3.—This Order may be cited as the Civil Defence (Specified Areas) Order (Northern Ireland), 1940.

Sealed with the Official Seal of the Ministry of Public Security this 2nd day of August, Nineteen Hundred and Forty, in the presence of

(L.S.) (Signed) *J. A. M'Keown*,
Assistant Secretary.

Storage and Loan of Equipment.

REGULATIONS, DATED 21ST DECEMBER, 1940, MADE BY THE MINISTRY OF PUBLIC SECURITY WITH THE CONCURRENCE OF THE MINISTRY OF FINANCE UNDER SECTION 10 OF THE AIR-RAID PRECAUTIONS ACT (NORTHERN IRELAND), 1938.

1940. No. 165.

Whereas by section ten of the Air-Raid Precautions Act (Northern Ireland), 1938, it is provided that the Ministry of Home Affairs may, with the concurrence of the Ministry of Finance, make regulations for the purposes of the said Act :

And Whereas by virtue of the Ministries Act (Northern Ireland), 1940, and the Orders made thereunder, the functions exercisable by the Ministry of Home Affairs under the Civil Defence Acts (Northern Ireland), 1938 and 1939, were transferred to the Ministry of Public Security :

Now, Therefore, the Ministry of Public Security (hereinafter referred to as " the Ministry "), by virtue of the powers conferred upon it by the Civil Defence Acts (Northern Ireland), 1938 and 1939, and of all other powers in this behalf thereunto enabling the Ministry, with the concurrence of the Ministry of Finance, hereby makes the following regulations, that is to say :—

1.—These Regulations shall apply to equipment acquired by the Ministry under the Air-Raid Precautions Act (Northern Ireland), 1938, and furnished free of charge by the said Ministry to a local authority but shall not apply to equipment to which the Air-Raid Precautions (Loan of Fire Appliances) Regulations (Northern Ireland), 1939, apply.

2.—The equipment is furnished to the local authority for the purpose of enabling the local authority to make provision—

(*a*) for the instruction of members of the public as to air-raid precautions and for their protection in the event of hostile attack from the air;

(*b*) for the protection of property in that event; and

(*c*) for the equipment of public services affording such protection as aforesaid and of persons serving in them and for the instruction and training of those persons, subject to the following conditions :—

(1) equipment shall be distributed to members of the public in accordance with the directions of the Ministry and not otherwise ;

(2) equipment shall not be allocated for the use of particular services or of persons serving in them in excess of the scales approved by the Ministry ;

(3) where the Ministry has by directions confined the use of any equipment to any purpose, it shall not be used for any other purpose ; and

(4) the local authority shall secure reasonable economy in the use of equipment.

3.—As regards equipment which has not been distributed to members of the public, the local authority shall—

(*a*) in the case of equipment not in use either store it with due care in suitable conditions, or, if it is kept available for immediate use, keep it with all practicable care ; and

(*b*) in the case of equipment in use take all proper measures to secure that—

(i) the equipment is kept and used with due care ;

(ii) the equipment is not used except for the purposes for which it has been issued by the local authority ; and

(iii) equipment is not retained by a person serving in any public service as aforesaid except in conformity with directions given by the Ministry in that behalf and, where equipment is so retained, it is returned to the local authority on demand or in any case on that person ceasing so to serve.

4.—The local authority, if and to such extent as the Ministry directs, shall repair, or make arrangements for the repair of, the equipment.

5.—Equipment, which is likely to deteriorate with the efflux of time and is suitable to be used for medical treatment, is furnished to the local authority on condition that—

(*a*) the local authority will arrange, with a view to the avoidance of waste, for the equipment to be used for medical treatment so far as is practicable and for the replacement without cost to the Ministry of the equipment so used by

equipment (unless in any case the Ministry should otherwise determine) of the same kind and of a not inferior quality; and

(*b*) the equipment substituted by way of replacement for the equipment so used shall be the property of the Ministry and shall be subject to the provisions of these Regulations and shall, with a view to the avoidance of waste, be replaced as provided by this Regulation.

6.—(1) The Ministry may at any time by notice require the local authority to return the equipment or any of it, and thereupon it shall be the duty of the local authority to deliver the equipment, to which the notice relates, to the Ministry or as the Ministry may direct.

(2) The local authority may, with the consent of the Ministry and shall, if the Ministry so directs, transfer any equipment to any other authority or person.

7.—The local authority shall cause equipment, other than equipment which has been distributed to members of the public, to be inspected by a competent person—

(*a*) at suitable intervals with a view to ascertaining whether the equipment has become damaged or defective; and

(*b*) at intervals of not more than six months with a view to ascertaining what equipment is in possession or control of the local authority.

8.—(1) The local authority shall keep a record—

(*a*) of equipment furnished to the local authority and the date at which and the authority or person from whom it was received;

(*b*) of equipment distributed to members of the public;

(*c*) in the case of equipment other than equipment distributed to members of the public—

(i) of equipment which is not in use and of the places where it is stored or kept;

(ii) of equipment which is in use and of the service by which it is being used or, in the case of equipment not used by a service, of the purpose for which it is used; and

(iii) of equipment which has been consumed, destroyed or lost;

(*d*) of equipment which has been returned to the Ministry or delivered or transferred to any authority or person in accordance with Regulation 6 hereof, or which has been

returned to the Ministry as being damaged or defective, and of the date of such return delivery or transfer; and

(*e*) of the replacement of equipment used in accordance with Regulation 5 hereof and of the date of the replacement.

(2) The local authority shall permit at all times any person authorised in that behalf by the Ministry to inspect the equipment and the said record.

(3) The local authority shall, at such time or times as the Ministry may direct, make a report to the Ministry giving such particulars as the Ministry may direct of any matter, particulars of which are required to be recorded in the said record.

9.—(1) Where any equipment is consumed, destroyed, lost or damaged or becomes defective owing to the local authority's contravention of, or failure to comply with, any provision of these Regulations, the local authority shall pay to the Ministry a sum equal to the estimated cost of replacement or repair of the equipment, as the case may be.

(2) Any question arising under the foregoing paragraph of this Regulation between the Ministry and the local authority shall be determined by a single arbitrator to be appointed by agreement or, in default of agreement, by the Minister of Finance.

10.—(1) In these Regulations, unless the context otherwise requires, the expression "Equipment" means any equipment, appliance or material.

(2) The Interpretation Act, 1889, as applied to Northern Ireland by the Interpretation Act, 1921, shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

11.—These Regulations may be cited as the Air-Raid Precautions (Storage and Loan of Equipment) Regulations (Northern Ireland), 1940.

Sealed with the Official Seal of the Ministry of Public Security for Northern Ireland this 21st day of December, One Thousand Nine Hundred and Forty, in the presence of

(L.S.) *E. W. Scales*,
Assistant Secretary.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 21st day of December, One Thousand Nine Hundred and Forty, in the presence of

(L.S.) *H. Ashton*,
Assistant Secretary.