for the words " any of the outports " there were substituted the words " any port. "

3 Further extension and amendment of enactments relating to ploughing grants

- (1) For the purposes of section eleven of the Agriculture (Miscellaneous War Provisions) Act, 1940 (which enables ploughing grants to be made in respect of land ploughed up in any year falling wholly or partly within the war period) the expression " war period" shall include the period during which this subsection is in force.

This subsection shall continue in force until the thirty-first day of December, nineteen hundred and forty-nine, and shall then expire.

- (2) Part IV of the Agricultural Development Act, 1939 (which provides for the making of ploughing grants) shall, as amended or extended by any subsequent enactment including the preceding subsection, have effect, and be deemed to have had effect as from the twenty-first day of August, nineteen hundred and forty-seven, in relation to the ploughing up of land on or after that date, subject to the following amendments :—

- (i) for paragraph (b) of subsection (2) of section twenty-seven of the said Act there shall be substituted the following paragraph—

“(b) that at the time when the ploughing up was begun the land had been under grass for a continuous period including at least two complete seasons and ending at the time when the ploughing up was begun”;

- (ii) at the end of the said subsection (2) there shall be inserted the words—

“In this subsection the expression " season " means the period beginning with the first day of October in any year and ending with the thirtieth day of June in the next following year, and for the purposes of this subsection land which is sown with grass shall be deemed to be under grass from the time when the sowing took place”;

- (iii) paragraph (c) of the said subsection (2) and subsection (3) of the said section twenty-seven shall cease to have effect ; and
- (iv) in subsection (1) of section twenty-eight of the said Act (which provides that ploughing grants shall be made at a rate of £1 for each half acre) and in subsection (3) of that section (which provides that odd fractions of a half acre are to be disregarded) for the word " half " wherever it occurs there shall be substituted the word " quarter ".

- (3) Any grant made in respect of the ploughing up of land after the said twenty-first day of August may be made subject to such conditions as to the crop to be sown on the ploughed up land as the appropriate Minister (within the meaning of the said Act) may

think fit to impose, and; if any such condition is broken in respect of any land, the amount of the grant paid in respect of the ploughing up of that land shall be recoverable as a debt.

4 Further extension of emergency enactments relating to agriculture

- (1) For subsection (1) of section three of the Act of 1946, (which subsection provides for the extension until the thirty-first day of December, nineteen hundred and forty-seven, of the war period for the purposes of the Agriculture (Miscellaneous War Provisions) Act, 1940, the Agriculture (Miscellaneous Provisions) Act, 1941, and section fourteen of the Agriculture (Miscellaneous Provisions) Act, 1943) there shall be substituted the following subsection :—

“(1) For the purposes of Part I of the Agriculture (Miscellaneous War Provisions) Act, 1940, (which relates to wheat) and Part III of that Act (which relates to land drainage), except sections fourteen and fifteen thereof, the expression ' war period ' shall include the period during which this section is in force after the expiry of the Emergency Powers (Defence) Acts, 1939 to 1945.”

- (2) Subsection (4) of section twenty-two of the Agriculture (Miscellaneous War Provisions) Act, 1940 (which provides that no scheme shall be approved under Part III of that Act after the end of the war period) shall not be construed as preventing the variation under section four of the Agriculture (Miscellaneous Provisions) Act, 1943, after :the end of the war period, of any drainage scheme approved before the end of that period.
- (3) Subsection (2) of section three of the Act of 1946 is hereby repealed.
- (4) In subsection (4) of section three of the Act of 1946, for the reference to the thirty-first day of December, nineteen hundred and forty-seven, there shall be substituted a reference to the tenth day of December, nineteen hundred and fifty.

5 Further extension of certain other emergency enactments

- (1) Section five of the Act of 1946 (which extends until the thirty-first day of December, nineteen hundred and forty-seven, the period during which the power conferred by section eight of the National Health Insurance, Contributory Pensions and Workmen's Compensation Act, 1941, to adapt Insurance Acts and Pensions Acts to conditions arising by reason of the war, may be exercised) and section eight of the Act of 1946 (which enables the " war period " for the purposes of the Restoration of Pre-War Trade Practices Act, 1942, to be extended until the said date) shall have effect as if for the references to the said date there were substituted references to the thirty-first day of December, nineteen hundred and forty-eight.
- (2) The following sections of the Act of 1946, being sections which extend the operation of the enactments therein referred to until the thirty-first day of December, nineteen hundred and forty-seven, shall have effect as if for the references to that date there were substituted references to the tenth day of December, nineteen hundred and fifty, that is to say :—
- (a) section six (which extends the definition of " war year " in section nine of the Sugar Industry Act, 1942) ;
 - (b) section seven (which extends the period during which, under subsections (IA) and (IB) of section twenty-nine of the Patents and Designs Act, 1907, the power given to government departments to make, use, exercise or vend

inventions for certain purposes, is exercisable, and extends the purposes of the said subsection (IA) ;

- (c) section nine (which extends the period during which under subsection (1) of section one of the Evidence and Powers of Attorney Act, 1940, certain officers are empowered to administer oaths and take affidavits during the war; and extends the period in which the exercise of powers under section one of the Settled Land and Trustee Acts (Courts General Powers) Act, 1943, is permitted) ;
 - (d) section eleven (which extends the period after which under subsection (3) of section three of the Guardianship (Refugee Children) Act, 1944, the appointment of guardians and tutors is prohibited).
- (3) In the said section seven of the Act of 1946 the reference to the purposes specified in subsection (1) of section one of the Supplies and Services (Transitional Powers) Act, 1945, shall be construed as including a reference to the purposes specified in the Supplies and Services (Extended Purposes) Act, 1947.

6 Extension of s. 12 of Act of 1946

Section twelve of the Act of 1946 (which empowers local authorities to remove certain works and to restore the land affected, and is limited by subsection (4) thereof to expire on the thirty-first day of December, nineteen hundred and forty-seven) shall have effect as if for the reference to that date there were substituted a reference to the tenth day of December, nineteen hundred and fifty.

7 Extension of Defence Regulations and enactments by Order in Council in pursuance of an Address of both Houses

If at any time while any Defence Regulations specified in Part II or Part III of the First Schedule to this Act, or any enactments contained in Part I of the Act of 1946, are in force, an Address is presented to His Majesty by each House of Parliament praying that those Regulations or enactments, or any of them, should be continued in force for a further period not exceeding one year from the time at which they would otherwise expire, His Majesty may by Order in Council direct that the Regulations or enactments to which the Address relates shall continue in force for that further period.

8 Provision as to colonies

- (1) Section eighteen of the Act of 1946 (which empowers His Majesty by Order in Council to make provision for the continuation in force, until the thirty-first day of December, nineteen hundred and forty-seven, of Defence Regulations having effect in colonies and other territories) shall have effect as if for the reference to the said date there were substituted a reference to the tenth day of December, nineteen hundred and fifty, and the said section eighteen shall be construed as applying to any Defence Regulations remaining in force by virtue of that section immediately before the passing of this Act.
- (2) Where an Order in Council is made under the last preceding section continuing any Defence Regulations for any period falling after the tenth day of December, nineteen hundred and fifty, that Order in Council may make provision for enabling any Defence Regulations continued in force by virtue of the said section eighteen to be continued in force for that period.

9 Financial provision

There shall be defrayed out of money provided by Parliament any expenses incurred by any Minister of the Crown in consequence of the passing of this Act, and any increase attributable to the passing of this Act in any sums authorised or required by any other enactment to be paid out of monies provided by Parliament.

10 Repeal of Isle of Man (Detention) Act, 1941

The Isle of Man (Detention) Act, 1941, is hereby repealed.

11 Repeal of s. 3 of Ships and Aircraft (Transfer Restriction) Act, 1939

- (1) Section three of the Ships and Aircraft (Transfer Restriction) Act, 1939, (which requires transactions in respect of aircraft and parts of aircraft to be sanctioned by the Minister of Civil Aviation) is hereby repealed, and any transaction entered into on or after the fifteenth day of August, nineteen hundred and forty-five, shall not be, and shall be deemed never to have been, unlawful or void by virtue of that section.
- (2) Any reference to the Minister of Civil Aviation in any other section of the said Act, as amended by the Ministry of Civil Aviation Act, 1945, shall be omitted.

12 Short title and commencement

- (1) This Act may be cited as the Emergency Laws (Miscellaneous Provisions) Act, 1947.
- (2) This Act, except sections eight, ten and eleven, shall come into operation on the thirty-first day of December, .nineteen hundred and forty-seven.