(3) Where the offence against an order of the Ministry is committed by a corporation or company, every director and officer of the corporation or company shall be guilty of the like offence, unless he proves that the act constituting the offence took place without his knowledge or consent.

(4) Where, under an order of the Ministry, any act if done without lawful authority, or without lawful authority or excuse, is an offence against the order of the Ministry, the burden of proving that the act was done with lawful authority, or with lawful authority or excuse, shall rest on the person alleged to be guilty of the offence.

3.—(1) A person alleged to be guilty of an offence against an order of the Ministry may be tried by a court of summary jurisdiction constituted in accordance with this section, and not otherwise.

(2) A prosecution in respect of an offence against an order of the Ministry shall not be instituted except by a police officer or constable, or by or with the consent of the Attorney General for Northern Ireland.

(3) Any person aggrieved by a conviction of a court of summary jurisdiction for any offence against an order of the Ministry may appeal in manner provided by the Summary Jurisdiction Acts (Northern Ireland).

(4) A court of summary jurisdiction, when trying a person charged with an offence against an order of the Ministry, shall be constituted of two or more resident magistrates, but one resident magistrate may act alone in doing anything antecedent to the hearing of the charge under the order, or in adjourning a court or the hearing of a case, or in committing the defendant to prison or admitting him to bail, until the time to which the court or case has been adjourned.

4.—A person convicted of an offence against an order of the Ministry shall be liable to be sentenced to imprisonment with or without hard labour for a term not exceeding two years or to a fine not exceeding one hundred pounds or to both such imprisonment and fine, and the court may in addition to any other sentence which may be imposed order that any goods or articles in respect of which the offence has been committed shall be forfeited."

PART II.

ENACTMENTS IN WHICH THE MINISTRY IS TO BE SUBSTITUTED FOR THE MINISTER OF HOME AFFAIRS AND THE MINISTRY OF HOME AFFAIRS.

1.—The Civil Defence Acts (Northern Ireland), 1938 and 1939.

2.—The Constabulary Acts (Northern Ireland), 1922 to 1934, and the Special Constables Act, 1914, as it applies in Northern Ireland.

Transfer of Functions.

ORDER, DATED THE 25TH DAY OF JUNE, 1940, MADE BY THE GOVERNOR OF NORTHERN IRELAND UNDER SECTION 1 OF THE MINISTRIES ACT (NORTHERN IRELAND), 1940.

1940. No. 97.

BY THE GOVERNOR OF NORTHERN IRELAND.

ABERCORN.