the powers of the Minister of Agriculture and Fisheries under the Food and Drugs Act, 1938, to make regulations as to presumptive evidence of adulteration of milk. Certain other administrative functions at present exercisable under the Food and Drugs Act, 1938, by the Minister of Health or, in some cases, by the Minister of Agriculture and Fisheries are also transferred to the Minister of Food by the Order. The duties of enforcement and execution placed by the Act upon local authorities are not affected by the Order.

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2. MINISTER OF HEALTH AND MINISTER OF TRANSPORT

The Transfer of Functions (Minister of Health and Minister of Transport) Order, 1948

1948 No. 490

Made - - - -	*11th March,* 1948
Laid before Parliament	*12th March,* 1948
Coming into Operation	*1st April,* 1948

At the Court at Buckingham Palace, the 11th day of March, 1948

Present,

The King's Most Excellent Majesty in Council

9 & 10 Geo. 6. c. 31. Whereas it is provided by the Ministers of the Crown (Transfer of Functions) Act, 1946, that it shall be lawful for His Majesty by Order in Council to transfer to any Minister of the Crown any functions theretofore exercisable by another Minister of the Crown:

And Whereas the Minister of Health exercises and performs the functions mentioned in Article 2 of this Order which functions appear to His Majesty to be more suitable for the Minister of Transport:

Now therefore His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Transfer of Functions (Minister of Health and Minister of Transport) Order, 1948, and shall come into operation on the first day of April, 1948.

52 & 53 Vict. c. 63. (2) The Interpretation Act, 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. There shall be transferred to the Minister of Transport the functions of the Minister of Health of—

9 & 10 Geo. 6. c. 49. 23 & 24 Geo. 5. c. 51. 2 & 3 Geo. 6. c. 40. (*a*) confirming compulsory purchase orders made by local authorities under the Acquisition of Land (Authorisation Procedure) Act, 1946, relating to the acquisition of land under section 159 of the Local Government Act, 1933, or section 100 of the London Government Act, 1939, for the purposes of—

38 & 39 Vict. c. 55. 15 & 16 Geo. 5. c. 71. (i) section 154 of the Public Health Act, 1875, as interpreted by section 83 of the Public Health Act, 1925 (which relates to the widening and improvement of streets); or

(ii) the exercise of powers vested in the London County Council by virtue of paragraph (viii) of section 3 of the Local Government Act, 1888 (which relates, so far as is material, to bridges and roads repairable with bridges) as applied by subsection (6) of section 40 of the said Act; or 51 & 52 Vict. c. 41.

(iii) section 68 of the Public Health Act, 1925, as amended by section 16 of the Restriction of Ribbon Development Act, 1935 (which relates to the provision of parking places for vehicles); 25 & 26 Geo. 5. c. 47.

(*b*) giving authorisation for any of the purposes aforesaid under section 2 of the Acquisition of Land (Authorisation Procedure) Act, 1946 (which gives temporary powers for speedy acquisition of land in urgent cases).

3.—(1) In the construction and for the purposes of any enactment (other than an enactment contained in the Ministers of the Crown Act, 1937) or other instrument passed or made before the date of the coming into operation of this Order any reference to, or which is to be construed as a reference to, the Minister of Health shall, so far only as may be necessary for the purpose or in consequence of the transfer hereby made, be construed as a reference to the Minister of Transport. 1 Edw. 8 & 1 Geo. 6. c. 38.

(2) This Order shall not prejudice the operation of any compulsory purchase order confirmed, or authorisation under section 2 of the Acquisition of Land (Authorisation Procedure) Act, 1946, given, or the validity of anything preliminary to the confirmation of a compulsory purchase order or the giving of such an authorisation done, by the Minister of Health before the date of the coming into operation of this Order in the exercise of functions thereby transferred, but any such order or authorisation shall, if then in force, continue in force to the like extent and subject to the like provisions as if it had been duly made, and anything done as aforesaid shall have effect as if it had been duly done, by the Minister of Transport.

E. C. E. Leadbitter.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

This Order transfers from the Minister of Health to the Minister of Transport the functions of confirming compulsory purchase orders, and of otherwise authorising the speedy acquisition of land, under the Acquisition of Land (Authorisation Procedure) Act, 1946, for certain highway purposes.