

(c) all penalties and forfeitures recovered under or in pursuance of the Act whether by a county council or by any other person:

And whereas by the Act it is further enacted that provision may be made by Order in Council under the said Section 1 for enabling the Minister of Transport to give such directions to county councils as he thinks necessary for securing uniformity of administration and otherwise for carrying the provisions of the Act and of any such Order into effect, and that it shall be the duty of county councils to comply with any directions so given:

And whereas by the Act it is further enacted that the expression "county" includes (in England and Ireland) a county borough, and that the expression "county council" shall be construed accordingly:

And whereas by the Act it is further enacted that provision may be made by Order in Council for the discharge by the Minister or otherwise of the functions under the Act and the Motor Car Acts, 1896 and 1903, of any county council in Ireland which, in the opinion of the Minister, neglects or refuses to perform any of those functions, and for carrying the provisions of the Act, or of any such Order, or any other Order under the Act, into effect as respects the area of such county council:

And whereas by the Road Vehicles (Registration and Licensing) Order, 1920, being an Order in Council made under the Act on the 7th day of February, 1921, provision was made for carrying the provisions of the Act into effect:

And whereas in the opinion of the Minister the county councils of the respective counties in Ireland named in the Schedule to this Order have neglected or refused to perform their functions under the Act and the Motor Car Acts, 1896 and 1903:

Now, therefore, His Majesty, in exercise of the powers vested in Him by the said recited enactments, by and with the advice of His Privy Council, is pleased to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Road Vehicles (Defaulting Councils) (Ireland) Order, 1921, and shall be read as one with the Road Vehicles (Registration and Licensing) Order, 1921 (hereinafter referred to as "the principal Order").

2.—(1) The functions under the Act and the Motor Car Acts, 1896 and 1903, of the county council of each of the counties named in the Schedule to this Order shall, subject to the provisions of this Order, be discharged by the police authority instead of by the county council, and, subject as aforesaid, the said Acts in their application to any such county shall have effect with the substitution of references to the police authority for references to the county council:

Provided that nothing in this Order shall affect the powers and duties of any of the said county councils under paragraph (a) of sub-section (1) of section 1 of the Locomotives on Highways Act, 1896, or under section 10 of the Motor Car Act, 1903.

(2) In each of the counties named in the Schedule to this Order the duties and fees payable in respect of licences for vehicles, and the fees payable for drivers' licences under section 3 of the Motor Car Act, 1903, shall be paid to such officers of the Post Office and at such Post Offices in the county as may be authorized for the purpose by the Postmaster-General.

(3) The police authority as respects the county borough of Dublin shall be the Chief Commissioner of the Dublin Metropolitan Police; as respects the county of Dublin shall be such officer or officers of the Dublin Metropolitan Police or Royal Irish Constabulary as may be nominated by the Lord Lieutenant, and as respects each of the other counties named in the Schedule to this Order shall be the County Inspector of the Royal Irish Constabulary; provided that, in the case of any county in which there is more than one County Inspector such of those County Inspectors as may be nominated by the Lord Lieutenant shall be the police authority for the whole county.

3. In any county named in the Schedule to this Order the police authority may delegate all or any of the powers and duties conferred or imposed upon him under or by virtue of this Order to any officer or constable of police or other person selected by the police authority, and, save so far as the police authority may otherwise provide, every officer or constable of police or other person so selected shall be deemed to be an officer of the county council for the purposes of the Motor Car Acts, 1896 and 1903, and of the Act and (subject to any provisions therein to the contrary) of any regulations or directions made or given thereunder.

4. The principal Order in its application to the counties named in the Schedule to this Order shall have effect subject to the following modifications, viz.:—

(a) A reference to the police authority shall be substituted for any reference to a county council, and a reference to an officer or constable of police or other person selected by the police authority under this Order shall be substituted for any reference to an officer of, or selected by the county council.

(b) The following Article shall be substituted for Article 3 of the principal Order—

"3. All repayments in connection with the said duties, whether under paragraph (6) of the Second Schedule to the Finance Act, 1920, or otherwise, shall be made by the Minister."

(c) Sub-section (1) of Article 4 of the principal Order, so far as it relates to proceeds of duties received by a county council, shall not apply, and sub-section (3) of the said Article shall apply to any duties or fees in respect of licences for vehicles and fees for drivers' licences received by the Postmaster-General in pursuance of this Order in like manner as it applies to duties received by him in respect of licences for vehicles issued at Post Offices.

Almeric FitzRoy.

SCHEDULE.

Counties (including county boroughs) to which this Order applies:—

Carlow.
Cavan.
Clare.
Cork.
Donegal.
Dublin.
Galway.
Kerry.
Kildare.
Kilkenny.
King's.
Leitrim.
Limerick.
Longford.
Louth.