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ÉIRE.

Supplies and Services (Temporary
Provisions) Bill, 1946.

EXPLANATORY MEMORANDUM.



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SUPPLIES AND SERVICES (TEMPORARY PROVISIONS) BILL,
1946.

EXPLANATORY MEMORANDUM.

1. The purpose of this Bill is to continue, after the 1st September, 1946, certain emergency powers which would otherwise lapse on that date, following the expiration of the Emergency Powers Acts, 1939-1945.

2. The Bill provides for the continuance only of those powers the retention of which is essential in existing circumstances. The purposes of the various Sections of the Bill are indicated in the following paragraphs. Appended is a statement showing all existing Government Orders or portions thereof proposed to be continued in force after the 1st September, 1946, by the provisions of the Bill, together with a brief statement of the reasons for continuing these Orders.

3. *Section 2—Power of Government to make certain Orders.*

Subsection 2 (1) (a).—The powers contained in this subsection are identical with those contained in subsection 2 (2) (a) of the Emergency Powers Act, 1939. They are required in order to secure the adequate distribution of goods in short supply, the control of prices and generally the maintenance of essential supplies and services.

Subsection 2 (1) (b).—The powers contained in this subsection are identical with those contained in subsection 2 (2) (c) of Emergency Powers Act, 1939. They are required for the same reasons as the powers in subsection 2 (1) (a).

Subsection 2 (1) (c).—The powers in relation to Foreign Exchange Control, etc., contained in this subsection are substantially the same as the provisions of subsection 2 (2) (d) of the Emergency Powers Act, 1939, subject to (a) the omission of the power to control and restrict issues of capital, and (b) the inclusion of words covering the existing essential powers in relation to the control and restriction of payments by residents in the State to persons abroad and the prohibition and restriction of imports of notes other than Irish currency notes. Reference to the latter powers is now necessary because, in view of the abandonment of the general powers conferred by subsection 2 (1) of the 1939 Act, it is essential to include in the specific provisions in relation to Foreign Exchange Control all essential existing powers exercised under Orders made by the Government. It will be necessary to retain the Foreign Exchange Control so long as similar provisions are operated elsewhere.

Subsection 2 (1) (d).—It is necessary to provide these specific powers, which relate, broadly speaking, to the implementation of the Government Tillage Programme, in view of the abandonment of the very wide powers conferred by subsection 2 (1) of the Act of 1939.

Subsection 2 (1) (e).—These powers are included at the instance of the Department of Local Government and Public Health in connection with the acquisition, and working of bogland by Local Authorities for the purpose of turf production.

Subsection 2 (1) (f).—The powers contained in this subsection relate to guarantees in respect of the borrowings of Emergency Companies, such as Grain Importers, Ltd.; Tea Importers, Ltd., etc. The inclusion of these powers in the Bill will be necessary so long as the continued existence of such Companies is required for the maintenance of essential supplies. The duration of the need for these powers cannot be predicted.

Subsection 2 (1) (g).—This subsection replaces subsection 2 (2) (p) of the Act of 1939, which gave power to suspend or amend any enactment. The power to reduce or suspend Customs duties has been used during the Emergency and continues to be necessary in order to facilitate the importation of goods which are in short supply.

Subsection 2 (2).

Subsection 2 (3).

These subsections repeat subsections 2 (3) and 2 (4) of the Act of 1939. It is necessary to continue these powers for administrative reasons.

4. *Section 3—Continuance in force of certain Orders, etc., under the Act of 1939.*

The power contained in this Section is to continue the following Government Orders in force :—

- (a) Orders made under the Act of 1939 before the 18th June, 1946, which are in force on the 1st September, 1946 ;
- (b) Orders made under the 1939 Act after the 18th June, 1946, which are in operation on the 1st September, 1946, and which could have been made under the reduced powers in Section 2 of the Bill had that Section been in force when the Orders were made ;
- (c) Amending Orders made at any time under Section 3 of the Act of 1939 and which amended any Order referred to in paragraphs (a) and (b) above, and which are in operation on the 1st September, 1946.

This Section also provides for the continuance, after the 1st September, 1946, of regulations, directions and authorisations which were in force on that date.

5. *Section 4.—Revocation and amendment of Government Orders.*

This Section confers power for the revocation of Government Orders. It also provides power to amend Orders made under the reduced powers contained in Section 2 of the Bill and Orders continued in force after the 1st September, 1946, of the kind set out in paragraph (a), (b) and (c) under Section 3.

6. *Section 5.—Revocation and Amendment of Instruments and Directions under Government Orders.*

This Section contains incidental provisions identical with those provided by Section 4 of the Act of 1939.

7. *Section 6—Offences, Prosecutions and Punishments.*

This Section re-enacts the provisions of Section 5 of the 1939 Act, as amended, with the exception that the powers in subsection 5 (8) of the 1939 Act to bring offenders before any District Court irrespective of the place in which the offender resides or in which the offence was committed are omitted.

8. *Section 7—Penalty for continued non-compliance with Certain Orders, etc.*

This Section re-enacts the provisions of Section 9 of the Emergency Powers (Continuance and Amendment) Act, 1942.

It is considered that the existing powers in regard to penalties, which it is proposed to re-enact in Sections 6 and 7 of the Bill, must be retained so long as there is danger of large-scale contraventions of the law in regard to the maintenance of supplies and essential services.

9. *Section 8—Laying of Government Orders and subsidiary instruments before Houses of the Oireachtas.*

The powers contained in this Section differ from those in the existing Code to the extent that they provide for the tabling of subsidiary instruments, in addition to Government Orders. There is no legal obligation at the present time to lay subsidiary instruments before the Oireachtas.

10. *Section 9—Judicial Notice of Government Orders, subsidiary instruments and directions.*

This Section re-enacts the provisions of Emergency Powers (No. 373) Order, 1946.

11. *Section 10—Operation of Government Orders, subsidiary instruments and directions.*

This Section re-enacts Section 10 of the 1939 Act.

12. *Section 11—Fees on Authorisations.*

This Section contains provisions similar to those of Section 8 of the Act of 1939. The charging of fees on authorisations (i.e., licences, permits, certificates) is intended solely to meet the administrative cost of the schemes in connection with which these documents are issued.

13. *Section 12—Delegation of Statutory Powers and Duties.*

This Section re-enacts the provisions of Section 6 of the 1939 Act as amended. It also provides for the continuance of Delegation

Orders made under Section 6 of the 1939 Act which are in force on the 1st September, 1939.

14. *Section 13—Adaptation of References in Certain Enactments to the Act of 1939.*

This Section is necessary because it is not clear whether references in certain Acts to the Emergency Powers Act, 1939, may automatically be deemed to be references to this Bill when enacted.

15. *Section 14—Saving for Other Powers.*

Section 15—Expenses.

Section 16—Short Title, Commencement and Duration.

These Sections are similar to Sections 11, 12 and 13 of the Act of 1939, except that Section 16 of the Bill contains a provision for the making of a Government Order repealing this Act before the statutory date of its expiration.

ROINN TIONNSCAIL AGUS TRÁCHTÁLA,

Meitheamh, 1946.

APPENDIX.

EMERGENCY POWERS ORDER, 1939.

The articles of this Order which it is proposed to continue are :—

1. Title.
2. Definitions.
31. (As amended) General control of Industry.
32. Public Utility Undertakings.
38. Taking Possession of Land.
46. (As amended) Control of Lights.
75. Power to enter and search premises, vessels and aircraft.
76. Power to stop and search vehicles.
91. Disposal of articles in possession of Executive Authorities.

SCHEDULE.

OFFENCES.

The powers conferred by each of these articles will be needed so long as rationing and other Emergency controls over the distribution of goods, etc., remain necessary. The most important of the articles quoted above is Article 31 (as amended), under which control over rationing and prices and many other important matters is effected. The powers contained in Articles 32, 38, 46, 75 and 76 are necessary in order to retain control over public utility undertakings (e.g., Gas Companies and E.S.B.), the production of turf, prevention of illegal exports, etc. Article 91 is required for administrative purposes.

EMERGENCY POWERS (No. 2) ORDER, 1939.

(Department of Industry and Commerce.)

The Articles of this Order proposed to be retained are Nos. 3, 4 and 6 dealing with the flying of National Colours by Irish ships and restrictions on the registration of ships in Éire and on transfers and mortgages of Irish ships. The continuance of all these powers will be necessary pending their incorporation in a proposed consolidated Irish Merchant Shipping Bill.

EMERGENCY POWERS (No. 4) ORDER, 1939.

(Department of Finance.)

This Order, as amended, confers the essential powers on the Minister for Finance to control dealings in gold, securities and foreign exchange and payments abroad and to acquire gold and foreign exchange compulsorily. Its retention is considered essential so long as it is necessary to operate any form of Foreign Exchange control.

EMERGENCY POWERS (No. 18) ORDER, 1939.

(Department of Local Government and Public Health.)

Modification of Contracts under Local Authorities (Combined Purchasing Acts), 1925.

Under this Order the price of a commodity may be increased by the amount of any additional costs or expenses reasonably incurred by an official contractor in obtaining or producing the commodity. It is necessary to retain power under the Order whilst the supply position remains abnormal.

EMERGENCY POWERS (No. 29) ORDER, 1940.

(Department of Finance.)

The Articles of this Order proposed to be continued are Nos. 1, 2, 5 and 6. They relate to the powers conferred on the Minister for Finance to require the registration of foreign securities owned by Irish residents and to acquire registered securities. The power to acquire has not been exercised but it would be premature to abandon the powers conferred by the Order.

EMERGENCY POWERS (No. 30) ORDER, 1940.

(Department of Finance.)

This Order suspended the operation of the Civil Service (Transferred Officers) Compensation Act, 1929.

At the time the Order was made there was a very great need for the services of trained staff and it would have been contrary to the public interest to allow any members of such staff to retire before the normal retiring age. The stabilisation at the same time of the Civil Service bonus would have given rise to claims for retirement from Civil Servants who were transferred from the British Civil Service in 1922. As these transferred Civil Servants included a large number of members of the higher grades, the loss of their services would have had serious results and therefore it was necessary to suspend the Civil Service (Transferred Officers) Compensation Act, 1929, under which the retirements might have taken place. The time has not yet arrived in which the premature retirement of experienced staff could be permitted without a loss of efficiency in the Civil Service.

EMERGENCY POWERS (No. 39) ORDER, 1940.

(Department of Agriculture.)

The effect of this Order is to suspend the operation of Section 12 (3) of the Agricultural Produce (Cereals) Act, 1935. That Subsection required the Government to fix minimum prices for home-grown wheat not less than two years ahead.

The Order also contains a provision the effect of which is to place millers who purchased dried wheat on the same footing for quota

purposes as those who purchased wheat in the green state earlier in the season.

In view of the unsettled supply position and the need to encourage the production of home-grown wheat the retention of this Order will be necessary.

EMERGENCY POWERS (No. 43) ORDER, 1940.

EMERGENCY POWERS (No. 44) ORDER, 1940.

(Department of Finance.)

The first-named Order empowers the Minister for Finance to prohibit the importation of any currency notes (other than Irish Currency Notes). The second Order quoted empowered that Minister to require persons entering the State to declare currency notes and conferred powers of search and seizure of such notes. The powers contained in the Orders must be retained for the present so as to avoid the use of this country as a dumping ground for notes of certain kinds, the entry of which is not freely permitted elsewhere.

EMERGENCY POWERS (No. 46) ORDER, 1940.

(Department of Local Government and Public Health.)

This Order contained powers to detain and isolate persons suffering from infectious diseases. The retention of those powers is considered necessary until the Public Health Bill, 1945 becomes law and is in operation.

EMERGENCY POWERS (No. 61) ORDER, 1940 (AMENDMENT AND REVOCATION) ORDER, 1946.

(Department of Defence.)

This Order deals with prohibitions regarding the wrongful disposal or retention of items of uniforms of the former Local Defence Force and provides powers of recovery of such articles. It will be necessary to continue the Order in force. A considerable number of such uniforms have yet to be recovered.

EMERGENCY POWERS (No. 68) ORDER, 1941.

EMERGENCY POWERS (No. 68) ORDER, 1941 (AMENDMENT) ORDER, 1941.

(Department of Industry and Commerce.)

The effect of this Order was to suspend the operation of Customs duty on carts, traps and harness. The continued suspension of this duty is necessary in order to facilitate the importation of these goods which are in short supply.

EMERGENCY POWERS (No. 69) ORDER, 1941.

(Department of Finance.)

This Order makes amendments, which experience had shown to be necessary, in the provisions of Emergency Powers (No. 4) Order, 1939 and of Emergency Powers (No. 29) Order, 1940, which are explained in the notes on those Orders above.

EMERGENCY POWERS (No. 72) ORDER, 1941.

(Department of Finance.)

This Order enabled the Minister for Finance to take up shares in Irish Shipping Limited, and to exercise all the rights and powers attaching to such shares. It is necessary to continue such rights and powers until such time as permanent legislation can be substituted for the Order.

EMERGENCY POWERS (No. 76) ORDER, 1941.

(Department of Finance.)

This Order confers on the Minister for Finance power to insist that payment for exports to certain foreign countries will be made in the currency of those countries. This provision is essential to secure that the full amount of foreign exchange earned by exports is brought to credit and also in order to secure effective enforcement of the control over payments abroad by Irish residents.

EMERGENCY POWERS (No. 81) ORDER, 1941.

(Department of Finance.)

Provides that Irish residents shall sell to the Minister for Finance through an Irish Bank any foreign exchange held by them or to which they may become entitled. The Order specifically relates only to U.S. and Canadian dollars but power is given to the Minister for Finance to extend the provisions by Order to any other foreign currency. The continuance of the Order is required for the mobilisation of foreign exchange for essential purposes.

EMERGENCY POWERS (No. 83) ORDER, 1941.

EMERGENCY POWERS (No. 83) ORDER, 1941 (NINTH AMENDMENT)
ORDER, 1943.

(Department of Industry and Commerce.)

These Orders impose restrictions on the distribution of profits of companies and on directors' fees and remuneration of employees, and it is necessary that they should be continued for the present.

EMERGENCY POWERS (No. 88) ORDER, 1941.

(Department of Industry and Commerce.)

This Order enables Irish Diplomatic and Consular Officers abroad to arrange the provisional registration as Irish ships of vessels acquired abroad. Under the existing permanent Merchant Shipping Law this would have to be done by a British Officer. It is proposed to incorporate these powers in amending legislation which is being

prepared. It is considered undesirable that the powers should lapse in the interval before that legislation can be enacted.

EMERGENCY POWERS (No. 89) ORDER, 1941.

(Department of Agriculture.)

This Order amends the Agricultural Produce (Fresh Meat) Act, 1930, so as to admit of the temporary registration of premises. It was designed to deal with increased fresh meat exports consequent on the outbreak of foot and mouth disease in 1941. The continuance of the Order is necessary to meet a similar situation in the event of a further outbreak of foot and mouth disease and to afford relief to bacon factories by enabling them to engage in the fresh meat export trade pending the restoration of normal pig supplies.

EMERGENCY POWERS (No. 90) ORDER, 1941.

(Department of Industry and Commerce.)

This Order empowered the Minister for Industry and Commerce to suspend annual licences in respect of road passenger (omnibus) services at his discretion. Holders of such licences are obliged by law to provide the service authorised by the licence. The Road Transport Act, 1932, contains power to suspend such licences only for inefficiency of operation or for breaches of the law. Certain operators were unable to maintain services owing to difficulties caused by the Emergency. It was necessary to relieve them of the statutory obligation to provide services and the Order was made with this purpose in view. It will be necessary to continue this Order until the supplies position approaches normal.

See note on Emergency Powers (No. 316) Order, 1944.

EMERGENCY POWERS (No. 93) ORDER, 1941.

(Department of Industry and Commerce.)

This Order provides for the increase of the weekly allowances for adult and child dependants payable under the Unemployment Insurance Acts to recipients of unemployment benefit. It is considered necessary to retain these increases.

EMERGENCY POWERS (No. 95) ORDER, 1941.

(Department of Agriculture.)

This Order relaxed the provisions of the Milk and Dairies' Act, 1935, so as to permit unregistered dairymen and creameries in strictly rural areas to sell daily quantities of milk not exceeding two gallons and five gallons respectively. It was made because the public in such areas were having difficulty in obtaining sufficient supplies of fresh milk. This problem continues and must be met temporarily by retention of the Order.

EMERGENCY POWERS (No. 96) ORDER, 1941.
(Department of Industry and Commerce.)

This Order suspended Customs duty on horse shoes, and it is considered necessary to retain it in operation for the present.

EMERGENCY POWERS (No. 101) ORDER, 1941.
(Department of Industry and Commerce.)

This Order prohibited, except with the consent of the Minister, the institution of summary proceedings against a Gas Undertaker who supplied gas at a lower calorific value or pressure than that required under the Gas Regulation Act, 1920. The Order also reduces the period of notice required to be given prior to the alteration of the declared calorific value of gas supplied by a Gas Undertaker from three months (as required by the Gas Regulation Act, 1920) to four days. These provisions were necessary to afford relief to Gas Undertakers who are working under serious difficulties consequent on the shortage and inferior quality of coal supplies. It will be necessary to retain the Order until gas coal supplies improve substantially in quantity and quality.

EMERGENCY POWERS (No. 103) ORDER, 1941.
(Department of Industry and Commerce.)

This Order amended the rule governing continuity of unemployment for the purposes of the Unemployment Assistance Acts, providing that any three days of unemployment within a period of six consecutive days constitute a continuous period of unemployment and that any two such periods separated by not more than twenty weeks also form a continuous period of unemployment. The previous rule was that two periods of unemployment of not less than two days each separated by a period of not more than two days during which a person had not been employed for more than twenty-four hours should be treated as a continuous period of unemployment and that two periods of unemployment of not less than six days each separated by an interval of not more than six weeks should also be treated as a continuous period of unemployment. The Order provided a more flexible and favourable rule in regard to the continuity of unemployment and it is considered that in prevailing circumstances it should be retained.

EMERGENCY POWERS (No. 104) ORDER, 1941.
(Department of Industry and Commerce.)

This Order introduces a similar modification to the rule under the Unemployment Insurance Acts as Emergency Powers (No. 103) Order did in the case of the Unemployment Assistance Acts. It is considered necessary to continue the Order for the same reasons.

EMERGENCY POWERS (No. 107) ORDER, 1941.

EMERGENCY POWERS (No. 107) ORDER, 1941 (AMENDMENT) ORDER,
1943.

EMERGENCY POWERS (No. 107) ORDER, 1941 (AMENDMENT) ORDER,
1944.

(Department of Industry and Commerce.)

Under these Orders the scheme for the grant of food allowances to certain specified classes was introduced. The scheme was established in September, 1941, with the object of offsetting the high cost of living of the poor in urban areas by ensuring the provision of a fixed weekly allowance of bread, butter and milk irrespective of price fluctuations or shortages. It is considered necessary to retain the scheme and the Orders under which it was set up.

EMERGENCY POWERS (No. 108) ORDER, 1941.

(Department of Local Government and Public Health.)

This Order enables Local Authorities to augment the supplies of firewood and has been used to enable certain Urban Bodies to provide fuel for the poor. The schemes are financed by Government grants. The retention of the Order is considered necessary because of the continuing scarcity of fuel.

EMERGENCY POWERS (No. 109) ORDER, 1941.

(Department of Local Government and Public Health.)

This Order enables Local Authorities to supply cheap meals. The powers have been used to provide meals for needy persons during the period in which fuel has been in short supply and food has been dear. In Dublin city the powers have been availed of by the Corporation to subsidise charitable organisations which provided meals. It is considered that the Order should be continued.

EMERGENCY POWERS (No. 111) ORDER, 1941.

(Department of An Taoiseach.)

This Order removed the limitation in Section 7 (6) of the Ministers and Secretaries Act, 1924, which provided that not more than one Parliamentary Secretary should be appointed in respect of any one Department of State. It had been intended to incorporate the Order in permanent legislation before the 2nd September, 1946, but it was decided by the Government that such action should not be taken for the present. The matter will be reconsidered when the legislation which is in contemplation to set up separate departments dealing with Social Services and Public Health has been passed. This legislation will, however, not be enacted before the 2nd September next.

EMERGENCY POWERS (No. 114) ORDER, 1941.

(Department of Industry and Commerce.)

This Order provides for the registration as Irish ships of foreign ships taken on time charter by Irish Companies or citizens, such

registration to continue only during the period of charter. The Order was necessary during the war in order to enable certain vessels chartered by Irish Shipping Limited to sail under the Irish Flag. It is necessary that these powers should be continued for the present.

EMERGENCY POWERS (No. 117) ORDER, 1941.

EMERGENCY POWERS (No. 117) ORDER, 1941 (AMENDMENT) ORDER, 1941.

(Department of Industry and Commerce.)

This Order authorised the Minister for Industry and Commerce to require occupiers of premises to furnish written statements giving particulars of specified goods held on those premises, and to issue Sales Directions and "Stop" Orders, i.e., orders prohibiting sale or movement or disposal of goods where there was reason to suspect that the goods were held for sale in the "black market" or for illegal disposal by way of export or otherwise. The retention of this Order to put a curb on "black market" activities will continue necessary until rationing and other Emergency controls can be dispensed with.

EMERGENCY POWERS (No. 118) ORDER, 1941.

(Department of Industry and Commerce.)

This Order authorises the Minister to suspend the operation of Section 5 of the Control of Imports Act, 1934, in respect of goods subject to quota restrictions. The powers have been used in order to suspend the quotas on such goods and to enable them to be imported without a Quota Licence so long as the quota remains suspended. The Order was necessary in order to permit the importation of goods which were in short supply during the Emergency period. It will be necessary to retain these powers until the supply position generally becomes easier.

EMERGENCY POWERS (No. 123) ORDER, 1941.

(Department of Industry and Commerce.)

This Order suspended the duty on yarns and rovings of wool or hair. These duties were suspended because the goods affected were in short supply and the continuance of the Order is still necessary.

EMERGENCY POWERS (No. 126) ORDER, 1941.

(Departments of Justice and Industry and Commerce.)

This Order amends Article 75 of Emergency Powers Order, 1939, which confers power of search. The continuance of the powers contained in that Article and in this Order is considered necessary.

EMERGENCY POWERS (No. 145) ORDER, 1942.

(Department of Local Government and Public Health.)

This Order provides for the granting of licences to creameries not equipped with pasteurising plant of the "holder" type to sell

in the Dublin district as pasteurised milk, milk pasteurised by them by the "flash" method. These licences have been granted only in respect of the winter months when supplies from local producers and registered creameries were not sufficient to meet the needs of the city. The use of supplies from creameries licensed under the Order averted a shortage of supplies during those periods. It is considered essential to retain these powers until the Milk Tribunal in regard to the Dublin milk supply has reported and the report has been considered.

EMERGENCY POWERS (No. 153) ORDER, 1942.
(Department of Agriculture.)

This Order provided for affixing an official seal or fastener to bags containing certified seed potatoes. It became necessary because certain merchants were found to be selling uncertified seed potatoes in unsealed bags branded with the marks prescribed for certified seed. Buyers might not notice the absence of the small official seal and might be deceived by the brands on the bags. The retention of these powers will be necessary pending the enactment of legislation extending the scope of the Agricultural Produce (Potatoes) Act, 1931.

EMERGENCY POWERS (No. 157) ORDER, 1942.

EMERGENCY POWERS (No. 157) ORDER, 1942 (AMENDMENT) ORDER, 1942.

EMERGENCY POWERS (No. 157) ORDER, 1942 (SECOND AMENDMENT) ORDER, 1944.

Department of Finance.

These Orders empowered the Minister for Finance to give guarantees in respect of the borrowings of Irish Shipping Ltd., Tea Importers (Eire) Ltd., Fuel Importers (Eire) Ltd., Oils and Fats (Eire) Ltd., Grain Importers (Eire) Ltd., and the Pigs and Bacon Commission. So long as the Minister for Industry and Commerce finds it necessary for the maintenance of essential supplies to continue those Companies in existence it will be necessary to retain the powers conferred by the Orders.

EMERGENCY POWERS (No. 165) ORDER, 1942.

EMERGENCY POWERS (No. 165) ORDER, 1942 (AMENDMENT) ORDER, 1942.

EMERGENCY POWERS (No. 165) ORDER, 1942 (SECOND AMENDMENT) ORDER, 1942.

EMERGENCY POWERS (No. 165) ORDER, 1942 (THIRD AMENDMENT) ORDER, 1945.

(Department of Industry and Commerce.)

These Orders provide that holders of milling (home-grown wheat) permits may mill wheat only on commission, that growers may not

mill for sale or accept the products of wheat as a reward and may not mill mixtures containing wheat except under a permit. The object of these provisions is to ensure that growers sell as much as possible of their wheat to flour mills, retaining only what they require for their own consumption and also to ensure that they may not use mixtures containing wheat for feeding animals. It will be necessary to continue these powers in view of the prevailing world shortage of wheat.

EMERGENCY POWERS (No. 169) ORDER, 1942.

EMERGENCY POWERS (No. 169) ORDER, 1942 (FIRST AMENDMENT)
ORDER, 1943.

(Department of Defence.)

These Orders prohibit the cutting down or uprooting or lopping of trees standing within thirty feet of the centre of any road. The powers were taken in order to maintain cover and facilities for road blocking provided by roadside trees. It is considered that in any future conflict trees along the principal roads will be an even greater factor in defence than they were in the past and that the preservation of trees bordering those roads is a vital military necessity. Proposals for permanent legislation and for State schemes of roadside planting are at present under consideration.

It is proposed to retain these Orders with the exception of Article 4 of the principal Order which empowers commanding officers of the Defence Forces to prohibit the felling or boughing or lopping of trees more than thirty feet from the road centre.

EMERGENCY POWERS (No. 173) ORDER, 1942.

(Department of Industry and Commerce.)

This Order repeats the provisions of Article 31 of Emergency Powers Order, 1939, with certain amendments. It is considered that so long as the existing emergency controls over distribution of goods, regulation of industries, etc., are required the retention of the provisions of this Order is essential.

EMERGENCY POWERS (No. 177) ORDER, 1942.

(Department of Justice)

This Order amends Emergency Powers Order, 1939. It deals with the forgery of licences and travel documents, false statements in returns, revocation of licences, cancellation of registration, and obstruction. It is considered desirable that similar provisions should be applied in respect of licences, etc., under the Supplies and Services (Temporary Provisions) Bill and, accordingly, it is proposed that the Order should be continued in force.

EMERGENCY POWERS (No. 178) ORDER, 1942.

(Department of Justice.)

This Order removes the six months' time limit (provided by the Petty Sessions (Ireland) Act of 1851 in respect of Summary Pro-

ceedings) from prosecutions for offences under the Emergency Code. The time limit made it impossible to have many contraventions of the Compulsory Tillage Orders tried summarily and for this reason it is considered necessary to retain the Order.

EMERGENCY POWERS (No. 192) ORDER, 1942.
(Department of Industry and Commerce.)

This Order suspended the Customs duty on motor car tyres. Its continued retention will be necessary in order to facilitate the importation of tyres of which the home production is inadequate to meet present demands.

EMERGENCY POWERS (No. 201) ORDER, 1942.
(Department of Agriculture.)

This Order suspended Section 12 (2) and (4) of the Agricultural Produce (Cereals) Act, 1935, under which minimum prices for home-grown wheat had to be fixed by Government Orders two years in advance. The operation of those sub-Sections of the Act was suspended because, owing to emergency conditions, it was impossible to fix home-grown wheat prices so far ahead.

The retention of the Order will be necessary until wheat supplies approach normal.

(See notes on Emergency Powers (No. 39) Order, 1940 *ante*.)

EMERGENCY POWERS (No. 203) ORDER, 1942.
(Department of Industry and Commerce.)

This Order suspended the Customs duty on rice, and it is considered necessary to retain it for the present.

EMERGENCY POWERS (No. 205) ORDER, 1942.
(Department of Industry and Commerce.)

This Order suspended the Customs duty on certain rubber-soled shoes in order to facilitate the import of such goods and in view of the prevailing footwear shortage it is considered necessary to retain this Order after the 2nd September, 1946.

EMERGENCY POWERS (No. 206) ORDER, 1942.
(Department of Industry and Commerce.)

This Order authorises Gas Undertakers to restrict the quantity of gas supplied and also the purposes for which gas may be used. It relieves the undertakers in addition from the necessity of sending notices of change in the calorific value of gas to each individual consumer. It became necessary to take these powers because under an Act of 1871, there is a stipulation that a supply of gas must be made available on demand to premises situated within twenty-five yards of a gas main. Gas Undertakers must under an Act of 1920 send notices of changes in calorific value to each consumer. Ta

supply difficulties during the emergency and up to the present made it impossible for gas companies to comply with these statutory obligations. As these difficulties will exist for some time to come it will be necessary to retain the Order.

EMERGENCY POWERS (No. 213) ORDER, 1942.

(Department of Industry and Commerce.)

This Order suspended the customs duty on parcel tape, parcel tape holders and components. The duty was suspended in order to facilitate the importation of such goods which were in short supply and not produced in sufficient quantities here. It will be necessary to retain these powers so long as the supply position continues difficult.

EMERGENCY POWERS (No. 227) ORDER, 1942.

EMERGENCY POWERS (No. 227) ORDER, 1942 (AMENDMENT) ORDER, 1942.

EMERGENCY POWERS (No. 227) ORDER, 1942 (SECOND AMENDMENT) ORDER, 1943.

EMERGENCY POWERS (No. 228) ORDER, 1942.

EMERGENCY POWERS (No. 267) ORDER, 1943.

EMERGENCY POWERS (No. 293) ORDER, 1943.

EMERGENCY POWERS (Nos. 227 AND 267) ORDERS (AMENDMENT) ORDER, 1944.

EMERGENCY POWERS (No. 353) ORDER, 1945.

EMERGENCY POWERS (No. 353) ORDER, 1945 (AMENDMENT) ORDER, 1945.

(Department of Agriculture.)

These Orders relate in the main to the activities of the Pigs and Bacon Commission and are designed generally to secure equitable distribution of available bacon supplies in the present difficult position of the pig and bacon industries, by providing the following powers which are not included in the Pigs and Bacon Acts, 1935 and 1940—

1. to register pork dealers and manufacturers of pork by-products ;
2. to prohibit the slaughter of pigs or curing of bacon by a licensed curer or pork butcher for any other person except under permit ;
3. to secure that bacon will be offered for sale at such times and in such quantities and to such persons as the Commission thinks fit ;
4. to fix minimum instead of appointed prices for pigs purchased by curers, pork dealers and manufacturers of pork by-products ;
5. to restrict production of pig carcasses otherwise than on certain specified premises ;
6. to prohibit the illegal curing of bacon and to deal with the disposal of bacon illegally cured ;

7. to restrict cold storage of bacon and pig carcasses ;
8. to provide for the compulsory sale of bacon and to prohibit the movement of bacon ;
9. to restrict curing by a registered pork dealer at his registered premises to specified parts of a carcass.

Any relaxation in these powers would seriously interfere with the equitable distribution of available supplies of bacon and it is considered necessary to retain them until such time as bacon supplies return to normal.

EMERGENCY POWERS (No. 233) ORDER, 1942.

EMERGENCY POWERS (No. 233) ORDER, 1942 (AMENDMENT)
ORDER, 1944.

(Department of Local Government and Public Health.)

These Orders dispensed with the statutory requirement under the Road Traffic Act, 1933, for consultation between the Gardaí and Local Authorities before the fixation of stopping places for buses. It is considered necessary to retain the provisions of these Orders pending their incorporation in permanent legislation.

EMERGENCY POWERS (No. 236) ORDER, 1942.

(Department of Industry and Commerce.)

This Order increased the rates of unemployment assistance payable to persons resident in rural areas who have dependants. The increases were granted in view of the increased cost of living and were complementary to the food allowances granted under Emergency Powers (No. 107) Order, 1941, to persons living in urban areas. Until there is a fall in the cost of living it will be necessary to retain this Order.

EMERGENCY POWERS (No. 237) ORDER, 1942.

(Department of Agriculture.)

This Order suspends the operation of Section 6 (2) of the Pigs and Bacon (Amendment) Order, 1939, and provides for the appointment of an officer of the Minister for Industry and Commerce as a member of the Pigs and Bacon Commission. The retention of this Order will continue to be necessary so long as bacon and pork prices are controlled by the Minister for Industry and Commerce.

EMERGENCY POWERS (No. 239) ORDER, 1942.

(Department of Local Government and Public Health.)

This Order extends the provisions of Section 65 of the Road Traffic Act, 1933, to pedal cycles to provide that any person who uses or takes possession of a bicycle without the owner's consent shall be guilty of an offence. The Order was introduced to meet a difficulty which arose in regard to bicycle thefts by reason of the thief leaving the bicycle in a place where it would be found and putting up the

defence on prosecution that the machine was only borrowed. The need for the Order still continues, pending the introduction of permanent legislation.

EMERGENCY POWERS (No. 243) ORDER, 1942.

(Department of Industry and Commerce.)

Under this Order special registers of agricultural and turf workers were set up. The main purpose of the special register scheme was to establish a pool of mobile labour suitable for employment in agriculture and the turf industry. Its secondary purpose was to provide a measure of compensation for agricultural and turf workers who, in the interests of increased food and fuel production, were not afforded emigration facilities. It is considered desirable to retain the scheme.

EMERGENCY POWERS (No. 244) ORDER, 1942.

(Department of Industry and Commerce.)

Rates of wages and remuneration generally, apart from that payable to Civil Servants and officers of Local Authorities, were stabilized by Emergency Powers No. 260 Order (The "Stand Still" Order). The bonus on Civil Servants' and Local Authority Officers' salaries and pensions had previously been stabilized by the Civil Service (Bonus) Regulations, 1940, and the Local Authorities (Cost of Living) Act, 1940, respectively. It was then found that there were some employees of the Electricity Supply Board who had been transferred to the service of the Board from local authorities with a right to a pension on retirement plus cost-of-living bonus. For various reasons it appeared that none of the provisions of the Emergency Powers Orders or of the Local Authorities (Cost-of-Living) Act, 1940 affected the cost-of-living bonus payable to these pensioners and it thus became necessary to make an Order stabilizing the bonus so payable. This Order is the Emergency Powers (No. 244) Order, 1942. It is therefore necessary to continue the provisions of this Order so long as the cost-of-living bonus remains stabilised or until similar provision is made in permanent legislation.

EMERGENCY POWERS (No. 246) ORDER, 1943.

(Departments of Industry and Commerce, Finance, Agriculture.)

This Order provides for the production in evidence of a Certificate by a person authorised by a Minister as *prima facie* evidence of the matter certified therein, e.g., a certificate that a particular individual is the holder of a licence. Before the Order was made evidence as to the existence or otherwise of a licence or permit issued by Government Departments could only be given by the attendance in court of an officer of the Department. It is considered necessary to retain this Order in the interests of economy of time and money on the attendance of official witnesses. The existence of the Order does not affect the defence in prosecution cases.

EMERGENCY POWERS (No. 247) ORDER, 1942.
EMERGENCY POWERS (No. 247) ORDER, 1942 (AMENDMENT) ORDER,
1944.

EMERGENCY POWERS (No. 342) ORDER, 1944.
(Department of Agriculture.)

The first two Orders alter the constitutional powers of the Dublin District Milk Board and the third one releases creameries from the necessity to enter into contracts in order to supply milk to the Dublin District. It is the intention to retain in permanent legislation the powers contained in these Orders which enable the Dublin District Milk Board to engage in the business of a dairyman and control by licence the supply of milk from creameries to ensure that creamery milk coming to Dublin is used to the best advantage over the year. Before introducing permanent legislation, however, it is proposed to await the report of the Milk Tribunal appointed to enquire into and to make recommendations in regard to milk supplies for Dublin. In the meanwhile it is proposed to continue these three Orders.

EMERGENCY POWERS (No. 251) ORDER, 1943.
(Department of Agriculture.)

This Order provides against prohibitions or restrictions on the use of land let in conacre for the growing of wheat or increasing the rent of such land if used for the growing of wheat. It is essential to retain the provisions of this Order so as to secure the enforcement of the wheat quota despite restrictive or penal agreements to the contrary.

EMERGENCY POWERS (No. 253) ORDER, 1943.
(Department of Industry and Commerce.)

This Order deals with the suspension of customs duty on imported rabbit skins. Its continued operation will be necessary until the supply of this commodity becomes plentiful.

EMERGENCY POWERS (No. 254) ORDER, 1943.
(Department of Agriculture.)

This Order controls the production, processing and sale of certain home-grown seeds. The growing of these seeds at home has expanded considerably during the emergency and it is proposed to retain the provisions of this Order in permanent legislation. Meanwhile, it is necessary to retain the provisions of this Order.

EMERGENCY POWERS (No. 257) ORDER, 1943.
(Department of Industry and Commerce.)

The effect of this Order is to reduce the customs duty on carpets. This reduction was necessary in order to facilitate the imports of

carpets which have been in very short supply in this country, and the retention of the Order will be necessary.

EMERGENCY POWERS (No. 258) ORDER, 1943.
(Department of Industry and Commerce.)

This Order suspends the customs duty on certain cloths. It was imposed, and must be retained, for the same reasons as the Order immediately preceding.

EMERGENCY POWERS (No. 260) ORDER, 1943, AND AMENDING ORDERS UP TO AND INCLUDING EMERGENCY POWERS (No. 260) ORDER, 1943 (EIGHTEENTH AMENDMENT) ORDER, 1946.
(Department of Industry and Commerce.)

These Orders provide for the control of remuneration to employees generally. It will be necessary to retain these Orders pending the enactment and coming into operation of the Industrial Relations Bill, 1946.

EMERGENCY POWERS (No. 266) ORDER, 1943.
(Department of Industry and Commerce.)

This Order provides for the reduction of customs duty on certain personal clothing and wearing apparel. It was introduced in order to facilitate the import of these articles which were in short supply and the continued retention of the Order is necessary.

EMERGENCY POWERS (No. 270) ORDER, 1943.
(Department of Agriculture.)

This Order relates to the payment of allowances on dairy produce out of the Dairy Produce (Price Stabilisation) Fund. The use of that Fund is confined to payment of export bounties on dairy produce and of certain other specific charges. Export bounties ceased on the cessation of exports due to emergency conditions. It is considered necessary to retain the statutory power to pay allowances on dairy produce out of the Fund.

EMERGENCY POWERS (No. 272) ORDER, 1943.
(Department of Agriculture.)

This Order provides for the certification for use for pharmaceutical purposes of certain animal livers unfit for human consumption. Exports still continue and it is considered desirable to retain this Order.

EMERGENCY POWERS (No. 274) ORDER, 1943.

EMERGENCY POWERS (No. 274) ORDER, 1943 (AMENDMENT) ORDER,
1944.

(Department of Industry and Commerce.)

The first of these Orders increased the weekly payment of workmen's compensation allowed under the Workmen's Compensation Act, 1934. The amending Order increased the compensation of a small and decreasing class of workmen who are dealt with under the 1906 Act. The Orders were made in order to compensate for the general rise in the cost of living and in the level of wages, and their continuance is necessary.

EMERGENCY POWERS (No. 276) ORDER, 1943.

(Department of Industry and Commerce.)

This Order confers on the Minister for Industry and Commerce power to close premises which, in his opinion, are being used to facilitate the unlawful exportation of goods. It also provides that no person may open a shop within three miles from the Border without the Minister's consent. The Order was designed to deter traders living in the Border areas from engaging in smuggling, and its retention is still necessary.

EMERGENCY POWERS (No. 277) ORDER, 1943.

(Department of Local Government and Public Health.)

This Order amends the statutory requirement imposed on housing authorities to secure the vacation and demolition of dwelling-houses acquired compulsorily for the purpose of demolition. It applies to the Corporations of Dublin, Cork, Waterford, Limerick and Dún Laoghaire. The powers conferred by the Order have been availed of to a considerable extent in Dublin and to a limited extent in Limerick City. Dublin Corporation are reconditioning houses for private accommodation for families which would have been displaced had the areas in which the houses stood been cleared pursuant to Part II of the Provisions of the Housing of the Working Classes Acts. The continuance of the Order is necessary until it becomes possible to resume building operations on an adequate scale.

EMERGENCY POWERS (No. 265) ORDER, 1943.

(Department of Finance.)

This Order provides for the payment of Compensation bounty on exported sugar made from home-grown beet and on home-grown tobacco, exported or found unfit for manufacture and destroyed, at such rates as the Minister for Finance may from time to time direct. The original statutory provisions for the payment of these bounties (Finance (Miscellaneous Provisions) Act, 1935, and Finance Act, 1938) were suspended by the Order, after consultation with manufacturing interests concerned, as these provisions did not provide

a satisfactory basis for determining the rate of bounty in emergency conditions. Moreover, the prospective repeal of the duties on sugar by the Finance Bill, 1946, will render inoperative the statutory provision for compensation bounty on exports of that commodity. As the conditions which necessitated the making of the Order are likely to continue for some considerable time after 2nd September, 1946, it is proposed that the Order should remain in force, as it would be premature to formulate proposals for the amendment or modification of the suspended statutory provisions.

EMERGENCY POWERS (No. 282) ORDER, 1943.

EMERGENCY POWERS (Nos. 187 TO 193, 195, 197, 198, 199, 204, 225, 229, 231, 235, 240, 257, 266, 281 AND 282) ORDERS (AMENDMENT) ORDER, 1943 AND LATER AMENDING ORDERS.

(Department of Industry and Commerce.)

The main Order provided for the suspension of the Customs duty on a number of articles which were in short supply. This Order was necessary to facilitate the import of those goods which were not produced in this country in sufficient quantities to meet our needs. The question of the further suspension or reduction of the duty on the articles covered by the Order is reviewed constantly. The 1943 amending Orders re-imposed the duty suspended by the first-named one on certain articles. The suspension of these Customs duties is still necessary. The retention of the Orders is therefore still required.

EMERGENCY POWERS (No. 283) ORDER, 1943.

(Department of Agriculture.)

Under the Dairy Produce (Price Stabilisation) (Amendment) Order, 1943, the Minister for Agriculture was empowered to guarantee repayment of borrowings by the Butter Marketing Committee up to a maximum of £500,000. With the introduction of butter rationing the Committee was required to store very large quantities of creamery butter each year with the result that its debit balance became greatly swollen. It became necessary in consequence to increase the sum which might be guaranteed from £500,000 to £2,000,000 and power to do so was taken under this Order. As with the continuance of butter rationing the central storage of butter will require to be maintained it is essential to retain this Order.

EMERGENCY POWERS (No. 284) ORDER, 1943.

(Departments of Industry and Commerce, and Agriculture.)

This Order provides for the acceptance in proceedings for offences against the Emergency Code of Certificates of Analysis or Weight signed by the State Chemist or the Superintending Chemist of the State Laboratory. It also provides for the acceptance of Certificates by public analysts. These certificates would fall to be produced in relation to offences in connection with price contraventions, con-

stituents and weights of foodstuffs, wheat extractions, etc. It is most desirable that the machinery provided under the Order for the prosecution of future offenders should continue so long as controls etc., vital to the welfare of the community remain and accordingly the retention of the Order is necessary. It is all the more necessary now to retain the Order in view of the increase in the rate of extraction of wheat.

EMERGENCY POWERS (NO. 286) ORDER, 1943.

(Department of Local Government and Public Health.)

This Order empowers county councils to produce and sell lime and ground limestone for agricultural purposes. It was introduced because of the acute shortage of lime in certain areas. The retention of the Order will be necessary until the supplies of artificial fertilisers improve considerably.

EMERGENCY POWERS (NO. 287) ORDER, 1943.

(Department of Industry and Commerce.)

This Order empowers the Minister for Industry and Commerce to relax by order a provision under the Coal Mines Act, 1911, under which no person may work as a coal getter, except under the supervision of a skilled workman, unless he has at least two years' mining experience under supervision. The Order was made in order to offset the acute shortage of labour for the production of coal. As the urgent demand for coal persists the retention of the Order will be necessary.

EMERGENCY POWERS (NO. 301) ORDER, 1943.

(Department of Industry and Commerce.)

This Order provides for compensation in respect of turbary rights acquired under the Emergency Powers Order, 1939. It will be necessary to retain it so as to ensure the payment of compensation to owners, etc., of lands of which possession has been taken for turbary purposes under Article 38 of the Emergency Powers Order, 1939.

EMERGENCY POWERS (NO. 305) ORDER, 1943.

(Departments of Industry and Commerce, Local Government and Public Health, and Justice.)

This Order provides for the queuing of passengers who are waiting to board buses. It was introduced in order to secure the fair treatment of waiting passengers. It is considered essential to retain this Order in view of the continuing scarcity of public transport. It is intended to make provision for these powers in permanent legislation being sponsored by the Department of Local Government and Public Health.

EMERGENCY POWERS (No. 310) ORDER, 1944.

(Department of Local Government and Public Health.)

This Order deals with the powers conferred on county councils and other county bodies to acquire boglands to produce and sell turf. County councils are the biggest suppliers of turf to Fuel Importers Ltd., and the continuance of the Order is necessary in the existing fuel position.

EMERGENCY POWERS (No. 312) ORDER, 1944.

(Department of Local Government and Public Health.)

This Order provides that the superannuation allowance payable to a pensionable officer of a local authority whose remuneration is comprised of basic salary, cost of living bonus and emergency bonus, shall be by way of a fixed allowance based on the basic salary, plus emergency bonus, together with the cost of living bonus on that portion of the superannuation allowance which is calculated by reference to the basic salary. It is proposed to include these powers in permanent legislation, but meanwhile the continuance of the Order will be necessary.

EMERGENCY POWERS (No. 315) ORDER, 1944.

(Departments of Finance and Industry and Commerce.)

This Order dealt with the acquisition of land by a State authority and the payment of compensation therefor. It is not proposed to use this Order for the purpose of the acquisition of land in future and accordingly the only articles being retained are those dealing with the payment of compensation, which are required to ensure payment of compensation in certain cases.

EMERGENCY POWERS (No. 316) ORDER, 1944.

(Department of Industry and Commerce.)

This Order empowers the Minister for Industry and Commerce to permit suspended licences to run road passenger services to remain in force (see note under Emergency Powers (No. 90) Order, 1941). The Order was introduced in order to save the former operators of such services from the payment of renewal fees. It will be necessary to retain these powers until an improvement in the supply position permits of the service to which the suspended licence applied being restored.

EMERGENCY POWERS (No. 317) ORDER, 1944.

(Department of Finance.)

This Order provides that the supplementary cash allowance payable to certain Old Age and Blind Pensioners and certain other classes to which the Food Allowances Scheme does not extend shall not be reckoned as means for the purposes of the Old Age Pensions Acts,

These allowances are the rural equivalent of the food vouchers issuable to certain old age pensioners, etc., under the Food Allowances Scheme, and while such vouchers continue to be issued these rural allowances can scarcely be stopped. It will be necessary to provide continuing authority for this exemption so long as the supplementary allowances continue to be paid.

EMERGENCY POWERS (No. 318) ORDER, 1944.

(Department of Local Government and Public Health.)

This Order provides for the payment of supplementary allowances in cash to recipients of Widows and Orphans Pensions who are resident in rural areas. It was introduced in order to provide a measure of additional assistance to such persons and the retention of the Order is considered necessary.

EMERGENCY POWERS (No. 319) ORDER, 1944.

(Departments of Local Government and Public Health, and Industry and Commerce.)

This Order permits the use of lorries to be used for the transport of persons employed on turf production. It was introduced in order to help the production of turf by facilitating the transport of men. It is considered that the Order should be retained. The matter will be dealt with in permanent form in the proposed Road Traffic Act.

EMERGENCY POWERS (No. 320) ORDER, 1944.

AND CERTAIN AMENDING ORDERS UP TO AND INCLUDING
EMERGENCY POWERS (No. 320) ORDER, 1940 (SEVENTH AMENDMENT)
ORDER, 1946.

(Department of Industry and Commerce.)

This Order suspended the Customs duties on a miscellaneous group of goods which were in short supply in Eire. Its object was to facilitate the import of these commodities during the Emergency. The position regarding the manufacture of these goods in Eire and the flow of imports is kept under review so as to ensure that the continued suspension of the duties is called for.

In view of the continued scarcity of the goods covered by this Order the further suspension of the Customs duties in these cases will be necessary.

EMERGENCY POWERS (No. 323) ORDER, 1944.

(Department of Industry and Commerce.)

This Order permits authorised officers of Gas Companies to enter premises of consumers at reasonable times so as to ascertain whether restriction notices on hours of supply are being complied with.

So long as gas may be used only between certain hours it will be necessary to retain this Order.

EMERGENCY POWERS (No. 329) ORDER, 1944.

(Departments of Industry and Commerce, and Justice.)

This Order provides that in the case of offences under the Emergency Code evidence of other offences may be submitted after conviction. It also provides that if a Court is satisfied that the offender is guilty of two or more offences and that these offences, together with the offence of which he has been convicted, constitute a systematic course of conduct the Court may take such course of conduct into account in determining the punishment to be imposed in respect of the conviction. The Order also provides that the Court shall, if a book or document containing record of a trade or business transaction alleged to have been effected by the defendant is produced in Court and is proved to have been in the defendant's possession the production of the document shall be *prima facie* evidence of the transaction.

The object of this Order was to facilitate and expedite the disposal of cases in which offenders could have been charged with a very large number of offences. Under the Order it is necessary to satisfy the Court that the defendant is guilty of two or more offences. If the Court is satisfied on evidence submitted by the prosecution that in addition to these two offences the defendant is guilty of others the other offences may be taken into account in fixing the punishment. The provision in the Order in regard to *prima facie* evidence of trade or business transactions is designed to place on the defendant the onus of proof that records of business transactions in his books are not, in fact, evidence of offences.

It will be necessary to retain the powers conferred by this Order so long as Emergency conditions necessitate the retention of rationing and price controls.

EMERGENCY POWERS (No. 332) ORDER, 1944.

(Department of Local Government and Public Health.)

This Order enables school meals to be provided to children attending a National School outside a County Borough of whom more than half ordinarily reside within the Borough. In effect it enables children in schools just outside the Borough to obtain meals as if they were attending schools within the Borough. It is considered desirable to continue this Order until the question of providing meals in such schools can be dealt with on a permanent basis.

EMERGENCY POWERS (No. 335) ORDER, 1944.

(Department of Finance.)

This Order was made with a view to the recovery of sums due to this country by Germany. It is desirable to retain the machinery for collection of debts provided by the Order.

EMERGENCY POWERS (No. 343) ORDER, 1944.

(Department of Agriculture.)

This Order amended the Agricultural Produce (Fresh Meat) Act, 1930 so as to permit the export of certain animal offals. Its main use at present is in connection with the export of animal glands for pharmaceutical purposes. There is still a demand for these offals and it is considered desirable to retain this Order.

EMERGENCY POWERS (No. 345) ORDER, 1944.

(Department of Agriculture.)

This Order provided for compulsory tillage in 1945. The retention of its provisions is essential to enable prosecutions of defaulters to be disposed of by the Courts.

EMERGENCY POWERS (No. 351) ORDER, 1945.

(Department of Local Government and Public Health.)

This Order was introduced so as to ensure that footwear specially made available for certain classes of children would be distributed and disposed of strictly in accordance with the Public Assistance (Footwear) Regulations Order, 1944. It is essential to continue the Order to ensure that a proportion of the available supplies of children's footwear will be reserved for poor children.

EMERGENCY POWERS (No. 352) ORDER, 1945.

(Department of Industry and Commerce.)

This Order empowers Local Authorities to give financial assistance to Harbour Authorities in which they are interested. The need for these powers arose through the fact that certain Harbour Authorities suffered considerable loss of revenue owing to the falling off in shipping, etc. during the Emergency. The Order also authorises Harbour Authorities to borrow monies urgently needed to maintain and restore their harbours. The powers contained in the Order have been included in the 'Harbours' Act, 1946, but as a number of Local Authorities have current commitments under the Order it will be necessary to retain the Order for a further period.

EMERGENCY POWERS (No. 358) ORDER, 1945.

(Department of Industry and Commerce.)

This Order controls building operations; it includes powers to specify the price of building materials, to restrict building operations costing more than £500, to restrict persons entering into contracts for building works costing more than £500 and to grant building licences, to inspect building operations and to secure the keeping of records of building works. The arrears of building which have accumulated during the Emergency period are so large that their undertaking will be beyond the resources of the building industry

unless the work is undertaken in an ordered way. If controls such as those contained in the Order are not imposed the demand for men and materials will be such as to create a position in which the execution of essential projects cannot be undertaken because the materials and labour are being spent on work the execution of which could well be postponed. The retention of the Order will be necessary until the supply of material and labour for building works approaches normal.

EMERGENCY POWERS (No. 363) ORDER, 1945.

(Department of Industry and Commerce.)

This Order suspends Section 9 of the Road Transport Act, 1933 in so far as it relates to the carriage of wheat for reward by the licensed agent of a licensed mill. The controls of the Department of Agriculture did not permit licensed agents to purchase wheat on their own account and such agents were prohibited by the Act quoted from transporting the wheat in their own vehicles. The power contained in the Order enables the agents to continue their normal activities with the lorries with which they were accustomed to transport the wheat to the mills. The continuance of the powers contained in the Order will be necessary so long as present arrangements as to the acquisition of wheat by agents on an agency, as distinct from a purchasing, basis remain.

The present Order applies to the current year. It is proposed to make a similar Order before the 1st September, 1946 for the coming season, and it is this latter Order which will be retained.

EMERGENCY POWERS (No. 366) ORDER, 1945.

(Department of Agriculture.)

This Order provides for compulsory tillage in 1946 and the retention of its provisions is essential for securing compliance with the tillage programme.

EMERGENCY POWERS (No. 368) ORDER, 1945.

(Department of Local Government and Public Health.)

This Order empowers any member of the *Gárda Síochána* to stop a mechanically propelled vehicle in order to test its brakes and steering gear and to prohibit the use of the vehicle until defects are remedied. It also empowers the *Gárda* to test the brakes of pedal cycles. Many vehicles and bicycles fell into a dangerous state of disrepair during the Emergency owing to inadequate maintenance and shortage of spare parts. The powers contained in the Order were taken so as to compel persons using such vehicles and bicycles to repair them. It is proposed to provide for similar powers in a Bill amending the Road Traffic Act, 1933. In the meantime it will be necessary to retain the powers contained in the Order.

EMERGENCY POWERS (No. 375) ORDER, 1946.
(Department of Industry and Commerce.)

This Order controls the prices of turbarry rights for the 1946 season and for subsequent seasons. The powers contained in the Order are essential in order to prevent excessive charges for turbarry rights.

EMERGENCY POWERS (No. 379) ORDER, 1946.
(Department of Agriculture.)

This Order fixes charges for portable threshing sets for the 12 months ended 31st August, 1947. It is essential that the Order be retained in order to prevent excessive charges for threshing operations.

EMERGENCY POWERS (No. 381) ORDER, 1946.
EMERGENCY POWERS (No. 382) ORDER, 1946.
(Department of Local Government and Public Health.)

These Orders amend the National Health Insurance Acts and the Widows and Orphans Pensions Acts, respectively, in regard to certain matters arising out of the emergency, e.g., movements of insured persons between the State and the United Kingdom; insurance of soldiers. It is necessary to retain these Orders until the matters dealt with can be included in permanent legislation.

ROINN TIONNSCAIL AGUS TRACHTALA,
Meitheamh, 1946.

Department of Industry and Commerce (No. 275) Order 1947
The Order contains the notice of transfer made for the 1947 season
and its subsequent season. The notice contained in the Order was
essential in order to prevent excessive claims for factory rent.

Department of Agriculture (No. 276) Order 1947
Department of Agriculture

The Order now made for movable machinery for the 1947
season ended 31st August 1947. It is essential that the Order be
referred to in order to ascertain the charges for the 1947 season.
The Order contains the notice of transfer made for the 1947 season
and its subsequent season. The notice contained in the Order was
essential in order to prevent excessive claims for factory rent.

Department of Food, Commerce and Public Health
The Order of the National Health Insurance Act and
the Widows and Orphans Benefit Act, respectively, in regard
to certain matters and of the amendment of the provisions
of certain sections of the said Acts and the National Health
Insurance Act, 1946, in regard to the said Order and
the matters dealt with are included in certain paragraphs
of the Order.

Department of Food, Commerce and Public Health
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the Widows and Orphans Benefit Act, respectively, in regard
to certain matters and of the amendment of the provisions
of certain sections of the said Acts and the National Health
Insurance Act, 1946, in regard to the said Order and
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the matters dealt with are included in certain paragraphs
of the Order.

Houses of the Oireachtas