



# Disabled Persons (Employment) Act 1944

1944 CHAPTER 10 7 and 8 Geo 6

## *Administration*

### 16 Preference for ex-service men and women.

The Minister shall so exercise his discretion in selecting persons for . . . <sup>F1</sup> facilities under section fifteen of this Act at any time while it appears to him that they cannot for the time being be provided for all persons in need of them, . . . <sup>F1</sup> as to secure that, so far as consistent with the efficient exercise of his powers, preference shall be given to persons . . . <sup>F2</sup> who have served whole time in the armed forces of the Crown or in the merchant navy or the mercantile marine; . . . <sup>F3</sup> . . . <sup>F4</sup>

#### Textual Amendments

- F1** Words repealed by [Employment and Training Act 1973 \(c. 50\), Sch. 4](#)
- F2** Words repealed (with saving) by [Armed Forces Act 1981 \(c. 55, SIF 7:1\), s. 28\(2\), Sch. 5 Pt. I](#)
- F3** Word repealed (with saving) by [Armed Forces Act 1981 \(c. 55, SIF 7:1\), s. 28\(2\), Sch. 5 Pt. I](#)
- F4** [Paragraph 16\(b\)](#) repealed (with saving) by [Armed Forces Act 1981 \(c. 55, SIF 7:1\), s. 28\(2\), Sch. 5 Pt. I](#)

### 17 National advisory council and district advisory committees.

- (1) The Minister shall establish for the purposes of this Act—
- a national advisory council, which shall be charged with the duty of advising and assisting the Minister in matters relating to the employment, undertaking of work on their own account or training, of disabled persons generally; and
  - for each such district in Great Britain as the Minister may determine, a district advisory committee, which shall be charged with the duty of advising and assisting the Minister in matters relating to the employment, or undertaking of work on their own account, of disabled persons in that district, and in particular of making recommendations and reports to the Minister on matters referred to the committee under this Act.

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*Status: Point in time view as at 01/02/1991.*

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- (2) The provisions of the Second Schedule to this Act shall have effect with respect to the said council and committees.

**Modifications etc. (not altering text)**

- C1 S. 17: Power to repeal conferred (2.12.1996) by 1995 c. 50, s. 60(6)(a) (with ss. 59, 64, 65); S.I. 1996/1474, art. 2(3), Sch. Pt. III
- C2 S. 17 amended (2.12.1996) by 1995 c. 50, s. 60(7) (with ss. 59, 64, 65); S.I. 1996/1474, art. 2(3), Sch. Pt. III
- C3 S. 17(1)(a) amended by Chronically Sick and Disabled Persons Act 1970 (c. 44), s. 16

**18 Officers, etc.**

- (1) The Minister, with the approval of the Treasury as to numbers and remuneration, may appoint officers and servants to act for the purposes of this Act, and may, in lieu of or in addition to appointing persons under this section, arrange with any government department that officers or servants of that department shall act for the purposes of this Act.
- (2) There shall be paid to officers and servants appointed under this section such salaries or remuneration as the Treasury may determine, and the expenses of the payment thereof, and any other administrative expenses incurred for the purposes of this Act by any government department, shall be defrayed out of moneys provided by Parliament.

**19 Provisions as to offences.**

- (1) Proceedings for an offence under this Act shall not be instituted in England except by or with the consent of the Minister or by an officer authorised in that behalf by special or general directions of the Minister.
- (2) Notwithstanding any provision in any Act prescribing the period within which summary proceedings may be commenced, proceedings for an offence under this Act may be commenced at any time within the period of three months from the date on which evidence, sufficient in the opinion of the Minister to justify a prosecution for the offence, comes to his knowledge, or within the period of twelve months from the date on which the offence was committed, whichever period last expires, and for the purposes of this subsection a certificate purporting to be signed by or on behalf of the Minister as to the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence thereof.
- (3) Where the person convicted of an offence under this Act in respect of which a fine up to a maximum amount of one hundred pounds may be imposed under any of the preceding provisions thereof is a body corporate, the maximum amount of the fine which may be imposed on that body shall be [<sup>F5</sup>level 5 on the standard scale] in lieu of one hundred pounds.
- (4) Where an offence under this Act has been committed by a body corporate, every person who at the time of the commission of the offence was a director or officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence, unless he proves that the contravention was committed without his consent or connivance and that he exercised all such diligence to prevent

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the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

(5) Proceedings against a person for an offence under this Act alleged to have been committed outside Great Britain may be taken before the appropriate court in Great Britain having jurisdiction in the place where that person is for the time being.

(6) Subsection (2) of this section shall in its application to Scotland have effect as if for the reference to evidence sufficient to justify a prosecution there were substituted a reference to evidence sufficient to justify a report to the Lord Advocate with a view to consideration of the question of prosecution.

**Textual Amendments**

**F5** Words substituted by virtue of (E. W. ) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 38, 46](#) and (S. ) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [ss. 289F, 289G](#)

**20 Regulations and orders.**

(1) The Minister may make regulations for prescribing anything which under this Act is to be prescribed.

(2) Any regulations or order made by the Minister under this Act shall, as soon as may be after the making thereof, be laid before Parliament, and if either House of Parliament within the period of twenty-eight days beginning with the day on which any such regulations or order are or is laid before it resolves that the regulations or order be annulled, the regulations or order shall thereupon become void, without prejudice, however, to the validity of anything previously done thereunder or to the making of new regulations or a new order.

In reckoning any such period of twenty-eight days as aforesaid, no account shall be taken of any time during which Parliament is dissolved or prorogued, or during which both Houses are adjourned for more than four days.

(3) ..... <sup>F6</sup>

(4) An order made under this Act may be varied or revoked by a subsequent order.

**Textual Amendments**

**F6** [S. 20\(3\)](#) repealed by [Statute Law Revision Act 1963 \(c. 30\)](#)

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