

STATUTORY RULES AND ORDERS

1945 No. 1454

EMERGENCY POWERS (DEFENCE)

Sale of Food

ORDER IN COUNCIL AMENDING REGULATION 3 OF THE DEFENCE
(SALE OF FOOD) REGULATIONS, 1943.

At the Court at Buckingham Palace, the 16th day of November,
1945.

PRESENT,

The King's Most Excellent Majesty in Council.

His Majesty, in pursuance of the Emergency Powers (Defence) Acts, 1939 to 1945, and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, that at the end of Regulation three of the Defence (Sale of Food) Regulations, 1943, the following paragraph shall be added:—

“ (5) Where a sample has been taken under this Regulation, any proceedings in respect of the article sampled may be taken before a court having jurisdiction in the place where the sample was taken or, if the prosecutor so elects and the article sampled was sold and actually delivered to the purchaser, the proceedings may be taken before a court having jurisdiction at the place of delivery:

Provided that this Regulation shall not prejudice the taking of proceedings before any other court having jurisdiction in respect of such an offence.”

E. C. E. Leadbitter.

Note as to S.R. & O. 1945 No. 1454.—*Regulation 3 of the Defence (Sale of Food) Regulations, 1943, enables samples to be taken for the purpose of enforcing the Regulations. The effect of the amendment is to enable proceedings in respect of any article sampled to be brought either before the court having jurisdiction where the sample was taken or before the court having jurisdiction where the article was delivered. The provision is similar to section 80 (2) of the Food and Drugs Act, 1938.*

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