

His Majesty, having taken the said Memorial into consideration, was pleased, by and with the advice of His Privy Council, to approve of what is therein proposed.

And the Right Honourable the Lords Commissioners of the Admiralty are to give the necessary directions herein accordingly.

*Rupert B. Howorth.*

At the Court at *Buckingham Palace*, the 25th day of *July*, 1939.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by section one of the Civil Defence Act, 1939 (2 & 3 Geo. 6. c. 31), it is enacted that His Majesty may by Order in Council transfer all or any of the functions of the Secretary of State under the Air-Raid Precautions Act, 1937 (1 & 2 Geo. 6. c. 6), to such other Minister of the Crown as may be specified in the Order, and that, as respects any period during which the Order is in force, references in the Air-Raid Precautions Act, 1937 (1 & 2 Geo. 6. c. 6), to the Secretary of State shall, except as otherwise expressly provided in the Order, be construed as references to the Minister so specified:

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. All the functions of the Secretary of State under the Air-Raid Precautions Act, 1937 (1 & 2 Geo. 6. c. 6), shall be transferred to the Lord Privy Seal.

2.—(1) This Order may be cited as the Civil Defence (Transfer of Functions) Order, 1939.

(2) This Order shall come into force forthwith.

*Rupert B. Howorth.*

At the Court at *Buckingham Palace*, the 25th day of *July*, 1939.

PRESENT,

The KING's Most Excellent Majesty in Council.

10 & 11 Geo. 5. c. 80.

WHEREAS in pursuance of the powers conferred upon Him by the Air Navigation Act, 1920, His Majesty in Council was pleased to make the Air Navigation (Consolidation) Order, 1923 (S.R. & O. 1923 (No. 1508) p. 13) (hereinafter referred to as "the principal Order"):

26 Geo. 5 & 1 Edw. 8. c. 44.

And whereas the Air Navigation Act, 1920, has been amended by the Air Navigation Act, 1936:

And whereas the principal Order has from time to time been amended by subsequent Orders (See S.R. & O. 1925 (No. 1260) p. 4; 1927 (No. 263) p. 4; 1928 (Nos. 36, 588, 591 and 900) pp. 20-32; 1929 (Nos. 984 and 1001) pp. 59-60; 1930 (No. 334) p. 31; 1931 (Nos. 84, 85 and 419) pp. 19-33; 1932 (Nos. 585 and 851) pp. 67-77; 1933 (No. 743) p. 346; 1934 (Nos. 712, 905 and 1102) I, pp. 123-30; 1935 (No. 513) p. 100;

1936 (No. 571) I, p. 61; 1937 (Nos. 96, 639, 700 and 951) pp. 72-100; 1938 (Nos. 503 and 1458) and 1939 (No. 392)):

And whereas it is expedient that the principal Order should be further amended in manner hereinafter appearing:

56 & 57 Vict. c. 66.

And whereas the provisions of the Rules Publication Act, 1893, have been complied with:

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

*Amendment of Article 9.*

1. Article 9 of the principal Order shall be amended as follows, that is to say:—

(a) In sub-paragraph (c) of paragraph (2) after the word "property" there shall be inserted the words in brackets "(including animals)"; and

(b) The following proviso shall be inserted at the end of paragraph (6):—

"Provided that in no case shall an aircraft be so used or towed at night or during conditions of bad visibility except in so far as may be expressly authorised in those circumstances by special permission in writing of the Secretary of State."

*Amendment of Schedule II.*

2. In sub-paragraph (1) of paragraph 9 of Schedule II to the principal Order the following two sub-paragraphs shall be substituted for sub-paragraphs (a) and (b):—

"(a) the aircraft is equipped with the prescribed instruments and equipment and the aircraft and its instruments and equipment are fit in every way for the proposed flight;

(b) provision as may be necessary in the circumstances of the proposed flight has been made for any prescribed devices to be used and for any prescribed precautionary measures to be taken in the aircraft for the purpose of promoting the safety thereof."

*Amendment of Schedule V.*

3. The following amendments shall be made in Schedule V to the principal Order:—

(1) In paragraph 4 the existing paragraph shall be sub-paragraph (1) and be so numbered and the following sub-paragraph shall be inserted:—

"(2) As from such day as the Secretary of State may direct, upon an application being made for a pilot's licence to fly public transport or aerial work flying machines, such a licence shall be granted in respect of not more than one type of such flying machine, but any such licence may be extended to cover the flying of additional types in accordance with the provisions of paragraph 5A of this Schedule."

(2) The following paragraph shall be inserted after paragraph 5:—

"5A. Upon application being made for an extension of a pilot's licence to fly public transport or aerial work flying machines to cover the flying by the holder of such licence of a type of such flying machine additional to the type or types in respect of which the licence was granted