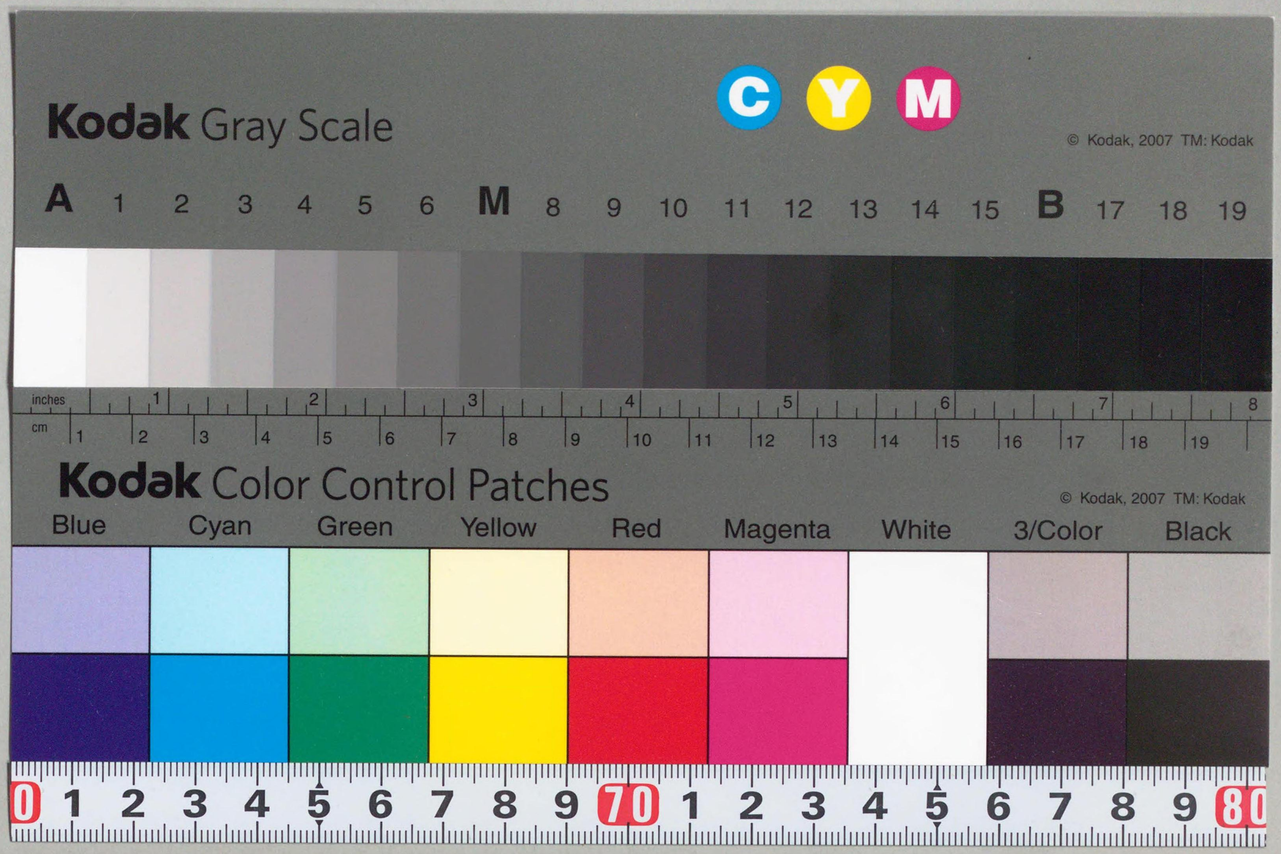

昭和十五年三月

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第二次歐洲戰爭ニ於ケル交戰國ノ戰時措置及非常措置

（四）

外務省條約局第二課

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序

本集ハ今次歐洲戰爭ニ於ケル交戰國ノ戰時法令・準戰時法令及關係公文書ノ「テキスト」ヲ一般・軍事・經濟・司法・交通及通信ノ六事項別且「アルファベット」順ニ採錄シタルモノナリ

目　次

頁

英帝國

〔ニユー・ジーランド〕

戰時措置

一般……1

軍事……41

經濟……43

司法……98

交通……102

通信……122

非常措置

一般……123

軍事……139

經濟……144

交通……146

通信……181

〔南阿聯邦〕

戰時措置

一般……181

經濟……193

〔スダン〕

戰時措置

一般……200

非常措置

一般……201

軍事……237

經濟……238

英　帝　國

〔ニユー・ジーランド〕

○戰時措置

一　般

ALIEN CONTROL EMERGENCY REGULATIONS.

4th September, 1939.

PRELIMINARY.

1. These regulations may be cited as the Alien Control Emergency Regulations 1939.

2. In these regulations, unless inconsistent with the context,—
"Minister" means the Attorney-General:
"British subject" means a person—

(i) Who is a natural born British subject; or

(ii) To whom letters of naturalization have been granted under any enactment in force in New Zealand prior to the coming into force of the British Nationality and Status of Aliens (in New Zealand) Act, 1928; or

(iii) To whom a certificate of naturalization has been granted under the British Nationality and Status of Aliens (in New Zealand) Act, 1928; or

(iv) To whom a certificate of naturalization has been granted in any part of His Majesty's Dominions wherein Part II of the British Nationality and Status of Aliens Act, 1914 (Imp.), applies or has been adopted; or

(v) Who has become the subject of His Majesty by reason of any annexation of territroy;
and who (in any of the above-mentioned cases) has not ceased to be a British subject; and includes—

(vi) Any woman who by declaration made under section 3 of the British Nationality and Status of Aliens (in New Zealand) Amendment Act, 1934-35, is within New Zealand entitled to the political and other rights to which a naturalborn British subject is entitled if there is not a subsisting marriage between such woman and an alien who is or at any time has been according to the laws of any State with which His Majesty

is at war a national of that State and if she has not by any means other than by contracting marriage with an alien acquired any foreign nationality; and

(vii) Any woman who at the time of her marriage to an alien (not being an alien who is or at any time has been according to the laws of any State with which His Majesty is at war a national of that State) was a British subject as hereinbefore defined if by such marriage she does not acquire the nationality of her husband and if she has not thereafter by any other means acquired any foreign nationality:

"Alien" means a person of the age of sixteen years or over—

(i) Who is not a British subject as herein defined; or

(ii) Who, notwithstanding that he may also be a British subject by birth or naturalization or otherwise, is or at any time has been according to the laws of any State with which His Majesty is at war a nationay of that State;
but does not include—

(iii) A woman who is deemed for the purposes of these regulations to be a British subject by virtue of paragraph (vi) or paragraph (vii) of the foregoing definition of "British subject":

"Police officer" means a member of the Police Force of anf rank;

"Police district" means an area accepted for the time being as a police district for the purpose of the administration of the Police Force Act, 1913;

"Registration Office" means an officer of police of a rank not lower than that of Sub-Inspector;

"Wharf" means any wharf, quay, pier, jetty, or other place used for the loading or unloading of ships; and includes all warehouses or other buildings adjacent to any such wharf, quay, pier, jetty, or other place used in connection therewith; and also includes any public highway so far as it intercepts any such wharf, quay, pier, jetty, or other place;

"Ship" means any description of vessel used in navigation, whether seagoing or not, other than a vessel propelled exclusively by oars, and also includes any lighter, barge, boat, or other vessel used in connection with the loading or unloading of a ship as so defined.

REGISTRATION.

3. (1) Every alien in New Zealand on the coming into force of these regulations shall, within fourteen days from the date of these regulations, make application for registration in the form marked AL. 1 in the Schedule hereto.

(2) Every such application shall be in writing, in duplicate, and shall be made by delivering the same personally to the officer in charge at the police station nearest to which the applicant resides.

(3) Every such application shall be signed by the applicant in person with his usual signature, unless he is unable to write, in which case he shall, in the presence of the police officer to whom application is made, affix to the application such thumb-prints or finger-prints or other means of identification as the police officer may require.

4. The police officer to whom the application is made shall, upon receipt thereof, forward the same to a Registration Officer in that police district.

5. The Registration Officer shall file the application in his office and issue a certificate of registration in the form marked AL. 2 in the Schedule hereto, one copy of which shall be retained at his office, one copy forwarded to the Commissioner of Police, and one copy delivered to the alien on his application at the police-station where his application for registration was delivered and on his signing the certificate as therein prescribed.

6. The Commissioner of Police shall cause to be compiled a register of the names, places of abode, and such other particulars as he may deem it expedient to include, of all registered aliens, to be called the Register of Aliens, which shall be amended from time to time by correcting errors therein, by entering changes of name or abode on the part of any alien, by adding thereto the names of aliens to whom certificates of registration have been issued, and by removing therefrom the names of aliens who die, or who leave New Zealand, or who otherwise cease to be subject to the regulations.

7. (1) The Register of Aliens shall not be open as of right to inspection by any person.

(2) Notwithstanding the provisions of clause (1) of this regulations, the Court may in any proceedings for an offence against these regulations order or permit a certified copy of any entry in the register to be produced to the Court.

(3) Any certificate of registration shall be *prima facie* evidence of the registration of the person to whom such certificate relates.

(4) A copy certified by the Commissioner of Police of any entry in the register shall be *prima facie* evidence of entry.

(5) A certificate under the hand of the Commissioner of Police of the absence of an entry in the register shall be *prima facie* evidence of the facts stated in such certificate.

(6) The absence of an entry in the register relating to any person shall be *prima facie* evidence that no application for registration has been made by that person.

(7) Judicial notice shall be taken of the signature of the Commissioner of Police to any certificate or certified copy referred to in this regulation and of the signature of the Registration Officer to any certificate of registration.

8. Every alien who arrives in New Zealand after the coming into force of

these regulations shall, before being permitted to land, make application for registration in the manner set out in Regulation 3 hereof, save that the application may be delivered to any officer of Customs to be dealt with by him as provided in Regulation 4 hereof and save that in the form of application the applicant's intended place of abode in New Zealand shall be set out.

9. (1) A Collector of Customs may, by writing under his hand, grant temporary permission to land in New Zealand, subject to such conditions as he thinks fit, to any alien being the master or a member of the crew or a passenger of any vessel arriving in New Zealand who is the holder of a passport as hereinafter defined, or who is lawfully entitled to land in New Zealand without producing a passport; and so long as such permission is in force and such alien complies with the conditions thereof such alien shall not be liable to comply with the requirements of the last preceding regulation.

(2) In this regulation "passport" means a passport or other document of identity—

(a) Which establishes to the satisfaction of the Collector of Customs the nationality and identity of the person to whom it relates; and

(b) Which has been issued by the Government of the country of which the person to whom it relates is a subject or citizen, or protected person and which is still in force, and to which there is attached a photograph of the person to whom it relates; and

(c) Which relates to the person in whose possession it is; and

(d) Which in the case of an alien landing in New Zealand (other than the master or a member of the crew of any vessel) has been marked with a *visa* that is still in force by a British Diplomatic or Consular Officer or some British public official duly authorized in that behalf;

Provided that such *visa* shall not be required in respect of nationals of any country between the Government of which and His Majesty's Government in New Zealand there is for the time being in force an agreement to dispense with the requirement of passport *visas*, the existence of which agreement is notified from time to time in the *Gazette*.

10. Every person who after the date of these regulations becomes an alien as herein defined, whether by attaining the age of sixteen years or, in the case of a woman, by marriage to an alien, or otherwise whosoever, shall within fourteen days thereafter make application for registration as an alien in manner hereinbefore provided, and the provisions of Regulations 3 and 4 hereof shall thereupon apply to the case.

CHANGE OF ABODE.

11. Every alien to whom a certificate of registration has been granted who changes the place of his abode shall, within seven days thereafter, give, in the form marked AL. 3 in the Schedule hereto, notice in writing thereof and of his new place of abode to the officer in charge at the polce-station nearest to his

new place of abode and shall, together with such notice, surrender his certificate of registration.

12. Every police officer to whom notice of such change of abode has been given shall forward the surrendered certificate of registration and particulars of the alien's new place of abode to a registration officer for the police district in which such new place of abode is situated.

13. If the change of abode is in the police district in which the alien is already registered, the Registration Officer shall note the change of address on the duplicate copy of the certificate of registration filed at his office, shall advise the Commissioner of Police, and shall endorse particulars of the new address on the certificate of registration, which shall then be returned to the alien.

14. If the change of abode is from one police district to another, the Registration Officer in whose district such alien has taken up residence shall notify the Registration Officer in whose district such alien formerly resided and shall obtain from him the duplicate certificate of registration filed in his office and shall then advise the Commissioner of Police and deal with such duplicate certificate and surrendered certificate as provided by the last preceding regulation.

CHANGE OF NAME.

15. Every alien registered under these regulations who changes his or her name, whether by marriage or otherwise, shall, within twenty-eight days thereafter, give notice of such change to the officer in charge of the police-station nearest his or her place of abode, and shall, together with such notice, surrender his or her certificate of registration.

16. Eevry police officer to whom a notice of change of name has been given shall forward the same and the surrendered certificate of registration to the Registration Officer in whose office is filed the duplicate copy of the alien's certificate of registration.

17. The Registration Officer shall note the change of name on the duplicate copy of the certificate of registration filed at his office, shall advise the Commissioner of Police, and shall endorse particulars of the change of name in the certificate of registration, which shall then be returned to the alien.

PRODUCTION OF CERTIFICATE OF REGISTRATION.

18. (1) After the expiration of fourteen days from the date of these regulations, every alien registered under these regulations shall produce a certificate of registration when required to do so by any police officer.

(2) It shall be a defence to any person charged with an offence against the last preceding clause of this regulation if he proves that he duly applied for registration and that at the time of the offence either—

(a) No certificate of registration had been forwarded to the police-station for

delivery to him; or

(b) That his certificate of registration was for the time being surrendered for any of the purposes of these regulations and had not been forwarded to the police-station for redelivery to him; or

(c) That his certificate of registration had been destroyed, stolen, or lost and that he had duly applied for a duplicate but such duplicate had not been forwarded to the police-station for delivery to him.

ARREST AND DETENTION OF ALIENS.

19. Any police officer or member of His Majesty's Force who has reason to believe that any alien, whether registered or not, is guilty of such conduct that his liberty is a source of public danger or is disaffected or has acted or is about to act in any manner injurious to public safety or the interests of His Majesty, may take that alien into custody pending the decision of the Minister.

20. (1) Upon its being made clear to the Minister that the liberty of any alien is a source of public danger or that he is disaffected or has acted or is about to act in any manner injurious to public safety or the interests of His Majesty, he may order that such alien may be taken into custody during his pleasure.

(2) Any alien taken into custody and detained by the order of the Minister shall be delivered into the custody of the military authorities.

(3) In making any order under this regulation the Minister shall be deemed to be acting in an executive and not in a judicial capacity.

EMPLOYMENT OF ALIENS ON A WHARF OR SHIP.

21. (1) Save in pursuance of a license issued by a Registration Officer, it shall not be lawful for any alien or for any person who is a British subject by naturalization only to be engaged in the work of loading or unloading a ship or to be engaged in any manner of work whatever on or about any wharf or ship.

(2) Nothing in this regulation shall apply to the work on or about any ship of the master or any member of the crew thereof who has arrived in that ship from any place out of New Zealand.

(3) Every person who procures or permits any other person to be engaged in any work in breach of this regulation shall be liable accordingly:

Provided that on a prosecution for any such offence it shall be a good defence that the accused believed on reasonable grounds that such engagement was not in breach of this regulation.

(4) Every license issued by a Registration Officer under this regulation may be in the form marked AL. 4 in the Schedule hereto and may contain such terms and conditions as such Registration Officer thinks fit and shall be revocable at the will of a Registration Officer.

22. Any person to whom a Registration Officer has refused to grant a license,

or whose license has been revoked by a Registration Officer under the last preceding regulation, may appeal therefrom in writing to the Minister, and the Minister in his executive capacity may thereupon give to the Registration Officer such final directions in the matter as he thinks fit.

23. Any police officer or officer of Customs may question any person engaged on or about to be engaged on the work of loading or unloading a ship or on any manner of work on or about a ship or any person found upon a wharf or ship as to his identity and present or former nationality, and any person who refuses or neglects to answer any question so put to him or answers such question in a false or misleading manner shall be guilty of an offence against these regulations and shall be liable accordingly.

ALTERATION AND DUPLICATION OF DOCUMENTS.

24. (1) For the purpose of this regulation "document" means any certificate of registration of an alien or variation thereof, or license to work on wharves or shipping, and includes a duplicate of a document.

(2) No person shall—

(a) Alter or deface any document, and any document so altered or defaced shall be void; or

(b) Lend or part with any license issued to him.

(3) Upon the return of any document rendered illegible or spoilt by weather or otherwise or upon proof to his satisfaction that a document has been destroyed, stolen, or lost, a Registration Officer may, upon application of the person to whom the document was issued, and upon payment of a fee of 2s., issue a duplicate of such document.

Every duplicate so issued shall have the word "Duplicate" written or printed thereon and be verified by the signature of a Registration Officer, and the production of a duplicate document shall be of the same effect as the production of the original document.

EXEMPTIONS.

25. (1) The Minister may, by writing under his hand delivered to the person concerned and notified to the Commissioner of police, exempt wholly or in part from the provisions of these regulations—

(a) Any person who is both a British subject as hereinbefore defined and is also or at any time has been according to the laws of any State with which His Majesty is at war a national of that State; or

(b) Any other person to whom it is in his opinion desirable in the national interest that such exemption should be granted.

(2) Any such exemption may in like manner at any time be withdrawn.

OFFENCES.

26. Any person who fails to comply with any of the foregoing requirements, or who in any application for registration or notice of change of abode or application for a duplicate document or in any communication relating to the subject-matter of these regulations makes any false or misleading statement, commits an offence against these regulations.

LEGAL PROCEEDINGS.

27. In any proceedings for an offence against these regulations the onus of proving that he has complied with the regulations shall lie on the person charged with such offence.

28. In any proceedings for a breach of these regulations where nationality is in issue evidence of repute, belief, or hearsay or any other evidence shall be admissible in proof of nationality, whether such evidence would otherwise be legally admissible or not.

29. Section 50 of the Justices of the Peace Act, 1927, shall have no application to a prosecution for an offence against these regulations.

SCHEDULE.

Form AL. 1.

APPLICATION FOR REGISTRATION AS AN ALIEN.

Surname: ..... Forename: .....
Place of abode: .....
Sex: ..... Date of birth: ..... Place of birth: .....
Present nationality: .....
Any former nationality: .....
Conjugal condition: (Never married, married, widowed, or divorced).
Occupation: .....
Height: ..... Build: ..... Hair: ..... Eyes: .....
Distinctive marks (scars, &c.): .....
Date and place of arrival in New Zealand: .....
Nature of permit or certificate of registration issued on arrival: .....
Name of (wife) (husband): .....
Particulars of applicant's children resident in New Zealand, whether residing with applicant or not:—

Name	Sex	Date of Birth	Place of Birth

Date of application: .....,19.... Signature of alien: .....
Witness to signature: .....
Rank: .....

Name of police-station where application is made: .....
(If alien is unable to write, a thumb-print or finger-print or other means of identification is to be made in the space provided in the presence of the officer of police to whom application is made, stating which print.) Thumb-print, &c.
Certificate of Registration No. .....,issued at ..... on .....
by.....

Form AL. 2.

No.....

CERTIFICATE OF REGISTRATION OF ALIEN.

Surname: ..... Forename: .....
Place of abode: .....
Present nationality: .....
Date and place of application for registration: .....
Date of issue of certificate of registration: .....
Place of issue of certificate of registration: .....
Signature of holder: .....
Signature of Registration Officer: .....

Personal Description of Alien.

Sex: ..... Date of birth: ..... Place of birth: .....
Height: ..... Build: ..... Hair: ..... Eyes: .....
Distinctive marks, &c.: .....

IMPORTANT.—Every registered alien who changes his place of abode is required to give notice in writing of the fact within seven days at the police-station nearest his new place of abode.

Changes of Abode.

Former Address.	New Address.	Signature of Registration Officer.	Date.

Form AL. 3.

NOTIFICATION OF CHANGE OF ABODE OF REGISTERED ALIEN.

I,....., the holder of Certificate of Registration No. ....., issued

at ..... on ..... hereby give notice that on ..... I changed my abode from ..... to my present address, namely .....

Signature of alien: .....

Signature and rank of police officer to whom notice has been given: .....

Change of address noted.

Date:.....
....., Registration Officer.
Date:.....

Form AL. 4.

No.....

LICENSE TO WORK ON WHARVES OR SHIPPING.

Description of license: ..... IN pursuance of the Alien Control Emergency Regulations 19.... **(Name)** of **(Address)** being an alien, or a British subject by naturalization only, is hereby licensed to work as a..... on the wharves at ..... and on any ship in the Port of .....* under the following conditions:—

Native of: .....
Age: .....
Height: .....
Build: .....
Complexion: .....
Hair: .....
Eyes: .....
Marks, &c.:.....

Dated this....., day of ....., 19.....

....., Registration Officer.

* Or as the case may require.

BUILDING EMERGENCY REGULATIONS.

11th September, 1939.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Building Emergency Regulations 1939.

(2) These regulations shall be read together with and deemed part of the Supply Control Emergency Regulations 1939.

(3) In these regulations, unless inconsistent with the context,—

"Controller" means the Building Controller appointed under these regulations; and includes any person for the time being authorized to exercise

or perform any of the Controller's powers or functions:

"Constructional work" includes—

(a) The construction, extension, or alteration of any building or other erection;

(b) The fabrication of materials for the purposes of any kind of constructional work hereinbefore mentioned, whether carried on at the site or elsewhere;

"Building-materials" means any materials or goods capable of being used in or for the purposes of any constructional work or capable of being dealt with in or for the purposes of any constructional work, whether by being manufactured, fabricated, improved, altered, or prepared, or otherwise; and includes goods that have been wholly or partly so dealt with; and also includes any tools, machinery, plant, or equipment capable of being used in or for the purposes of any constructional work; and also includes any patent rights relating to any materials, goods, tools, machinery, plant, or equipment:

"Owner," in relation to any building-materials, includes any person having the materials in his possession or control or on order by him.

REGULATION 2.—BUILDING CONTROLLER.

(1) The Minister may from time to time appoint a Controller to be known as "the Building Controller."

(2) The Controller shall hold office during pleasure of the Minister.

(3) The general functions of the Controller shall be to organize and promote the undertaking or constructional works according to the importance thereof in the public interst, and for that purpose to determine the precedence and order of urgency thereof and to ensure the supply of materials and labour for the prosecution of constructional works according to the order of urgency laid down from time to time by the Controller.

(4) The Controller shall be subject in all things to the control of the Minister, and shall act in accordance with all directions, general or special, given to him by the Minister.

REGULATION 3.—STOPPING OF CONSTRUCTIONAL WORK.

(1) The Controller may at any time, by notice to the owner or person in charge of any constructional work, whether it was commenced before or after the making of these regulations and whether or not it is the subject of any permit granted under these regulations, direct that the constructional work be wholly stopped, or be stopped except so far as the notice otherwise provides.

(2) Where a notice has been given under this regulation in respect of any

constructional work, no person shall, except with the precedent consent of the Controller, proceed with that work in contravention of the terms of the notice, or cause or permit any other person so to do.

(3) For the purpose of determining the rights and liabilities of any party to a contract relating to constructional works, any restriction imposed under or by virtue of this regulation shall be deemed to be equivalent to the occurrence of a strike, lockout, or interruption by *force majeure*.

REGULATION 4. — CONSTRUCTIONAL PERMITS.

The Controller may from time to time direct, either generally, or in respect of any special constructional work or class of constructional work, that no work shall commence except in accordance with a permit issued by the Controller under these regulations.

REGULATION 5.—CONTROL OF BUILDING-MATERIALS.

(1) The Controller may from time to time regulate, restrict, and control the use, sale, supply, distribution, and disposal of building-materials. The powers conferred by this regulation may be exercised either generally or in respect of any specified area, industry or class of industries, constructional work or class of persons.

(2) Without limiting the general powers conferred on the Controller by this regulation, it is hereby declared that they shall be deemed to include power to do all or any of the following things:—

(a) To require or direct owners of building-materials to furnish such information and particulars in relation thereto, at such times and in such form and manner as the Controller thinks fit:

(b) To require or direct owners of building-materials to supply or transfer the whole or any part thereof to His Majesty the King or to any other person, in such quantities, at such places, at such times or intervals, in such order of urgency, and generally in such manner as the Controller thinks fit:

(c) To require or direct owners and persons in charge of constructional works and owners of building materials not to use, dispose of, part with the possession or control of, or otherwise deal with building-materials except with the precedent consent of the Controller or in accordance with his directions:

(d) To require or direct owners and persons in charge of constructional works to use such substitutes for building-materials as the Controller thinks fit.

CHANGE OF NAME EMERGENCY REGULATIONS.

4th September, 1939.

1. These regulations may be cited as the Change of Name Emergency Regulations 1939.

2. Nothing in these regulations shall affect—

(i) The right of any woman to use a name acquired upon a marriage solemnized on or after the coming into force of these regulations:

(ii) The assumption and use of a new surname pursuant to a Royal license in that behalf:

(iii) The assumption and use of a name by an infant pursuant to the terms or effect of an order made by a Magistrate under Part III of the Infants Act, 1908, or a Judge under Part IX of the Native Land Act, 1931:

(iv) The assumption and use of a name by any person in conformity with the usage of a religious order upon entry into the order:

(v) The assumption and use of a new Christian name upon administration of the rite of confirmation.

3. No person shall for any purpose assume or use, or purport to assume or use, or continue the use of any name other than a name by which he was known at the date of coming into force of these regulations.

4. No deed poll or other instrument by which a change of name to which these regulations apply is effected or declared shall be accepted for filing in any Registry of the Supreme Court unless evidence is produced to the Registrar that exemption has been granted from the provisions of these regulations pursuant to Regulations 6 hereof.

5. No person shall publish any notification of a change of name to which these regulations apply unless exemption has been granted from the provisions of these regulations pursuant to Regulation 6 hereof: Provided that the fact of publication in the *Gazett* of a notification of a change of name shall be sufficient evidence in favour of any person subsequently publishing a similar notification that such exemption has been granted.

6. The Minister of Internal Affairs may, if it appears desirable in any particular case, grant an exemption from the provisions of these regulations.

7. A fee of 10s. shall be payable into the Consolidated Fund in respect of the grant of exemption herein mentioned.

EMERGENCY REGULATIONS ACT.

No. 8, 14th September, 1939.

1. This Act may be cited as the Emergency Regulations Act, 1939.

2. In this Act, unless the context otherwise requires,—

"Aircraft" has the same meaning as in the Air Navigation Act, 1931:

"Emergency regulations" means regulations made under this Act; and includes the regulations referred to in section five of this Act:

"Enemy property," in relation to any war in which His Majesty may be engaged, means property of any kind which for the time being belongs or at any time during the war has belonged to any person or corporation of enemy nationality, descent, origin, residence, connections, or associations (whether for the time being present or past), or to an enemy State, or in which any such person, corporation, or State has or at any such time has had any interest:

"Enemy trade," in relation to any war in which His Majesty may be engaged, means any trade, business, undertaking, or transaction which is carried on or entered into by or for the benefit of or under the control of persons or corporations of enemy nationality, descent, origin, residence, connections, or associations (whether for the time being present or past) or which may be to the advantage of an enemy State or of the subjects or inhabitants thereof, whether during or after the war:

"Ship" means any kind of vessel used in navigation, not propelled by oars only.

3. (1) The Governor-General may from time to time, by Order in Council, make such regulations (in this Act referred to as emergency regulations) as appear to him to be necessary or expedient for securing the public safety, the defence of New Zealand, the maintenance of public order, and the efficient prosecution of any war in which His Majesty may be engaged, for maintaining supplies and services essential to the life of the community, and generally for safeguarding the interests and maintaining and promoting the welfare of the community.

(2) Without limiting the general power hereinbefore conferred, it is hereby declared that emergency regulations may be made under this section for all or any of the following purposes:—

(a) Providing for the apprehension, trial, and punishment of persons offending against the regulations, and for the detention of persons whose detention appears to be expedient in the interests of the public safety or the defence of New Zealand:

(b) Authorizing the taking of possession or control, on behalf of His Majesty, of any property or undertaking:

(c) Authorizing the acquisition, on behalf of His Majesty, of any property;

(d) Authorizing the entering and search of any premises:

(e) Providing, so far as appears to be necessary for the purposes of the regulations, for modifying any enactment, either generally or in its application to any specified case or class of cases, for suspending the operation

of any enactment, and for applying any enactment, with or without modification:

(f) Prescribing matters in respect of which fees are to be payable under emergency regulations, the amount of the fees, and the persons liable to pay them:

(g) Authorizing the refund or remission, in such circumstances as may be prescribed by the regulations, of any fees payable under emergency regulations:

(h) Making such provisions as may be deemed necessary for the suppression, restriction, or control of enemy trade:

(i) Making such provisions as may be deemed advisable with respect to enemy property:

(j) Providing for the control of prices and for the prevention of profiteering:

(k) Promoting the development of standardization, simplification, and certification in relation to commodities, processes, and practices:

(l) Providing for the protection of debtors and for the regulation and restriction of legal proceedings, powers, and remedies:

(m) Creating corporate bodies, and prescribing their powers and functions:

(n) Establishing Courts and tribunals, and conferring jurisdiction upon any Court or tribunal (whether established under the regulations or otherwise) or upon any person holding judicial office, whether or not such jurisdiction is exercisable by any other Court, tribunal, or person:

(o) Prescribing the manner in which notices may be given under any emergency regulations, whether by publication in the *Gazette* or otherwise.

(3) Emergency regulations may empower or provide for empowering such authorities, persons, or classes of persons as may be specified in the regulations to make orders, rules, or by-laws for any of the purposes for which emergency regulations are authorized by this Act to be made, and may contain such incidental and supplementary provisions as appear to the Governor-General in Council to be necessary or expedient for the purposes of the regulations.

(4) Any emergency regulations, and any order, rule, or by-law duly made in pursuance of emergency regulations, shall have effect, notwithstanding anything inconsistent therewith contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.

(5) No emergency regulation, and no order, rule, or by-law duly made in pursuance of emergency regulations, shall be deemed to be invalid on the ground that it delegates to or confers on the Governor-General or any other person or body any discretionary authority.

(6) Emergency regulations shall have effect as if enacted in this Act, but may

be added to, altered, or revoked by subsequent emergency regulations.

(7) All regulations made under this Act shall be laid before Parliament as soon as may be after they are made.

4. (1) Unless the contrary intention appears there-from, any provisions contained in, or having effect under, any emergency regulations shall—

(a) In so far as they specifically impose prohibitions, restrictions, or obligations in relation to ships or aircraft, or specifically authorize the doing of anything in relation to ships or aircraft, apply to all ships and aircraft in or over New Zealand, and to all ships and aircraft registered in New Zealand, wherever they may be; and

(b) In so far as they impose prohibitions, restrictions, or obligations on persons, apply to all persons, in New Zealand and all persons on board any ship or aircraft registered in New Zealand.

(2) Emergency regulations may make provision whereby the owner, manager, or charterer of any ship or aircraft registered in New Zealand, being a person resident in New Zealand or a corporation incorporated under the law of New Zealand, is subjected to restrictions in respect of the employment of persons outside New Zealand in connection with the management of the ship or aircraft.

(3) Nothing in this section shall be construed to limit the extra-territorial operation of any emergency regulations.

5. (1) All regulations made under the Public Safety Conservation Act, 1932, before the passing of this Act (including all regulations made under the joint authority of that Act and any other Act) shall for all purposes be deemed as from the making thereof to have been made with full power and authority and to have been valid and of full effect.

(2) Notwithstanding anything to the contrary in subsection three of section three of the Public Safety Conservation Act, 1932, all such regulations that are in force at the passing of this Act shall continue in force as if they had been made under this Act.

6. Where any acts have been done before the commencement of any emergency regulations and by virtue of those regulations the acts would have been valid and lawful if the regulations had been in force when they were done, the acts shall be deemed to have been validly and lawfully done under the authority of the regulations.

7. Except as otherwise expressly provided in emergency regulations, no action, claim, or demand whatsoever shall lie or be made or allowed by or in favour of any person against the Crown, or any Minister of the Crown, or any officer or person acting in the execution or intended execution of this Act or of any emergency regulations for or in respect of any damage, loss, or injury sustained or alleged to have been sustained by reason of anything done or purporting to be done under the authority of this Act or of any emergency regulations.

8. The publication in the *Gazette* or in accordance with the Regulations Act,

1936, whether before or after the passing of this Act, of any emergency regulations, or of any Order in Council, Proclamation, order, rule, by-law, notice, warrant, license, or other act of authority under this Act or under any emergency regulations shall for all purposes be deemed to be notice thereof to all persons concerned, and in any prosecution under this Act the liability of the accused shall be determined accordingly.

9. (1) Every person who commits, or attempts to commit, or does any act with intent to commit, or counsels, procures, aids, abets, or incites any other person to commit, or conspires with any other person (whether in New Zealand or elsewhere) to commit, any offence against any emergency regulations shall be liable to such punishment as is prescribed in that behalf by the regulations or, where no punishment is so provided, shall be liable on summary conviction to imprisonment for a term of twelve months or to a fine of one hundred pounds, or to both such imprisonment and such fine.

(2) Nothing in this Act or in any emergency regulations shall be so construed or shall so operate as to take away or restrict the liability of any person for any offence punishable independently of this Act, but no person shall be punished twice for the same offence.

10. (1) In any prosecution under this Act the Court shall take judicial notice of the existence or termination of a state of war.

(2) Unless the Attorney-General in any case otherwise directs, no person convicted in any such prosecution shall be released from custody by reason of and during the pendency of an appeal from the conviction, and warrants may be issued in execution of the conviction in the same manner as if no appeal had been instituted, notwithstanding anything to the contrary in any other Act.

LABOUR LEGISLATION EMERGENCY REGULATIONS.

14th September, 1939.

1. These regulations may be cited as the Labour Legislation Emergency Regulations 1939.

2. The provisions of any Act or regulations or orders thereunder, and of any award or industrial agreement, under the Industrial Conciliation and Arbitration Act, 1925, and its amendments, and of any agreement under the Labour Disputes Investigation Act, 1913, or of any voluntary agreement affecting conditions of employment, which prohibit or restrict in any way the working of extended hours on any day or in any week or which relate to the conditions under which extended hours may be worked may, in order to facilitate the effective conduct of emergency operations arising out of the war, be suspended by the Minister of Labour by order published in the *Gazette* in respect of any industry or branch thereof or in any particular case, subject, however, to such terms and conditions and from such date as the Minister may prescribe in such order.

LABOUR LEGISTLATION SUSPENSION ORDER.

15th September, 1939.

1. Where shifts are worked on the basis of three shifts a day, each worker employed on shift-work shall receive, in addition to his ordinary wages, the sum of 3s. per shift, or where shfts are worked on the basis of two shifts a day the additional payment shall be rotated.

2. All arrangements for shift-work shall be subject to the approval of the Minister of Public Works.

3. For all time worked on Saturdays time and a half rates shall be paid.

4. All time occupied in travelling to and from the work outside the ordinary working-hours shall be paid for at ordinary rates.

5. Except as hereinbefore provided, all extended hours worked shall be paid for at the rate and subject to the conditions for extended hours specified in the Act, award, or agreement applicable thereto, not being less than at the rate of time and a half, or if a rate for extended hours is not specified therein, then at the rate of time and a half.

6. These regulations shall operate on and from the 1st day of September. 1939.

PATRIOTIC PURPOSES EMERGENCY REGULATIONS.

No. 194, 4th October, 1939.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Patriotic Purposes Emergency Regulations 1939.

(2) These regulations are divided, as follows:—

REGULATION 1.—PRELIMINARY.

Part I.—National Organization.

Regulation 2.—Patriotic Funds.
Regulation 3.—Administration.
Regulation 4.—National Patriotic Council.
Regulation 5.—Proceedings of the Council.
Regulation 6.—Committees of the Council.
Regulation 7.—General Functions of the Council.
Regulation 8.—Particular Functions of the Council.

Part II.—Provincial Patriotic Districts and Organizations.

Regulation 9.—Provincial Patriotic Districts.

Regulation 10.—Provincial Patriotic Organizations.
Regulation 11.—Provincial Patriotic Councils.
Regulation 12.—Finance of Provincial Patriotic Organizations.

Part III.—National Patriotic Fund and Board.

Regulation 13.—National Patriotic Fund established.
Regulation 14.—National Patriotic Fund Board.
Regulation 15.—Contracts of the Board.
Regulation 16.—Meetings of the Board.
Regulation 17.—General Function of the Board.
Regulation 18.—Powers of the Board.
Regulation 19.—Committees of the Board.
Regulation 20.—Vesting, Control, and Investment of Property.
Regulation 21.—Annual Report and Statement of Accounts.

Part IV.—Provincial Patriotic Funds.

Regulation 22.—Provincial Patriotic Funds established.
Regulation 23.—Particulars to be supplied to Minister.
Regulation 24.—Expenditure and Investment of Provincial Funds.
Regulation 25.—Accounts and Audit of Provincial Funds.
Regulation 26.—Investigation of Administration and Accounts of Provincial Funds.
Regulation 27.—Penalty for misappropriation of Provincial Funds, &c.

Part V.—Patriotic Purposes and Authorized Collectors.

Regulation 28.—Approval of Patriotic Purposes.
Regulation 29.—Authorized Collectors.
Regulation 30.—Appointment and Control of authorized Collectors for National Fund.
Regulation 31.—Appointment and Control of Authorized Collectors for Provincial Funds.

Part VI.—General.

Regulation 32.—Authority to make Contributions to National and Provincial Funds.
Regulation 33.—Special Provision *re* Moneys and Goods heretofore collected.
Regulation 34.—Members of Boad, Provincial Councils, and Controlling Committees not personally liable.
Regulation 35.—General Penalty.

(3) In these regulations, unless inconsistent with the context,—

"Approved," in relation to any patriotic fund or patriotic purpose, means approved by the Minister:

"Authorized collector" means a person or body of persons, whether incorporated or not, duly authorized under these regulations to appeal for, collect, receive, or in any other manner raise money or other personal property for

or on behalf of an approved patriotic fund:

"Board" means the National Patriotic Fund Board established by these regulations.

"Controlling committee" means the committee controlling any subdivision of a Provincial Patriotic district:

"Minister" means the Minister of Internal Affairs:

"Moneys" includes the securities upon which moneys are invested and all interest accruing thereon:

"National Council" means the National Patriotic Council established by these regulations:

"National Fund" means the National Patriotic Fund established by these regulations:

"Patriotic Fund" means any fund raised or goods or articles collected wholly or in part by private subscription and public appeal for purposes that comprise or include any patriotic purpose:

"Patriotic purpose" or "purpose" means any purpose in connection with the war, and in particular any of the following purposes—

(a) The relief of distress occasioned by the war, whether in New Zealand or elsewhere in the British dominions, or in any territory under His Majesty's protection or mandate or in the territory of any State allied to His Majesty, whether such territory is in enemy occupation or not:

(b) The supply or provision of comforts, conveniences, amenities, or special equipment to members of His Majesty's Naval, Military, or Air Forces.

(c) The relief, assistance, or support of members of the said Forces who may be sick, wounded disabled, or out of employment, or for the relief, assistance, or support of their dependants or of the dependants of members who may lose their lives directly or indirectly in or in connection with the war:

(d) Any other purpose which by notice in the *Gazette* the Minister declares to be a patriotic purpose:

"Provincial Council" means a Provincial Patriotic Council established by these regulations:

"Provincial District" means a Provincial Patriotic District established by and for the purposes of these regulations:

"Provincial Fund" means a Provincial Patriotic Fund established by these regulations:

"Provincial Organization" means a Provincial Patriotic Organization established by these regulations:

"The war" means any war in which His Majesty is engaged at any time during the continuance of these regulations.

(4) These regulations shall apply in respect of—

(a) Moneys and personal property raised or solicited in New Zealand for patriotic purposes;

(b) Moneys and personal property raised overseas and brought to New Zealand for patriotic purposes;

(c) Moneys and personal property raised in New Zealand and held by the High Commissioner for New Zealand in London for patriotic purposes;

(d) The proceeds and investments of such moneys or other personal property, whether in the form of real property or personal property,—

and, so far as lawfully may, shall also apply in respect of—

(e) Moneys and other personal property raised in New Zealand for patriotic purposes and expended or applied overseas by persons or bodies ordinarily resident in New Zealand, or, as the case may be, having therein the headquarters controlling such overseas expenditure or application of such moneys or personal property.

PART I.—NATIONAL ORGANIZATION.

REGULATION 2.—PATRIOTIC FUNDS.

(1) Save pursuant to any exemption granted under clauses (5) and (6) of Regulation 3 hereof, it shall not be lawful for any person to establish any patriotic fund except the National Patriotic Fund and the Provincial Patriotic Funds established by these regulations.

(2) Every person who commits or assits in committing a breach of this regulation shall be liable on summary conviction to a fine of £100, and all moneys and other personal property raised for any patriotic fund unlawfully established shall become the property of the National Fund or such Provincial Fund as the Minister directs.

REGULATION 3.—ADMINISTRATION.

(1) These regulations shall be administered by the Minister of Internal Affairs.

(2) All such officers as may be required for such administration shall be appointed as officers of the Public Service.

(3) The Minister may from time to time, by writing under his hand, make such rules or orders as he thinks fit for the purpose of giving effect to any recommendation of the Council under Regulation 8 hereof which has been adopted by him and for the purpose generally of giving full effect to the intent and purposes of these regulations and to anything done in exercise of any power or authority conferred thereby or by any such rule or order on any person.

(4) Every such rule or order shall have full force and effect according to the tenor thereof in all respects as if it formed part of these regulations.

(5) The Minister may from time to time, by notice in the *Gazette* exempt, wholly or partly, and subject to such conditions as he thinks fit to impose, any patriotic purpose from the application of these regulations or declare any purpose specified in such notice not to be a patriotic purpose under these regulations, and any such notice may at any time in like manner be varied or revoked.

(6) The Minister may from time to time, subject to such conditions as he thinks fit, delegate to any Provincial Council or to any controlling committee the power of exemption conferred on him by the last preceding clause of this regulation. Any such delegation may be in respect of patriotic purposes generally or any specified patriotic purpose and may at any time be revoked by the Minister.

REGULATION 4.—NATIONAL PATRIOTIC COUNCIL.

(1) There is hereby established an advisory council to be called "the National Patriotic Council."

(2) The Council shall consist of such persons as the Minister from time to time appoints to be members of the Council. Any person may be so appointed by name or as the holder for the time being of any office. One of such persons shall be so appointed as Chairman and another as Deputy Chairman of the Council.

(3) Every person appointed under the last preceding clause shall hold office during the pleasure of the Minister.

(4) The members of the Council other than persons (if any) in the service of the Government shall be paid all locomotion, board, and lodging expenses reasonably incurred by them and approved by the Minister in respect of their attendance at meetings of the Council or their travelling with the authority of the Minister on the business of the Council.

REGULATION 5.—PROCEEDINGS OF THE COUNCIL.

(1) Meetings of the Council shall be held at such times and places as the Minister appoints for that purpose.

(2) The Chairman shall preside at all meetings of the Council at which he is present. In the absence of the Chairman from any meeting, the Deputy Chairman shall be the Chairman. If at any meeting neither the Chairman nor the Deputy Chairman is present, the members present shall select one of their number to be the Chairman for the purposes of that meeting.

(3) At any meeting of the Council a quorum shall consist of onethird of the persons for the time being appointed as members of the Council.

(4) At any meeting of the Council the Chairman shall have a deliberative vote, and in the case of an equality or votes he shall also have a casting vote.

All questions before the Council shall be determined by a majority of the valid votes recorded thereon.

(5) Save as otherwise expressly provided by the Minister, the Council may regulate, in such manner as it thinks fit, the procedure of itself and any committee appointed by it under the next succeeding regulation.

(6) For the purpose of better enabling the Council to fulfit its functions, the Governor-General may from time to time appoint any person or persons, whether members of the Council or not, as a Commission under the Commissions of Inquiry Act, 1908, to inquire into any matter in respect of which the Council has any power, jurisdiction, authority, or duty.

REGULATION 6.—COMMITTEES OF THE COUNCIL.

(1) The Council may from time to time appoint such committees as it thinks fit to assist it in the discharge of its functions under these regulations, and may appoint as members of any such committee, or authorize any such committee to co-opt as members thereof, persons who are not members of the Council.

(2) The Council may at any time and from time to time discharge, alter, continue, or reconstitute any committee ordischarge any member of a committee, and, if it thinks fit, appoint another member in his stead.

(3) The Council may refer to any such committee any matters for consideration or inquiry, and may with the approval of the Minister delegate to any such committee any of the powers and duties by these regulations conferred upon the Council.

REGULATION 7.—GENERAL FUNCTIONS OF THE COUNCIL.

The general functions of the Council shall be—

(a) To advise the Minister, the Board, Provincial Councils, and controlling committees on all matters affecting the administration of these regulations to the end that activities for approved patriotic purposes shall be efficiently and economically carried on and that moneys and other property real or personal raised and acquired shall be used to the best advantage of those purposes;

(b) From time to time to make such investigations and inquiries as it deems necessary or as the Minister directs it to make; and

(c) Generally to exercise and perform all such specific powers and duties as are conferred or imposed on it by these regulations.

REGULATION 8.—PARTICULAR FUNCTIONS OF THE COUNCIL.

The Council shall from time to time, and within such time in any case as the Minister directs,

(a) Make recommendations to the Minister as to approval or revocation of approval of patriotic purposes:

(b) Review the necessity or otherwise of moneys being raised for any particular patriotic purpose within or beyond New Zealand:

(c) Make such investigations as it thinks fit into methods and means of raising moneys for partriotic purposes and make recommendations to the Minister—

(i) As to methods and means which, in its opinion, should be prohibited on grounds of cost or difficulties of regulation or control or are otherwise in any way whatever undesirable in the public interest:

(ii) As to methods and means which should be approved subject to special conditions to prevent wasteful or extravagant expenditure:

(iii) As to the limitation or prohibition of payments to persons for services rendered:

(iv) As to methods and means which, in its opinion, may be recommended as desirable from the point of view of economy and likelihood of success:

(d) Investigate and report on organization of efforts for patriotic purposes to the end that overlapping and unnecessarily recurring demands on public generosity may be avoided:

(e) Investigate the nature of and necessity for supplies or provisions for the time being of comforts, conveniences amenities, or special equipment to members of the Forces to the end that the same shall be of practical use and benefit in the conditions under which the Forces are for the time being serving, and available as and when required, and that unnecessary and wasteful work in supplying unsuitable goods or wasterful oversupply of suitable goods may be avoided, and to make recommendations to the Minister from time to time as to—

(i) The classes or kinds of goods immediately required:

(ii) The quantities thereof immediately required:

(iii) The quantities thereof likely to be required within specified future periods:

(iv) The kinds of goods which should not be accepted either because of their not being required or not being required or not being likely to be required, or because of their unsuitability for use in the conditions under which, for the time being, the Forces or any section of them are serving:

(f) With respect to authorized collectors, make recommendations as to—

(i) Qualifications of authorized collectors:

(ii) Bodies which, in its opinions, are specially qualified by the structure of their organization and the nature of their objects to be authorized collectors:

(iii) What persons or bodies should not be recognized as authorized collectors:

(iv) The conditions governing the recognition and activities of persons or bodies as authorized collectors:

(v) The receipt of and accounting for moneys and kind by authorized collectors:

(g) Investigate and report on the qualifications of persons and bodies to act for Provincial Councils in the expenditure of moneys or application of other personal property belonging to Provincial Patriotic Funds, and make recommendations as to what bodies (if any) should be specially recognized for special purposes and what special conditions (if any) should be imposed to ensure the proper expenditure of such moneys or application of other personal property by any such person or body as aforesaid:

(h) Investigate and report on the organization and working of any provincial patriotic organization under these regulations, or the Provincial Council, or any controlling committee of such organization.

PART II.—PROVINCIAL PATRIOTIC DISTRICTS AND ORGANIZATIONS.

REGULATION 9.—PROVINCIAL PATRIOTIC DISTRICTS.

(1) For the purposes of these regulations New Zealand is hereby divided into provincial patriotic districts, which are hereby declared to be the provincial districts established by and with the boundaries specified by the Minister under section 11 of the New Zealand Centennial Act, 1938, by notice bearing date the 17th day of December, 1938, and published in the *Gazette* of the 21st day of that month at page 2832.

(2) Every alteration of such boundaries shall have effect for the purposes of these regulations.

(3) All subdivisions of provincial centennial districts duly made under section 14 of the New Zealand Centennial Act, 1938, whether made before or after the commencement of these regulations, shall be subdivisions of provincial patriotic districts under these regulations.

REGULATION 10.—PROVINCIAL PATRIOTIC ORGANIZATIONS.

(1) For every provincial patriotic district there shall be a provincial patriotic organization, which shall consist of the Provincial Patriotic Council and all controlling committees within such district.

(2) The several Provincial Centennial Councils and controlling committees under the New Zealand Centennial Act, 1938, existing from time to time are hereby declared to be Provincial Patriotic Councils and controlling committees for the purposes of these regulations.

(3) Every Provincial Council shall from time to time extend its membership and that of any controlling committee in such manner as it deems necessary for the more effective carrying-out of its functions and duties under these regulations and constitute such special committees of itself or of controlling committees for patriotic purposes as it deems necessary, and may also from time to time constitute controlling committees for specified subdivisions of the provincial district.

(4) The powers, functions, and duties of every controlling committee shall be such as the Provincial Council from time to time determines.

REGULATION 11.—PROVINCIAL PATRIOTIC COUNCILS.

(1) Every Provincial Council shall for the purpose of its functions under regulations be a body corporate, with perpetual succession and a common seal, and shall be capable of holding real and personal property and of doing and suffering all that bodies corporate may do and suffer.

(2) Every Provincial Council shall from time to time notify in the *Gazette* an address at which documents may be served, and any document may be served on the Council by leaving it at the notified office or by sending it through the post in a registered letter addressed to the Council at that office.

(3) Subject to clause (4) hereof, every Provincial Council shall with respect to its own provincial district have—

(a) The sole power to specify the approved patriotic purposes for which the moneys shall be received for and expended out of that fund and for which goods of any kind shall be received and distributed:

(b) The sole power to appoint authorized collectors, but may delegate such power to the Chairman of the Council or, with respect to any subdivision of the provincial district, to the controlling committee of such subdivision which may delegate such power to the Chairman of such committee or to the Mayor or Chairman of any local authority forming part of such subdivision:
Provided that any such delegation may at any time be revoked:

(c) The sole power to expend or apply, by itself or by any person or body appointed by it as its agent in that behalf, the moneys forming part of that Fund, or other personal property acquired by it or on its behalf for approved patriotic purposes:

(d) The power to regulate and control the activities of all controlling committees within the provincial organization and all authorized collectors and agents for expenditure or application of moneys or other personal property, and to prohibit any particular activity from being carried on by any such controlling committee or authorized collector or agent:

(e) Generally the power to do all things necessary for the effective carrying-out of approved patriotic purposes and the administration of the Provincial

Fund.

(4) Every power, function, or duty conferred by the last preceding clause shall be exercised or performed subject to any other provision of these regulations conferring any jurisdiction or power on the Minister or any other person with regard to the matters mentioned in that clause, and nothing in this regulation shall operate in any way to limit the Board in its powers, duties, and functions with respect to the National Fund.

REGULATION 12.—FINANCE OF PROVINCIAL PATRIOTIC ORGANIZATIONS.

(1) The Funds of every provincial patriotic organization shall consist of all moneys coming into its possession or into the possession of any person on its behalf for the purpose of its Patriotic Fund.

(2) It shall not be lawful for any such moneys to be expended for any purpose other than the approved particular purpose or purposes for which they were received or are otherwise authorized by these regulations to be expended or for meeting such expenditure as may have been reasonably incurred in the raising of such moneys and in the administration of the Patriotic Fund.

PART III.—NATIONAL PATRIOTIC FUND AND BOARD.

REGULATION 13.—NATIONAL PATRIOTIC FUND ESTABLISHED.

(1) There is hereby established a fund, to be called the "National Patriotic Fund," which shall consist of—

(a) All moneys that may be contributed to the Fund or that may otherwise be lawfully payable into the Fund:

(b) All moneys received by the Board from the sale or other disposal of any property of the Board:

(c) All accumulations of moneys belonging to the Fund.

(2) All moneys belonging to the Fund shall be paid into an account at the Reserve Bank of New Zealand to be called "the National Patriotic Fund Account."

(3) No moneys shall be paid out of the National Fund Account except pursuant to a resolution of the Board.

REGULATION 14.—NATIONAL PATRIOTIC FUND BOARD.

(1) For the purpose of administering the National Fund there is hereby established a Board, to be called "the National Patriotic Fund Board."

(2) The Board shall consist of the Governor-General, who shall be the Chairman of the Board, and such other persons as the Minister from time to time

appoints to be members of the Board either by name or as the holder for the time being of any office. One of such persons shall be so appointed as Deputy Chairman of the Board.

(3) Every person appointed by the Minister under the last preceding clause shall hold office during the pleasure of the Minister.

(4) The members of the Board, other than the Governor-General and persons (if any) in the service of the Government, shall be paid all locomotion, board, and lodging expenses reasonably incurred by them and approved by the Minister in respect of their attendance at meetings of the Board or their travelling by direction of the Board on the business of the Board.

(5) The Board shall be a body corporate, with perpetual succession and a common seal, and shall be capable of holding real and personal property and of doing and suffering all that bodies corporate may do and suffer.

(6) The Board shall from time to time notify in the *Gazette* an address at which documents may be served, and any document may be served on the Board by leaving it at the notified office or by sending it through the post in a registered letter addressed to the Board at that office.

(7) There may from time to time be appointed as officers of the Public Service a Secretary of the Board and such other officers as may be deemed necessary for the purpose of carrying out the functions of the Board.

REGULATION 15.—CONTRACTS OF THE BOARD.

(1) Any contract which, if made between private persons, must be by deed shall, if made by the Board, be in writing under the seal of the Board.

(2) Any contract which, if made between private persons, must be in writing signed by the parties to be charged therewith shall, if made by the Board, be either under the seal of the Board of signed by two or more members of the Board on behalf of and by direction of the Board.

(3) Any contract which, if made between private persons, may be made orally may be similarly made by or on behalf of the Board by any member of the Board acting on behalf of and by direction of the Board, but no oral contract shall be made involving the payment by the Board of a sum exceeding £20.

(4) Notwithstanding anything in the foregoing provisions of this regulation, no contract made by or on behalf of the Board shall be invalid by reason only that it is not made in the manner prescribed by this regulation if it is made pursuant to a resolution of the Board or to give effect to a resolution of the Board.

REGULATION 16.—MEETINGS OF THE BOARD.

(1) Meetings of the Board shall be held at such times and places as the Chairman or the Deputy Chairman appoints for that purpose.

(2) The Chairman shall preside at all meetings of the Board at which he is present. In the absence of the Chairman from any meeting the Deputy Chairman shall be the Chairman. If at any meeting neither the Chairman nor the Deputy Chairman is present the members present shall select one of their number to be the Chairman for the purposes of that meeting.

(3) At any meeting of the Board a quorum shall consist of one-third of the persons for the time being appointed by the Minister as members of the Board.

(4) At any meeting of the Board the Chairman shall have a deliberative vote, and in the case of an equality of votes he shall also have a casting vote. All questions before the Board shall be determined by a majority of the valid votes recorded thereon.

(5) Subject to the provisions of these regulations or any rule or order of the Minister made thereunder, the Board shall regulate its own procedure.

REGULATION 17.—GENERAL FUNCTION OF THE BOARD.

The general function of the Board shall be to administer the National Fund in accordance with the provisions of these regulations to the end that the moneys of the Fund shall be expended to the best advantage on the approved purposes for which such moneys were paid into the Fund.

REGULATION 18.—POWERS OF THE BOARD.

(1) The Board shall have all such powers as may be reasonably necessary for the efficient performance of its functions and duties under these regulations. Without limiting the general provision hereinbefore contained, it is hereby declared that subject to the provisions of these regulations the board may from time to time—

(a) Acquire, either by purchase, gift, or otherwise, any land, interest in land, or chattels for the purpose of carrying out the purposes to which the National Fund is applicable or the functions of the Board under these regulations:

(b) Improve any land so acquired by the Board for the purposes for which such land or such interest therein was so acquired:

(c) Erect, improve, alter, extend, equip, furnish, repair, and maintain any buildings on such land used or intended to be used for such purposes as aforesaid:

(d) Establish institutions on any such land for such purposes as aforesaid and maintain such institutions:

(e) Make grants of money or gifts of chattels to or for the purpose of any approved fund:

(f) Generally expend or grant, with or without interest, loans out of moneys of the National Fund for the purposes for which such moneys were paid

into the Fund:

(g) Sell or otherwise dispose of any property of the Board that is not required to carry out the purposes to which the National Fund is applicable or the functions of the Board under these regulations.

(2) The Board may decline to accept any donation or bequest of money or any devise or gift of land or chattels if in its opinion any conditions upon which such donation, bequest, devise, or gift, is made are such as to preclude such money, land, or chattels from being used or disposed of to the best advantage by the Board for the purposes of the National Fund or if, in its opinion, any such land or chattels cannot be so used or disposed of to such advantage.

(3) In making any grant, gift, or loan under paragraphs (e) and (f) of clause (1) of this regulation the Board may in its discretion impose such conditions as it thinks fit for the purpose of ensuring that the grant, gift, or loan is expended or used or disposed of only for the purposes for which it is made and to the best advantage, but the Board shall not be obliged to see to the application or be responsible for the misapplication or non-application of any such grant, gift, or loan or of any other moneys or land or chattels expended or disposed of under these regulations except by the Board itself.

(4) Any person wilfully committing a breach of any condition imposed by the Board under the last preceding clause commits an offence and is liable on summary conviction to a fine of £100 and, if the offence is a continuing one, to a further fine of £10 for each day or part of a day during which offence continues.

REGULATION 19.—COMMITTEES OF THE BOARD.

(1) The Board may from time to time appoint such committees as it thinks fit to assist it in the discharge of its functions under these regulations, and may appoint as members of any such committee, or authorize any such committee to co-opt as members thereof, persons who are not members of the Board.

(2) The Board may at any time and from time to time discharge, alter, continue, or reconstitute any committee or discharge any member of a committee, and, if it thinks fit, appoint another member in his stead.

(3) The Board may refer to any such committee any matters for consideration or inquiry or regulation and may within limits defined by the Board delegate to any such committee any of the powers, duties, and functions of the Board.

REGULATION 20.—VESTING CONTROL AND INVESTMENT OF PROPERTY.

(1) All land, interest in land, and chattels purchased with money belonging to the National Fund or acquired in any manner by the Board shall be vested in the Board.

(2) The Board for the purpose of managing any property vested in it or carrying on and maintaining any institution established by it may appoint such persons as it thinks fit or may appoint any body corporate which the Board is satisfied is specially qualified for that purpose to manage, carry on, or maintain any such property or institution on behalf of the Board on such terms and conditions as may be agreed on by the Board and such persons or body corporate.

(3) Any moneys belonging to the National Fund and not immediately required for expenditure by the Board may from time to time be invested in such securities (being securities in which, for the time being, trust-moneys may lawfully be invested under the provisions of the Trustee Act., 1908) in such manner and for such periods as the Minister of Finance may approve, either generally with respect to all investments or with respect to any particular investment.

REGULATION 21.—ANNUAL REPORT AND STATEMENT OF ACCOUNTS.

(1) At the end of each financial year the Board shall cause to be prepared a report of the proceeding of the Board for the year.

(2) The report shall contain a statement, in such form as the Minister from time to time approves or directs, of the total assets and liabilities as at the end of the year, together with an account of receipts and payments and of income and expenditure showing the financial transactions for the year.

(3) A copy of the report, with the accounts duly audited by the Audit Office, shall be laid before Parliament by the Minister.

PART IV.—PROVINCIAL PATRIOTIC FUNDS.

REGULATION 22.—PROVINCIAL PATRIOTIC FUNDS ESTABLISHED.

(1) There is hereby established in respect of each provincial district a fund to be called the "(*name of district*) Provincial Patriotic Fund."

(2) The fund shall be a common fund to meet the requirements, as they arise, or all purposes being from time to time approved purposes within the meaning of these regulations.

(3) Nevertheless, the Provincial Council may from time to time establish separate with the Fund for special approved purposes, and in such case the moneys credited to any such separate account shall, save as hereinafter provided, be expended only for such special purposes.

(4) The Provincial Fund shall consist of—

(a) All moneys that may be contributed to the Fund or that may otherwise be lawfully payable into the Fund; and

(b) All accumulations of moneys belonging to the Fund.

(5) All moneys belonging to the Fund shall, forthwith after receipt thereof by the Council, or in the case of an authorized collector or other agent of the

Council, within such time as the Council prescribes in that behalf, be paid into such bank within the meaning of the Banking Act., 1908, as the Council may determine, to the credit of an account to be known as "the (*name of district*) Provincial Patriotic Fund Account," and such account shall be separate from any account established or used in respect of activities under the New Zealand Centennial Act, 1938.

(6) Every such account shall be operated on only by cheque signed by the treasurer of the Fund and countersigned by any two of such members of the Council as the Council appoints for that purpose.

(7) Every person in receipt of moneys belonging to the Fund who fails to pay the same into the proper account within such time as may lawfully be required of him under these regulations shall be liable on summary conviction to a fine of £20 for every day during which such default continues.

REGULATION 23.—PARTICULARS TO BE SUPPLIED TO MINISTER.

(1) The Provincial shall forthwith furnish to the Minister a statement setting forth—

(a) The name, address, and description of the secretary, the treasurer, and other administrative officers of the Council, and of each of the members of the Council appointed to sign cheques:

(b) The name and address of the bank at which the Fund is kept.

(2) In the event of the death or retirement of any such member of the Council as aforesaid or of the appointment of a new member of the Council to sign cheques or of the appointment of any secretary, treasurer, or other administrative officer of the Council, it shall be the duty of the Chairman of the Council forthwith to send notice thereof to the Minister.

(3) Every Provincial Council, as and when required by the Minister, shall furnish to him a statement in writing setting forth such particulars as the Minister may require with respect to—

(a) The amount for the time being in the Provincial Fund and in each separate account (if any) thereof;

(b) The names, addresses, and descriptions of all authorized collectors for the Fund;

(c) The amounts expended from the Fund and every separate account for each of the approved purposes for which the Fund is established;

(d) The names, addresses, and descriptions of persons (including agents of the Council) to whom moneys in the Fund have been paid, with the amounts so paid and the purposes thereof;

(e) The obligations incurred or undertaken by the Council involving future expenditure of the Fund, with estimates of the amounts to be so expended;

(f) Investments of moneys of the Fund; and

(g) Such other matters as the Minister may from time to time require.

REGULATION 24.—EXPENDITURE AND INVESTMENT OF PROVINCIAL FUND.

(1) No moneys shall be payable out of any Provincial Fund except—
(a) For any approved purpose for which the Fund is established
(b) For investment as hereinafter provided;
(c) For any purpose incidental to the proper administration of the Fund; or
(d) For transfer to the National Fund.

(2) Where in the case of any separate account within the Fund the moneys credited to that account are, in the opinion of the Provincial Council, more than sufficient to meet the requirements of the special purpose or purposes of that account, the Council may, with the consent in writing of the Minister, transfer therefrom such amount as the Minister approves to the purposes of the Common Fund or to any other separate account within the Fund, or pay the same or any part thereof to the National Fund either for the general purposes of the National Fund or for any specified purpose thereof.

(3) For the purpose of expending the moneys and applying other personal property of the Fund to the best advantage, a Provincial Council may—

(a) Appoint as its agent or agents any society, association, or body of persons, whether incorporated or not, which by the nature of the objects for which such body is established and by the machinery of its organization is, in the opinion of the Council, specially qualified to expend moneys or apply other personal property to the best advantage of any particular approved purpose:

Provided that no body shall be so appointed which the Minister by notice in writing to the Council prohibits from being such an agent:

(b) From time to time pay or deliver to such agent such sums of money or such other personal property as the Council thinks fit for expenditure on or application to approved purposes specified in writing by the Council when making such payment, subject to all such conditions, restrictions, and qualifications as the Council imposes in such writing or are included therein by direction of the Minister:

(c) From time to time make contributions out of the Fund to the National Fund for expenditure by the Board for approved purposes of the Provincial Fund outside the provincial district.

(4) In considering any proposed expenditure or application the Council shall have due regard to and make such provision as it deems proper for the needs of any subdivision of the provincial district, irrespective of the contributions to the Fund from such subdivision.

(5) Where any moneys of the Provincial Fund are voted by the Council for expenditure on approved purposes overseas, such moneys shall be paid into the

National Fund for transmission for expenditure to such bodies overseas as the Minister approves, at such times and in such amounts as the Minister of Finance from time to time approves, or for expenditure in New Zealand on the purchase of goods for distribution overseas by such bodies as the Minister approves.

(6) The Board shall, in such manner and at such times as the Minister directs, render to the Provincial Council such accounts and statements of the receipt and disposal of moneys received by it from the Council as the Minister directs.

(7) Any moneys belonging to a Provincial Fund and not immediately required for expenditure by the Provincial Council may from time to time be invested in such securities (being securities in which, for the time being, trust-moneys may lawfully be invested under the provisions of the Trustee Act, 1908) in such manner and for such periods as the Minister of Finance may approve either generally with respect to all investments or with respect to any particular investment.

(8) Such particulars of all such investments as the Minister of Internal Affairs may from time to time require shall be forwarded to him within such time as he fixes in that behalf.

REGULATION 25.—ACCOUNTS AND AUDIT OF PROVINCIAL FUNDS.

(1) Accounts of all moneys and property received and expended or applied by Provincial Councils and controlling committees and authorized collectors and agents for expenditure of Provincial Councils shall be kept in such manner as the Minister from time to time directs and audited as provided by these regulations.

(2) Every Provincial Fund and all accounts required by these regulations to be kept in connection therewith shall at sucs intervals not exceeding one year, as the Minister directs, be audited either by the Audit Office or by an auditor to be appointed for the purpose by the Audit Office.

(3) The Audit Office or other auditor as aforesaid may require the production of all books, papers, accounts, and other documents relating to the receipts and expenditure of moneys belonging to the Fund; and any person in whose possession or under whose control such books, papers, accounts, or documents may be who refuses, or without lawful excuse, the proof of which shall be on him, fails on the request of the auditor, to produce the same at some reasonable time and place, or to allow reasonable access thereto, and every person who having knowledge of where any such books, papers, accounts, or documents may be found refuses or fails, without such lawful excuse as aforesaid, to disclose such knowledge to the auditor, commits an offence and is liable on summary conviction to a fine of £50.

(4) All expenses in connection with the audit of the Fund, including the fee (if any) payable for such audit, shall be payable out of the Fund.

(5) On completion of any such audit the Audit Office shall forward to the Minister a report as to the result of such audit, together with a certificate, in such

form as the Minister may require, as to the regularity or otherwise of payments to any from the Fund and as to such other matters as in the opinion of the Audit Office should be brought under the Minister's notice.

(6) Forthwith on receipt of such report and certificate the Minister shall cause the same to be published in such manner as he may direct, or may cause to be published in lieu thereof a statement setting forth the material part of such report and certificate.

REGULATION 26.—INVESTIGATION OF ADMINISTRATION AND ACCOUNTS OF PROVINCIAL FUNDS.

(1) The Minister may at any time cause an investigation of the administration of and accounts of any Provincial Council or any controlling committee or any authorized collector or any agent of a Provincial Council appointed under Regulation 24 hereof or of any Provincial Fund to be made by any person appointed by the Minister for that purpose.

(2) When any such investigation has been directed by the Minister, it shall be the duty of all persons affected to afford to the person so appointed by the Minister full information on all matters relative to such investigation, and to produce to him all such relevant books, papers, accounts, and other documents as may be necessary for him to make such investigation; and every person who makes default in so doing, or who in any manner obstructs the investigation or deceives the person so appointed to make the investigation, shall be liable on summary conviction to a fine of £100.

(3) If on considering the report of the investigation the Minister is of opinion that there has been a breach of trust or negligence or other culpability on the part of any person, he may apply to a Stipendiary Magistrate for an order directing that the costs and expenses of the investigation, or any part thereof, be borne by such person, and any order made by a Magistrate on such application shall be enforceable as a judgment of the Magistrates' Court.

(4) In fixing the amount of any such order regard shall be had to the culpability of the person against whom the order is sought and to the scale for the time being in force for the audit of the accounts of local bodies under Part XIV of the Public Revenues Act, 1926.

(5) Any such order may be made against two or more persons so as to impose a joint and several liability upon them.

REGULATION 27.—PENALTY FOR MISAPPROPRIATION OF THE PROVINCIAL PATRIOTIC FUND, ETC.

(1) If on the audit of any Patriotic Fund or on any investigation or inquiry made under these regulations it appears that any moneys or any other property

real or personal subject to these regulations have been expended, applied, or used for any unauthorized purpose, the moneys or the value of such property may be recovered to the use of the Fund or of any body to which they lawfully belong by the Minister, or any person authorized in that behalf by the Minister, from the person or body by whom they were so expended, applied, or used as aforesaid as if such moneys or such value were a debt owing jointly and severally by all the defendants in the proceeding.

(2) Every person who authorizes or joins in authorizing the expenditure or application of any such moneys or other property as aforesaid for any unauthorized purpose shall be liable on summary conviction to a fine of £100.

(3) In any proceedings under this regulation it shall be a good defence if the defendant proves—

(a) That the moneys or other property were expended or applied—

(i) Without his knowledge;

(ii) If with his knowledge, then against his protest made at or before the time when the expenditure or application was authorized; or

(b) That, in being a party to the authorization of any such expenditure or application, he acted in good faith and with the written advice of solicitor.

PART V.—PATRIOTIC PURPOSES AND AUTHORIZED COLLECTORS.

REGULATION 28.—APPROVAL OF PATRIOTIC PURPOSES.

(1) The Minister may from time to time by notice in the *Gazette* declare any patriotic purpose to be an approved patriotic purpose under these regulations.

(2) Any such declaration may apply generally to the National Patriotic Fund and all Provincial Funds or be limited to any Fund or Funds specified in such declaration, and any such declaration may at any time in like manner be revoked.

(3) Any Provincial Council desiring approval of any patriotic purpose in connection with its Fund which is not covered by any declaration applying generally as aforesaid shall make application to the Minister in writing for a declaration by the Minister in that behalf, and the Minister may in his discretion grant or refuse such application, or grant the same subject to such conditions as he thinks fit to impose, and may, in any case before granting such approval, require the Council to furnish him with such particulars and information as he thinks fit to enable him to satisfy himself as to the necessity or the desirability of such approval.

REGULATION 29.—AUTHORIZED COLLECTORS.

(1) It shall not be lawful for any person to raise money or to take up collections in money or goods for any patriotic purpose, or to solicit gifts in money or

goods or in any way to hold himself out as willing to receive such gifts for any such purpose unless such purpose is an approved purpose and such person is an authorized collector.

(2) Every person who commits a breach of any of these regulations relating to the raising or collecting or soliciting or receiving of moneys or goods for patriotic purposes or of the conditions on which he has been appointed an authorized collector, or of any of the conditions governing his activities as an authorized collector, commits an offence and shall be liable on summary conviction to a fine of £100 and, where the breach is a continuing one, to a further fine of £10 for every day or part of a day during which such offence continues.

REGULATION 30.—APPOINTMENT AND CONTROL OF AUTHORIZED COLLECTORS FOR NATIONAL FUND.

(1) The Minister may from time to me appoint any person to be an authorized collector for the National Fund.

(2) Without such appointment as aforesaid—

(a) Every Mayor of a city or borough, and every Chairman of a County Council, every Chairman of a Road Board in a County in which the Counties Act is suspended or not in operation, and every Chairman of a Town District not forming part of a County:

(b) The proprietor of every registered newspaper:

(c) Every trading-bank and savings-bank so far as regards collection from their respective customers and depositors:

(d) Every Postmaster and every branch of the Post Office Savings-bank,—

shall be deemed to be an authorized collector, but in acting as such shall observe all such conditions and directions as the Minister may from time to time impose or give.

(3) Any person who desires to be appointed an authorized collector for the National Fund shall make application in writing to the Minister in such form as the Minister prescribes, and the Minister in his discretion may grant or refuse such application.

(4) The Minister may, without application to him in that behalf, from time to time by notice in the *Gazette* appoint to be an authorized collector for the National Fund any society, association, or other body of persons, whether incorporated or not, which the Minister deems to be a body specially qualified by its objects and organization to be such a collector, and may with respect to each such body, by writing under his hand, define the scope of its activities, the persons through whom, and the methods by which it may raise moneys for the National Fund, or collect or otherwise acquire goods for distribution by or on behalf of the Board, and impose such conditions as to giving receipts and accounting for all such moneys and goods as he thinks fit.

(5) The Minister may at any time in his discretion revoke any appointment under this regulation or prohibit any person or body from continuing to exercise the authority conferred by clause (2) of this regulation.

REGULATION 31.—APPOINTMENT AND CONTROL OF AUTHORIZED COLLECTORS FOR PROVINCIAL FUNDS.

(1) The appointment of authorized collectors for any Provincial Fund shall be made by the Provincial Council or any person or body to whom such Council has delegated its power of appointment under clause (3) of Regulation 11 hereof.

(2) Any such appointment may at any time be revoked by the appointing authority, and the Provincial Council may at any time revoke any appointment made by any other person or body pursuant to a delegation by the Council of its power of appointment.

(3) Subject to any rule or order made or given by the Minister, the Provincial Council may for the purpose of ensuring that only fit persons or bodies are so appointed and for regulating and controlling their activities, from time to time—

(a) Prescribe forms of application for and of appointment and all other forms it deems necessary:

(b) Prescribe the information and particulars to be furnished with every such application:

(c) Impose or authorize the appointing person or body to impose such conditions, restrictions, or qualifications as it deems proper with respect to—

(i) The approved purposes for which any authorized collector may collect or otherwise raise money or receive money or other personal property:

(ii) The methods and means to be employed or used by the authorized collector, and the places and times at and during which the authorized collector may make any collection or appeal or hold any function or entertainment in aid of the Provincial Fund:

(iii) The carrying and production by the authorized collector of the document of appointment or the wearing or display of any card or badge or other evidence of authority to act as an authorized collector:

(d) Prohibit any cost of collection or other manner of raising or receiving money or other personal property being charged by an authorized collector, or fixing the limits of any such cost in connection with any appeal, function, or entertainment to be made or held by the authorized collector:

(e) Require all authorized collectors forthwith on request to furnish all such particulars and information with respect to moneys or other personal property received as the Council or other appointing authority thinks fit:

(f) Fix the limits of time within and the means by which all money and other personal property shall be transmitted to the Council or its appointed agent.

(3) All books, papers, and other documents in the possession or under the control of any authorized collector relating to his activities as such shall at all times be open to inspection by any person appointed in that behalf by the Council or other appointing authority, and shall, as and when the Council so directs, be given into the possession of the Council or such person as the Council directs.

(4) Notwithstanding anything contained in the foregoing provisions of this regulation, no person or body shall be appointed as an authorized collector who is prohibited by the Minister from being an authorized collector, and the Minister may at any time revoke the appointment of any collector made under this regulation; and nothing in this regulation shall operate to limit the authority of the Minister or the Audit Office under these regulations.

PART VI.—GENERAL.

REGULATION 32.—AUTHORITY TO MAKE CONTRIBUTIONS TO NATIONAL AND PROVINCIAL FUNDS.

(1) Any local authority or other public body, and corporation sole, any company or other incorporated body, any unincorporated body of persons, any trustee or trustees (including any statutory trustee or trustees or board of trustees), or any other person may, unless expressly prohibited by any Act or by any instrument of trust, make to the Board or to any Provincial Council, and the Board or the Council may accept, donations or gifts of real or personal property for the approved purposes of its Fund.

(2) Notwithstanding anything to the contrary in the Savings-bank Act, 1908, the trustees of any savings-bank may from time to time, with the consent first obtained of the Minister of Finance, make contributions to any such fund for the approved purposes thereof out of the surplus profits of the bank.

(3) For the purposes of this regulation the term "local authority" means a local authority within the meaning of the Local Government Loans Board Act, 1926, whether by virtue of section 2 of that Act, or of any Order in Council thereunder, or by virtue of the provisions of any other Act; and includes such other public bodies as are from time to time declared by the Governor-General in Council to be local authorities for thepurposes of this regulation.

REGULATION 33.—SPECIAL PROVISION re MONEYS AND GOODS HERETOFORE COLLECTED.

(1) Where any person or body of persons (hereinafter in this regulation called the donee) has, by means of public appeal or otherwise howsoever, collected or in any other manner raised or acquired money or goods for any patriotic purpose or for the purpose of any work which the donee proposes to do

in connection with the war, the donee shall—

(a) Within fourteen days after the commencement of these regulations, forward to the Minister and to the Provincial Council a statement showing with respect to all such moneys and goods—

(i) The total amount of such moneys and the purposes for which they were raised;

(ii) Particulars of such goods, specifying the number or quantity of each class or kind thereof and the purposes for which they were acquired; and

(b) Hold the same in trust for disposal in such manner and for such approved patriotic purposes as the Provincial Council directs.

(2) The provisions of the last preceding clause shall apply to moneys and goods promised before but not received by the donee until after the commencement of these regulations with this modification: that the statement prescribed by paragraph (a) of that clause shall be forwarded within fourteen days after the receipt of any such moneys or goods.

REGULATION 34.—MEMBERS OF BOARD AND PROVINCIAL COUNCILS AND CONTROLLING COMMITTEES NOT PERSONALLY LIABLE.

No member of the Board or of any Provincial Council, or of any controlling committee, shall be personally liable for any act or default done or made by the Board, Council, or committee or any member thereof in good faith in the course of the operations of the Board, Council, or controlling committee.

REGULATION 35.—GENERAL PENALTY.

Every person who commits any breach of the provisions of any of these regulations, or of any order or direction of any person authorized by or under these regulations to make or give such order or direction, or who for the benefit of himself or any other person makes any false or misleading statement to or otherwise misleads or attempts to mislead any person duly acting for any purpose under these regulations, commits an offence, and where no penalty for such offence is provided elsewhere in these regulations shall be liable on summary conviction to a fine of £20 and, where the offence is a continuing one, to a further fine of £5 for every day during which such offence continues.

PROCLAMATION OF WAR.

3rd September, 1939.

HIS Excellency the Governor-General has it in command from His Majesty the King to declare that a state of war exists between His Majesty and the Government of the German Reich, and that such state of war has existed from 9.30 p.m., New Zealand standard time, on the third day of September, 1939.

SUSPENSION OF APPRENTICE SHIP EMERGENCY REGULATIONS.

7th September, 1939.

1. These regulations may be cited as the Suspension of Apprenticeship Emergency Regulations 1939.

2. If any apprentice during the currency of the term of his apprenticeship serves in any capacity with the armed Forces of the Dominion his contract of apprenticeship shall be deemed to be suspended during the period of such service and for six months thereafter unless revived in accordance with these regulations.

3. If any such apprentice before the expiration of six months after being discharged or otherwise released from such service gives to his employer notice in writing that he desires the contract of apprenticeship to revive and to be continued from the date of such notice either until the expiration of the period fixed by the contract or for the term of his apprenticeship unexpired at the date of suspension or any portion thereof, the contract of apprenticeship shall thereupon revive accordingly.

4. Any limitation in any Act, award, apprenticeship order, or agreement as to the age of apprentice or as to the term of any apprenticeship or as to the number of apprentices or proportion of apprentices to journeymen shall not apply to apprentices serving under a contract of apprenticeship revived as aforesaid.

5. If no such notice is given within the said period of six months, the contract of apprenticeship shall thereupon lapse and be determined.

6. Where by reason of the death of the employer or for any other cause the apprentice is unable to revive his contract of apprenticeship any other employer may undertake the obligations of the original employer and, in that case, such other employer shall be deemed to be the original employer.

7. These regulations shall, with the necessary modifications, apply to any contract of apprenticeship that may have been cancelled or suspended before the making of these regulations by reason of the fact that the apprentice had served or had intended to serve in the armed Forces.

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NAVAL MOBILIZATION EMERGENCY REGULATIONS, AMENDMENT NO. 2.

No. 217, 11th October, 1939.

1. These regulations may be cited as the Naval Mobilization Emergency Regulations 1939, Amendment No. 2.

2. Notwithstanding the provisions of the Naval Defence Act, 1913, section 10, subsection (2), enlistment in the Naval Forces may at the discretion of the Naval Board (to be exercised either generally or in respect of particular cases or particular classes of personnel) be for the duration of hostilities between His Majesty and the Government of the German Reich and for such period not exceeding six months after the official termination of hostilities as the Naval Board may require.

PROCLAMATION.

3rd September, 1939.

WHEREAS by the Defence Emergency Regulation 1939, the Governor-General may by Proclamation call out the Defence Forces or any part thereof for military service:

And whereas circumstances have now arisen which make it necessary to call out parts of the Territorial Force for military service for purposes of defence in New Zealand:

Now, therefore, I, George Vere Arundell, Viscount Galway, Governor-General of the Dominion of New Zealand, in pursuance of the powers and authorities conferred on me by the Defence Emergency Regulations 1939, and of all other powers and authorities enabling me in that behalf, do hereby call out for military service for purposes of defence in New Zealand, the following parts of the Territorial Force, namely:—

1st Heavy Artillery Group.
1st Anti-Aircraft Group.
2nd Heavy Artillery Group.
2nd Anti-Aircraft Group.
23rd Heavy Battery.

SPECIAL FORCE EMERGENCY REGULATIONS.

No. 177, 27th September, 1939.

1. These regulations may be cited as the Special Force Emergency Regulations 1939.

2. There shall be a section of the Defence Forces of New Zealand established under the Defence Act, 1909, to be known as the Special Force.

3. The members of the Special Force shall (except as otherwise provided) be subject to all the provisions of the Defence Act, 1909, and the regulations from time to time in force thereunder.

4. Those persons who have volunteered to serve His Majesty within and beyond New Zealand for the duration of the present war and twelve months thereafter or until lawfully discharged and whose offers of service have been accepted by His Majesty shall be deemed to be members of the Special Force.

5. It shall be lawful for the Governor-General at any time hereafter to accept the offer of any persons to become members of the Special Force.

ELECTRICITY EMERGENCY REGULATIONS.

4th September, 1939.

REGULATION 1.—PRELIMINARY

(1) These regulations may be cited as the Electricity Emergency Regulations 1939.

(2) These regulations shall be read together with an deemed part of the Supply Control Emergency Regulations 1939 (hereinafter referred to as the principal regulations).

(3) In these regulations, unless inconsistent with the context,—

"Controller" means the Electricity Controller appointed under these regulations; and includes any person for the time being authorized to exercise or perform any of the Controller's powers of functions:

"Electric line or work" means any wires or other conductor, instrument, apparatus, device, or means used or intended to be used or reasonably capable of being used for generating, transmitting, transforming, converting, distributing, or otherwise conducting electrical energy or for the consumption or application of electrical energy or for purposes of radio-telegraphy, radio-telephony, radio-vision, the radio-transmission of electrical energy, or the radio control of apparatus; and includes any insulator, casing, tube, pole, or support, or any other thing, whether of a similar kind or not, connected with or used for the purposes of an electric line or work:

"Electric materials" means any materials, goods, appliances, tools, machinery, plant, or equipment capable of being used in connection with or for the purposes of any electric line of worn, or of being used to generate, store, consume, or utilize electrical energy; and also includes any patent rights relating to any electric materials:

"Owner," in relation to any electric line or work, includes any person using or operating the electric line or work, or acting or apparently acting in the general management and control thereof; and, in relation to any electric materials, includes any person having the materials in his possession or control or on order by him.

REGULATION 2.—ELECTRICITY CONTROLLER.

(1) The Minister may from time to time appoint a Controller be known as "the Electricity Controller."

(2) The Controller shall hold office during the pleasure of the Minister.

(3) The general functions of the Controller shall be to promote, organize, and control the supply of electric power, and to promote, organize, and control other industries and trades so far as they may affect the supply of electic power and are not within the jurisdiction of any other Controller appointed under the prin- by the Minister.

(4) The Controller shall be subject in all things to the control of the Minister and shall act in accordance with all directions, general or special, given to him by the Minister.

REGULATION 3.—POWERS OF ELECTRICITY CONTROLLER.

(1) The Controller shall have all such powers, privileges, and rights, including the right of access to any premises, as may to the Controller appear necessary to enable him to carry out his functions, and in particular shall have—

(a) Absolute control of the generation, transmission, distribution, sale, and use of electric energy throughout New Zealand, with the right from time to time or at any time as he may deem fit to end or diminish or refuse to authorize, either for a fix period or for an indefinite period, the supply of electrical energy, whether publicly or privately owned, to any electrical supply authority or to any consumer, or to supply authorities or to consumers generally, or generally within any area or areas specified by him in that behalf; and such control shall apply to all publicly or privately owned generating-plants:

(b) Authority to lay, construct, put up, place, and use such electric lines or works as he may think fit, without license or authority other than these regulations and without complying with the Electrical Supply Regulations 1935, the Electric Wiring Regulations 1935, the Water-power Regulations 1934, or any regulation or Order in Council under the Tramways Act, 1928, the Coal-mines Act, 1925, the Mining Act, 1926, or any restrictive provision in the Electrical Wiremen's Registration Act, 1925, or any other Act other than the Public Safety Conservation Act, 1932; and, without restricting the powers hereby conferred, he shall in respect of every such electric line or work have all the rights, powers, and privileges conferred upon or enjoyed by the Minister of Public Works in respect of an electric line or work erected under section 311 of the Public Works Act, 1928, or conferred upon or enjoyed by an Electric-power Board or Municipal Corporation in respect of an electric line or work erected or used under section 319 of the Public Works Act, 1928:

(c) Authority to require or direct owners of electric lines or works or of electric materials to furnish such information and particulars in relation

thereto, at such times, and in such form and manner, as the Controller thinks fit:

(d) Authority to disconnect, dismantle, or remove any electric line or work or electric materials, whether affixed to any land or not, or to require the owners thereof so to do:

(e) Authority to require or direct owners of electric lines or works or of electric materials to supply or transfer the whole or any part thereof to His Majesty the King or to any other person, in such quantities, at such places, at such times or intervals, in such order of urgency, and generally in such manner as the Controller thinks fit:

(f) To require or direct owners of electric lines or works or of electric materials not to use, dispose of, part with possession or control of, or otherwise deal with electric lines or works or electric materials except with the precedent consent of the Controller or in accordance with his directions:

(g) Authority at any time and from time to time to remove and appoint persons or committees, boards, managers, engineers, or other persons exercising or performing or appointed to exercise or perform any powers, privileges, rights, duties, responsibilities, or functions whatsoever in the electrical industry or any other industry that is subject to his jurisdiction or to substitute any method of control for any other method of control, as he may from time to time think fit:

(h) Authority to delegate under the principal regulations to any pernon appointed under the last preceding paragraph or to any other person such of his powers, privileges, rights, duties, responsibilties, and functions as he thinks fit:

(i) Authority to control, appoint, dismiss, transfer, suspend, and otherwise deal with every person engaged in the generation, transmission, storage, or distribution of electrical energy in every respect as if he were his employer, but without regard to the provisions of any contract, award, or statute restricting or limiting or controlling the actions of such employer:

(j) Authority to generate electriral energy or mechanical power by any process without further authority than this regulation, and for that purpose to use any waters and to exercise all or any of the powers able to be conferred upon the Minister of Public Works under the Public Works Act, 1928, or any other Act:

(k) Authority to buy and sell electrical energy.

ENEMY TRADING EMERGENCY REGULATIONS.

4th September, 1939.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Enemy Trading Emergency Regu-

lations 1939.

(2) In these regulations, unless inconsistent with the context,—

"Alien enemy" means every person wherever resident who is or who has at any time been a subject of any State with which His Majesty is now at war, notwithstanding the fact that such person may be also by birth, naturalization, or otherwise a British subject or have in any manner ceased to be a subject of any such State, and includes the wife of an alien enemy:

"Enemy country" means the territories of Germany, and includes also any territory for the time being in the occupation of the military forces of Germany:

"Enemy trader" means any person or body of persons of whatever nationality (and if incorporated, wherever incorporated) resident or carrying on business in an enemy country, but does not include persons of enemy nationality who are neither resident nor carrying on business in an enemy country, and includes my person, firm, or company declared to be an enemy trader under the provisions hereinafter contained:

"Outbreak of war" means 9.30 p.m., New Zealand standard time, on the third day of September, 1939:

"Minister" means, unless the context otherwise requires, the Minister of Industries and Commerce.

(3) For the purposes of general interpretation hereof these regulations shall be deemed to be made under the Public Safety Conservation Act, 1932.

(4) Nothing in these regulations shall be deemed to prohibit any person from importing and taking delivery of any goods if it be proved that prior to the coming into force of these regulations such goods had been shipped from an enemy country or from any other country and were in course of direct transit to New Zealand, but this exemption shall not be deemed to authorize any payment of money in breach of these regulations or any dealing contrary to these regulations relating to enemy property with goods that remain the property of an enemy trader.

(5) Nothing in these regulations shall be taken to prohibit payments by or on account of enemies to persons resident, carrying on business, or being in New Zealand or its dependencies or mandated territory if such payments arise out of transactions entered into before the outbreak of war or otherwise permitted.

REGULATION 2.—TRADING WITH THE ENEMY PROHIBITED.

(1) No person shall at any time do or attempt to do any of the following things:—

(a) To pay any sum of money to or for the benefit of an enemy trader:

(b) To compromise or give security for the payment of any debt or other sum of money with or for the benefit of an enemy trader:

(c) To act on behalf of an enemy trader in drawing, accepting, paying, presenting acceptance or payment, negotiating, or otherwise dealing with any negotiable instrument:

(d) To accept, pay, or otherwise deal with any negotiable instrument which is held by or on behalf of any enemy trader:
Provided that this prohibition shall not be deemed to be infringed by any person who has no reasonable ground for believing that the instrument is held by or on behalf of an enemy trader:

(e) To enter into any new transaction, or complete any transaction already entered into, with an enemy trader in any stocks, shares, or other securities:

(f) To make or enter into any new marine, life, fire, or other policy or contract of insurance (including reinsurance) with or for the benefit of an enemy trader; or to accept, or give effect to any insurance of, any risk arising under any policy or contract of insurance (including reinsurance) made or entered into with or for the benefit of an enemy trader before the outbreak of war; and in particular as regards treaties or contracts of reinsurance current at the outbreak of war to which an enemy trader is a party or in which an enemy trader is interested, to cede to an enemy trader or to accept from an enemy trader under any such treaty or contract any risk arising under any policy or contract of insurance (including reinsurance) made or entered into after the outbreak of war, or any share in any risk:

(g) Directly or indirectly to supply to or for the use or benefit of, or obtain from, an enemy country or an enemy trader any goods, wares, or merchandise, or directly or indirectly to supply to or for the use or benefit of, or obtain from any person any goods, wares, or merchandise for or by way of transmission to or from an enemy country or any enemy trader, or directly or indirectly to trade in carry any goods, wares, or merchandise destined for or coming from an enemy country or an enemy trader.

(h) To permit any British ship to leave for, enter, or communicate with any port or place in an enemy country:

(i) To enter into any commercial, financial, or other contract or obligation with or for the benefit of an enemy trader.

(2) Any person who does or attempts to do, or directly or indirectly offers or proposes or agrees to do, anything prohibited by the last preceding clause hereof commits an offence against these regulations.

(3) If any person without lawful authority in any wise aids or abets any other person; whether or not such other person is in New Zealand, to do or attempt to do anything which if done in New Zealand, by such other person would be an offence against these regulations, he commits an offence against these regulations.

(4) If any person without lawful authority deals or attempts, or directly or indirectly offers or proposes or agrees, to deal with any money or security for money or other property which is in his hands or over which he has any claim

or control for the purpose of enabling an enemy trader to obtain money on credit thereon or thereby, he commits an offence against these regulations.

(5) No prosecution for an offence against any of the preceding clauses of this regulation shall be instituted except with the written consent of the Attorney-General.

(6) Judicial notice shall be taken of the signature to any consent given under the last preceding clause hereof.

REGULATION 3—DECLARATION OF ENEMIES.

(1) If the Minister is satisfied that any person, firm, or company carrying on business in any place, whether in or out of New Zealand, is carrying on such business exclusively or to a substantial extent for the benefit or under the control of an alien enemy resident out of New Zealand or of an enemy trader, or is engaged in any business communications or undertaking injurious to the interests of His Majesty in respect of the present war, he may, by notice in the *Gazette*, declare such first-mentioned person, firm, or company to be an enemy trader for the purposes of these regulations.

(2) If the Minister is satisfied that any person, firm, or company resident out of New Zealand is an alien enemy and is carrying on business in New Zealand, or is carrying on business with persons, firms, or companies in New Zealand, he may, by notice in the *Gazette* declare such first-mentioned person, firm, or company to be an enemy trader for the purposes of these regulations.

(3) If the Minister is satisfied with respect to any company incorporated in New Zealand that any enemy trader, or any alien company, or any alien enemy possesses or exercises any substantial interest or control in or over that company, the Minister may, by notice in the *Gazette*, declare such first-mentioned company to be an enemy trader for the purposes of these regulations.

(4) Any such declaration as aforesaid may at any time in like manner be revoked by the Minister.

(5) So long as any such declaration remains unrevoked no person shall trade with the person, firm, or company so declared to be an enemy trader:

Provided that, for the purposes of this clause, to "trade with a person, firm, or company" means to do any act which would be an offence against Regulation 2 hereof if that person, firm, or company was resident or carrying on business in an enemy country.

(6) So long as any such declaration remains unrevoked no person shall act as an agent or servant or otherwise on behalf of any person, firm, or company so declared to be an enemy trader, or be or act as a partner of any such person or in any such firm.

REGULATION 4—PROHIBITION OF EXPORTS.

(1) In this regulation "Collector of Customs," "Officer of Customs," and

"goods" have the same meaning as those terms in the Customs Act, 1913.

(2) If the Minister of Customs has reason to suspect that the consignee of any goods shipped or about to be shipped for exportation to any place not being within His Majesty's Dominions or mandated territories, or that any person for whom such goods are destined, whether immediately or ultimately, is an enemy trader or a person engaged in any business undertaking or communications injurious to the interests of His Majesty in respect of the war, he may prohibit the exportation of those goods.

(3) No Collector of Customs or Officer of Customs shall permit to be laden on board any exporting ship any goods the exportation of which is prohibited under this regulation.

(4) A Collector of Customs may decline to grant a certificate of clearance for any ship until he is satisfied that no goods are laden therein in breach of these regulations.

(5) Clauses (3) and (4) of this regulation shall not apply to goods which the Collector of Customs is satisfied were laden prior to the coming into force of these regulations upon the exporting ship for export from New Zealand.

(6) The master of a ship shall not permit to be laden in that ship any goods the exportation of which is prohibited under these regulations.

(7) This regulation shall not be deemed in any way to affect any prohibition or restriction on the exportation or the importation of goods which may at present or hereafter be in force under any other provision of law.

REGULATION 5.—LICENSES.

(1) It shall be lawful for the Minister, by writing under his hand, to grant a license to any person, firm, or company to engage in any transaction or series or class of transactions which, but for such license, would or might amount to a breach of these regulations, and any such license may, by like writing delivered to the licensee or to any member of a licensed firm, be at any time withdrawn.

(2) It shall be lawful for the Minister, by a notice published in the *Gazette*, generally to permit any transaction or series or class of transactions to be engaged in which but for such notice would or might amount to a breach of these regulations, and any such notice may, by further notice published in the *Gazette* be at any time withdrawn.

(3) Any license or notice issued under the two last preceding clauses hereof may be made subject to such limitations as to time and otherwise and such conditions and restrictions as the Minister thinks fit to include, and may at any time be modified or withdrawn.

(4) Any person who for the purpose of obtaining any license under these regulations makes any statement or supplies any information or produces any document which is false or misleading in any material particular, or which has not been given by the person by whom it purports to have been given, or which has

been in any way altered or tampered with, commits an offence against these regulations unless he proves that he took all reasonable steps to ascertain the truth of such statement or information or document or to satisfy himself of the genuineness of such document.

REGULATION 6—INVESTIGATIONS OF TRADING TRANSACTIONS.

(1) If a Justice of the Peace is satisfied on information on oath laid on behalf of the Minister that there is reasonable ground for suspecting that an offence under these regulations has been or is about to be committed by any person, firm, or company, he may issue a warrant authorizing any person appointed by the Minister and named in the warrant to inspect all books and documents belonging to or under the control of that person, firm, or company, and to require any person able to give any information with respect to the business or trade of that person, firm, or company to give that information and, if accompanied by a constable, to enter and search any premises used in connection with the business or trade, and to seize any such books or documents as aforesaid.

(2) Any person who obstructs or attempts to obstruct any person inspecting or demanding to inspect any books or documents, or, if accompanied by a constable, entering or demanding to enter or searching or demanding to search any premises in the execution of a warrant issued to such person under the last preceding clause hereof, commits an offence against these regulations.

(3) Any person having the custody of any book or document who refuses or wilfully neglects to produce it for inspection any person to whom a warrant under this regulation has been issued, or who refuses or wilfully neglects to give any information respect to the business or trade of the person, firm, or company referred to in the warrant which such person is able to give, commits an offence against these regulations.

(4) Where it appears to the Minister—

(a) In the case of an individual, that such individual, or in the case of a firm, that any one of the partners in the firm was immediately before or has been at any time since the outbreak of war an alien enemy or a subjects of or resident or carrying on business in an enemy country; or

(b) In the case of a company, that immediately before or at any time since the outbreak of war one-third or more of the issued share capital or of the directorate of the company was or has been held by or on behalf of or consisted or has consisted of persons being alien enemies or subjects of or resident or carrying on business in an enemy country, or that immediately before or at any time since the outbreak of war the substantial control of any company was or has been exercised by persons being alien enemies or subjects of or resident or carrying on business in an enemy country; or

(c) In the case of a person, firm, or company, that such person, firm, or company immediately before or at any time since the outbreak of war was or has been acting as agent for any person, firm, or company being alien enemies or subjects of or resident or carrying on business in an enemy country; or

(d) That the business or any part thereof carried on by any person, firm, or company is, by reason of the enemy nationality or enemy association of that person, firm, or company, or of any member of that firm or company or otherwise, carried on wholly or mainly for the benefit of or under the control of alien enemies, enemy traders, or enemy subjects; or

(e) That contracts have immediately before or at any time since the outbreak of war been entered into between any person, firm, company and an alien enemy or an enemy subject or enemy trader,—

then, and in any such case, and so that the Minister may satisfy himself that the person, firm, or company is not trading with an enemy trader, or for the purpose of ascertaining whether the business is carried on for the benefit or under the control of alien enemies, enemy traders, or enemy subjects, or for the purpose of ascertaining the relations existing immediately before or at any time since the outbreak of war between such person, firm, or company, or any member of that firm or company and an alien enemy or an enemy subject or an enemy trader, or for the purpose of obtaining information on which to decide whether any person, firm, or company ought to be declared to be an enemy trader under Regulation 3 hereof, the Minister may, if he thinks it expedient so to do, by written order under his hand give to any officer oof the Department of Industries and Commerce, Tourist and Publicity named in the order authority from time to time to inspect all books and documents belonging to or under the control of the person, firm, or company, and to require any person able to give information with respect to the business or trade of that person, firm, or company to give that information.

(5) Any person having the custody of any books or documents who refuses or wilfully neglects to produce them for inspection to any officer holding an order from the Minister under the last preceding clause hereof, or who refuses or wilfully neglects to give such officer any information with respect to the business or trade of the person, firm, or company referred to in the order which such per son is able to give, commits an offence against these regulations.

(6) Where any officer holding an order from the Minister given under clause (4) of this regulation finds any book or document to have been destroyed, mutilated, or falsified, any person having or having had control of such book or document to have been destroyed, mutilated, falsified, any person having or having had control of such book or document shall be guilty of an offence against these regulations unless he proves that the destruction, mutilation, or falsification was not intended for the purpose of concealing transaction which in the opinion of the Court would be likely to constitute an offence under Regulation 2 hereof.

(7) Where a person has given any information to a person to whom a warrant under this regulation has been issued or to an officer holding an order from the Minister given under clause (4) of this regulation, the information so given may be used in evidence against that person in any proceedings under these regula-

tions, notwithstanding that he only gave the information on being required so to do pursuant to these regulations.

(8) For the purpose of the effective administration of this regulation any person expressly appointed in that behalf by the Minister shall have the powers of holding judicial inquiries and ancilliary powers conferred on the Minister of Industries and Commerce pursuant to section 13 of the Board of Trade Act, 1919, as amended by the Board of 3rade Amendement Act, 1923, and for that purpose the provisions of sections 14 to 25 of the Board of Trade Act, 1910, and all other relevant provisions of that Act shall apply *mutatis mutandis*.

REGULATION 7.—RESTRICTIONS ON BUSINESS.

(1) When the Minister is satisfied with respect to any business carried on in New Zealand that it is being carried on wholly or partially by or on behalf of or under the control or management of an enemy trader or an alien enemy, the Minister may, by notice to any person by whom such business is being carried on or managed in New Zealand or to the agent attorney or representative in New Zealand of any such person, impose such restrictions as he thinks fit upon the mode of carrying it on.

(2) Any such restriction may be in like manner removed or varied by the Minister.

(3) Where any person is or has at any time been, whether before or after the makng of these regulations, a servant or agent of an alien enemy or of an enemy trader within the meaning of these regulations, or a servant or member of a firm or company being an enemy trader within the meaning of these regulations, the Minister may from time to time, by notice given to that person, impose such restrictions as he thinks fit upon the scope or nature of any business carried on or to be carried on by him or upon the mode of carrying on any such business.

(4) No restrictions on the business of any person shall be imposed under the authority of the last preceding clause hereof or shall remain in force at any time later than six months after the person has ceased to be a servant or agent of an alien enemy or of an enemy trader or a servant or member of a firm or company being an enemy trader as aforesaid.

(5) No person shall carry on, or be in any manner concerned in carrying on, a business in breach of any restricted imposed under this regulation and for the time being in force.

(6) At any time when a restriction imposed under this regulation is in force in respect of any business the Minister may, by written order under his hand, give to any officer of the Department of Industries and Commerce, Tourist and Publicity named in the order authority from time to time to inspect all books and documents belonging to or used in connection with the business, including the books and documents of any bank at which is kept a bank account in connection with the business, and to require any person able to give information with respect to the business to give that information, and the provisions of

clauses (5), (6), and (7) of Regulation 6 hereof shall *mutantis mutandis*, apply as if such order had been given under the powers conferred by clause (4) of Regulation 6 hereof.

REGULATION 8.—RETURNS OF FOREIGN CORRESPONDENTS.

(1) The Minister may, by notice in writing to any person, firm, or company carrying on business in New Zealand in respect of the purchase, sale, exportation, or importation of goods, and having any foreign correspondents or having had since the outbreak of war any foreign correspondents in respect of that business or any part thereof, require such person, firm, or company to make and deliver to him within the period stated in such notice a return in writing of the name and place of business of every such foreign correspondent.

(2) "Correspondent" means any person, firm, or company between whom and the person, firm, or company making the return there exists, or has existed, the relation of principal and agent, vendor and purchaser, or consignor and consignee in respect to the purchase, sale, exportation, or importation of goods.

(3) "Foreign correspondent" means any correspondent having a head office or chief place of business elsewhere than in His Majesty's Dominions or mandated territories or territory in the military occupation of His Majesty.

(4) Every such return shall specify the nature of the business of the foreign correspondent and every place in which, to the knowledge or belief of the person, firm, or company making the return, the foreign correspondent has any office, factory, warehouse, branch, or other place of business.

(5) Failure to make any such return within the time stated in any such notice, or making any return which is knowingly incomplete or misleading, shall be an offence against these regulations on the part of every person concerned in the management of the business in respect of which the return is or ought to have been made.

(6) Except for the purpose of legal proceedings in any Court of Justice, no person shall divulge any of the particulars or information contained in any return of foreign correspondents.

REGULATION 9.—ADVERTISING BY DECLARED ENEMIES.

(1) The Minister may serve notice on any person, firm, or company declared to be an enemy trader for the purpose of these regulations forbidding the publication of any advertisement of the business of such person, firm, or company, or any advertisement of the goods or merchandise manufactured, produced, or sold by such person, firm, or company.

(2) The Minister may serve on the owner, printer, or publisher of any newspaper, periodical, or other publication, or publish in the *Gazette*, a like notice relating to any declared enemy.

(3) Any such notice may at any time be modified or withdrawn.

(4) No person shall knowingly publish or attempt to publish any advertisement contrary to the terms of a notice in force under this regulation.

(5) Nothing in this regulation shall apply to the Public Trustee in his capacity of controller of any business under any regulations at any time in force relating to the control by the Public Trustee of enemy property or to advertisements relating to a business over which the Public Trustee exercises control by virtue of such regulations.

REGULATION 10.—LEGAL PROCEEDINGS.

(1) It shall be a defence to any person charged with a breach of these regulations if he proves that the acts with which he is charged are authorized by any license or notice issued under Regulation 5 hereof and for the time being in force.

(2) In any proceedings for a breach of these regulations an allegation in an information that any person, firm, or company is an enemy trader or an alien enemy shall, until the contrary is proved, be sufficient evidence that such person, firm, or company is an enemy trader or (as the case may be) an alien enemy within the meaning of these regulations.

ENEMY PROPERTY EMERGENCY REGULATIONS.

7th September, 1939.

REGULATION I.—PRELIMINARY.

(1) These regulations may be cited as the Enemy Property Emergency Regulations 1939.

(2) In these regulations, unless inconsistent with the context,—

(i) "Alien enemy" means every person wherever resident who is, or who has at any time been, a subject of any State with which His Majesty is now at war, notwithstanding the fact that such person may be also by birth, naturalization, or otherwise a British subject or have in any manner ceased to be a subject of any such State, and includes the wife of an alien enemy:

(ii) "Corporation" means any body corporate which has a capital divided into shares and is incorporated in New Zealand or any body incorporated in New Zealand; and in these regulations the term "person" includes a body corporate so far as such regulations are capable of application to bodies corporate:

(iii) "Enemy" means any person or body of persons of whatever nationality (and, if incorporated, wherever in corporated) resident or carrying on business in any enemy country, but does not include persons of enemy nationality who are neither resident nor carrying on business in an enemy country, and includes any person, firm, or company declared to be an enemy trader under the provisions contained in the Enemy Trading Emergency Regulations 1939:

(iv) "Enemy company" means a company which is incorporated in enemy territory or in or over which any enemy or any other enemy company possesses or exercises any substantial interest or control:

(v) "Enemy country" means the territories of and includes also any territory for the time being in the occupation of the military forces of the Government of the German Reich:

(vi) "Enemy property" means all property, real or personal, which belongs to an enemy or alien enemy or in which an enemy or alien enemy has any interest, and includes all money owing or payable to an enemy or to any person on behalf of an enemy or alien enemy:

(vii) "Outbreak of war" means the proclamation of the state of war between His Majesty and the Government of the German Reich on the 3rd day of September, 1939:

(viii) "Prisoner of war" means any person detained in New Zealand under the order of a military authority or otherwise detained as a prisoner of war, and for the purposes of these regulations shall include any enemy whose arrest has been authorized by a military authority, although he has not yet been actually arrested.

REGULATION 2.—CUSTODIAN OF ENEMY PROPERTY.

The Public Trustee shall in his official and corporate capacity be the Custodian of Enemey Property for the purposes of these regulations.

REGULATION 3.—NOTIFICATIONS OF ENEMY PROPERTY.

(1) Within fourteen days after the coming into force of these regulations every person who on the coming into force of these regulations holds, or has the possession, management, or control of, any enemy property shall by notice in writing communicate the fact, together with full particulars of such property, to the Custodian of Enemy Property at the Public Trust Office at Wellington, and every such person shall thereafter from time to time give to the Custodian such further information relative to that property as he may require.

(2) Every person shall, within fourteen days after he begins to hold, possess, manage, or control any enemy property, or after any property held, possessed, managed, or controlled by him becomes enemy property, communicate the fact by notice in writing to the Custodian of Enemy Property at the Public Trust Office at Wellington, together with full particulars of that property, and shall from time to time thereafter give to the Custodian such further information relative to that

property as he may require.

(3) All notifications of enemy property under the two last preceding clauses hereof shall be made in accordance with the Schedule hereto and under the several headings specified in that Schedule.

(4) Every enemy shall, if so required by the Custodian of Enemy Property, within fourteen days after being so required, give to the Custodian such particulars as he requires as to all property of the value of £50 or upwards, whether situated in New Zealand or elsewhere, which belongs to that enemy or in which he is interested.

REGULATION 4.—VESTING OF ENEMY PROPERTY.

(1) The Attorney-General may, by order signed by him, vest any enemy property or any specified estate or interest in enemy property in the Custodian of Enemy Property, and such property, estate, or interest shall thereupon vest in the Public Trustee as Custodian of Enemy Property accordingly as if it had been lawfully and with full authority transferred to the Public Trustee by all persons entitled thereto, subject, however, to any mortgage, charge, lien, or encumbrance to which such property, estate, or interest was subject at the time of the making of the order.

(2) An order signed by the Attorney-General as aforesaid shall be conclusive evidence that the property or estate or interest in property therein referred to is enemy property within the meaning of these regulations.

(3) Upon the making of an order as aforesaid the Custodian of Enemy Property shall be entitled to the possession, occupation, and enjoyment of the property or estate or interest in property therein referred to according to the nature and quality thereof.

(4) Where the property, estate, or interest so vested in the Public Trustee as Custodian of Enemy Property is an estate or interest in land registered under the Land Transfer Act, 1915, the District Land Registrar shall, upon an application for transmission made by the Public Trustee as Custodian of Enemy Property, and upon production by him of the order, cause the Public Trustee, as Custodian of Enemy Property, to be registered as the proprietor of such estate or interest subject as aforesaid.

(5) If the District Land Registrar is satisfied that the certificate of title, lease, mortgage, or other instrument of title to such estate or interest is not in the possession of the Public Trustee, and that production thereof cannot for the time being reasonably be obtained, he may dispense with production thereof.

(6) When any such order relates to any property, right, or interest which is evidenced by the issue of shares, scrip, or debentures or certificates, or is evidenced by registration in the books or registers of any corporation or authority, local or Government, it shall be the duty of such corporation or authority to register the Public Trustee, as Custodian of Enemy Property, as owner of the property, right, or interest concerned on production by the Public Trustee of the order or a certified copy thereof, notwithstanding the non-production of any scrip, share-certificate, debenture-certificate, or other document of title.

(7) Nothing in the regulations or constitution of any corporation shall in any manner take away or restrict the obligation of the company so to register the Public Trustee, as Custodian of Enemy Property, as the owner of the property, right, or interest concerned.

(8) If any corporation or authority makes default in so registering the Public Trustee, as Custodian of Enemy Property, as the owner of any property, right, or interest, every director, manager, and secretary of that corporation or authority shall be guilty of an offence against these regulations.

REGULATION 5.—TRANSFERS BY CUSTODIAN OF ENEMY PROPERTY.

(1) On the execution, in such manner as the Public Trustee thinks fit, of a transfer by the Public Trustee, as Custodian of Enemy Property, of the title to any property, right, or interest vested in him under the last preceding regulation, and on a request of the Public Trustee, as Custodian of Enemy Property, to register such transfer, it shall be the duty of the corporation or authority, notwithstanding anything to the contrary in the regulations or constitution of the corporation or authority, to register the transferee as the owner of the property, right, or interest so transferred, notwithstanding the nonproduction of any scrip, share-certificate, debenture-certificate, or other document of title.

(2) A statement or recital in any transfer, conveyance, assignment, lease, or other disposition of such property or such estate, right, or interest therein shall, respecting any matter of fact in relation to such transfer, conveyance, assignment, lease, or other disposition, be sufficient evidence of the facts therein stated or recited.

(3) If any corporation or authority makes default in complying with a request of the Public Trustee, as Custodian of Enemy Property under this regulation, to register any transfer by him, every director, manager, and secretary of that corporation or authority shall be guilty of an offence against these regulations.

REGULATION 6.—PAYMENTS AND DELIVERY TO CUSTODIAN.

(1) All rents, dividends, interest, shares of profits, and other income being enemy property shall be paid to the Custodian of Enemy Property.

(2) Every such payment shall, in the case of moneys already so due and payable at the date of the coming into force of these regulations, be made within fourteen days after the coming into force of these regulations, and shall in all other cases be made within fourteen days after the day on which such moneys become due and payable, or after any later day on which the person to or on behalf of whom they are due and payable becomes an enemy.

(3) In the case of all money being enemy property (other than rents, divi-

dends, interest, shares of profits, and income as aforesaid) the Custodian of Enemy Property may, if he thinks it expedient in the public interest, demand payment of such moneys from the person by whom they are so payable; and the person on whom such demand is made shall forthwith, or so soon as may be reasonably practicable, pay such moneys to the Custodian accordingly.

(4) Every person having in his possession or control any enemy property, being share-certificates, debentures, bonds, instruments of mortgage, or other securities for money, or documents of title to land or any estate or interest therein, or to any other property, shall, on demand made by the Custodian of Enemy Property, forthwith deliver the same to the Custodian.

(5) Money owing or payable to an enemy or alien enemy or to any person on behalf of an enemy or alien enemy shall be deemed to be enemy or alien enemy shall be deemed to be enemy property held by the person by whom it is owing or payable, and also by the agent, attorney, or representative of that person in New Zealand.

(6) Shares owned by or on behalf of an enemy or alien enemy in any company incorporated in New Zealand or carrying on business in New Zealand shall be deemed to be enemy property held by the company, and also by the attorney or manager of that company in New Zealand.

(7) Property owned jointly or in common by an enemy or alien enemy and by any person in New Zealand shall be deemed to be enemy property held by such person in New Zealand.

(8) All bank balances and other sums payable on demand shall be deemed to become or to have become due and payable at any time at which such demand might lawfully have been made if a state of war had not existed.

REGULATION 7.—PROPERTY OF BRITISH-BORN WOMEN.

(1) This regulation applies to every woman who, being a British subject by birth, has by virtue of a marriage entered into before the coming into force of these regulations become an alien enemy within the meaning of these regulations.

(2) Unless the Atorney-General by notice in writing given to the woman concerned or her agent otherwise directs, the following provisions of these regulations shall not apply to a woman to whom this regulation applies or to property which is enemy property within the meaning of these regulations by reason only of the interest of such woman therein—namely, Regulation 3, relating to notifications of enemy property; Regulation 4, relating to vesting of enemy property; and Regulation 6, relating to payments and delivery to the Custodian of Enemy Property.

(3) Within fourteen days of the coming into force of these regulations every woman to whom this regulation applies, and every person acting in a matter in which such a woman has an interest, who holds or has the possession, manage-

ment, or control of any property which is enemy property within the meaning of these regulations by reason of the interest of such woman therein shall give notice in writing to the Custodian of Enemy Property at the Public Trust Office at Wellington setting out the full name and address of the woman concerned and brief details of her circumstances and property.

(4) Within fourteen days after any woman to whom this regulation applies begins to hold, possess, manage, or control any property, such woman, and also every person who is acting in a matter in which such woman has an interest or who has the possession, management, or control of any such property as aforesaid, shall give notice in writing to the Custodian of Enemy Property at the Public Trust Office at Wellington setting out the full name and address of the woman concerned and brief details of her circumstances and property.

(5) The Attorney-General may from time to time, by notice in writing given to the woman concerned or her agent, and also to the Custodian of Enemy Property, direct that all or any of the provisions of the regulations referred to in clause (2) of this regulation shall thereafter apply to such woman and to her property, and any such notice may at any time be added to, amended, or withdrawn, and the exemptions set out in clause (2) of this regulation shall as regards such woman and her property be varied according to the tenor of any notice given under this clause and for the time being in force.

REGULATION 8.—TRANSFERS OF PROPERTY.

(1) No person shall, without the previous written permission of the Attorney-General, be in any manner concerned in the transfer of any enemy property from an enemy to any other person, or in the acquisition by any person of any charge or other interest in or over any enemy property,or in the registration or recording of any such transfer or acquisition.

(2) Every conveyance, transfer, assignment, demise, charge, encumbrance, or disposition of enemy property or any estate or interest therein made after the coming into force of these regulations, unless made by the Custodian of Enemy Property or with the previous written permission of the Attorney-General, shall be wholly void, except in so far as the Attorney-General, upon being satisfied that the same was made or taken in good faith and without intent to evade these regulations, shall by a certificate under his hand wholly or partly ratify or approve of the same after the making thereof.

(3) No person shall, without the previous written permission of the Attorney-General, acquire or be concerned in the acquisition of the undertaking or business, or of any part of the undertaking or business, of an enemy, or carry on or profess to carry on business as the successor of an enemy.

(4) No person shall, except with the previous written consent of the Attorney-General, directly or indirectly send or transmit any enemy property out of New Zealand, or deal with enemy property in any manner whatever with intent to reduce such property or the proceeds of the sale, realization, or disposition

thereof, into the possession of an enemy or of any person out of New Zealand on behalf of an enemy, or with intent otherwise to make the same available out of New Zealand by or for the benefit of an enemy.

REGULATION 9.—CONTROL OF ENEMY BUSINESSES.

(1) The Minister of Industries and Commerce may, by Warrant published in the *Gazette*, appoint the public Trustee as the Controller of the business of any person, firm, or company declared to be an enemy trader under the Enemy Trading Emergency Regulations 1939. Any such appointment may at any time in like manner be revoked.

(2) Subject to the provisions of clause (9) of this regulation, the Controller when so appointed shall have the following powers in respect of the business of the person, firm, or company so declared to be an enemy:—

(a) To take and retain possession of all property whatever then or thereafter belonging to that person, firm, or company in respct of the business so controlled:

(b) To collect, receive, and retain all moneys payable to that person, firm, or company in respect of the business so controlled:

(c) Out of any moneys received by him as Controller to pay and discharge any debts or liabilities of that person, firm, or company on such evidence as seems to the Controller sufficient:

(d) To sell the stock-in-trade and other chattels belonging to that person, firm, or company in respect of the business so controlled, whether by sale in the usual course of that business, or by tender, public auction, or otherwise as the Controller thinks fit:

(e) To carry on or permit to be carried on the business of that person, firm, or company so far as the Controller deems necessary for the winding-up of that business and the realization of the assets thereof:

(f) To carry on or permit to be carried on the business of that person, firm, or company so far as the Minister of Industries and Commerce considers it desirable in the public interest that the business be continued:

(g) To exercise in the name and on behalf of that person, firm, or company all rights of action vested therein in respect of such business:

(h) To cancel and determine any contract which has been entered into by that person, firm, or company in the course of such business before being declared an enemy, and the performance of which may remain lawful, notwithstanding such declaration:

(j) To exercise any power vested in that person, firm, or company of determining or surrendering any leasehold interest possessed by that person, firm, or company in respect of such business, and to give or execute in the name of the person, firm, or company all notices or instruments required in that

behalf:

(k) To make application to the Supreme Court for an order for the winding-up of any company so declared to be an enemy and placed under his control; and the fact that the company has been declared to be an enemy shall be sufficient ground for the making of a winding-up order unless the Court in its discretion otherwise decides:

(l) To require and authorize the delivery to him from the Post Office of all postal packets and telegrams addressed to or intended for that person, firm, or company in respect of such business.

(3) All powers conferred upon the Controller by these regulations may be exercised by him either personally or through such agent, servant, or representative as he may think fit to appoint in that behalf.

(4) While the Controller remains in office in respect of any business it shall not be lawful for any person to be engaged in the management or conduct of that business or to act in respect of that business as an agent or servant of the person, firm, or company so declared to be an enemy, save with the permission of the Controller and so far as such permission extends.

(5) Any remuneration payable to and all expenses incurred by the Controller in the exercise of his powers in respect of any business shall be payable out of the moneys received by him as Controller of that business.

(6) No person shall in any manner obstruct or deceive the Controller, or any agent, servant, or representative of the Controller, in the exercise or performance of any of his powers, duties, or authorities as such.

(7) Every person who is for the time being engaged or has at any time before or after the coming into force of these regulations been engaged as a director, manager, agent, servant, partner, or otherwise in the management or conduct of any business under the control of the Controller, shall at all times on being so required by the Controller, shall at all times on being so required by the Controller afford to the Controller all such information relating to such business as it may be in his power to afford.

(8) While the Controller remains in office in respect of the business of any person, firm, or company it shall not be lawful for any person other than the Controller, without the consent of the Controller or the Minister of Industries and Commerce, to present any bankruptcy petition in respect of that person or firm or any petition for the winding-up of that company, or to pass any resolution for the winding-up of that company, or to take any steps for the enforcement of the rights of any creditors of that person, firm, or company.

(9) By any warrant under this regulation the Minister may restrict or limit the exercise by the Controller of any of the powers set out in clause (2) of this regulation.

REGULATION 10.—PRISONERS OF WAR.

(1) The Public Trustee may be appointed as the Custodian of the property of

any prisoner of war by instrument in writing executed either—

(a) By that prisoner of war; or

(b) By the Attorney-General in any case where he considers it necessary that a custodian shall be appointed.

(2) The execution of any instrument appointing the Public Trustee to be the Custodian of the property of a prisoner of war shall be conclusive evidence that the person in respect of whose property the appointment is made was at the time of execution thereof a prisoner of war for the purposes of these regulations.

(3) Any such appointment, whether made by the prisoner of war himself or by the Attorney-General, shall continue in full force and effect until revoked by the Attorney-General by notice in writing to the Public Trustee, even though the prisoner of war has ceased to be a prisoner of war or to be resident in New Zealand; and all the provisions of these regulations shall continue to apply to that appointment in the same manner as if that person remained a prisoner of war held in confinement in New Zealand.

(4) The Public Trustee, when so appointed, shall have the following powers in respect of the property of that prisoner of war:—

(a) To take and retain possession of all property whatever belonging to that prisoner of war:

(b) To collect, receive, and retain all moneys payable to that prisoner of war:

(c) To sue in his official name for all debts due and moneys payable to that prisoner of war:

(d) Out of any moneys received by him as Custodian, to pay and discharge any debts or liabilities of that prisoner of war, and to pay such reasonable sums as he considers necessary for the maintenance of the wife and children (if any) of that prisoner of war:

(e) Where the moneys received by him are not sufficient to pay all debts and liabilities of that prisoner of war, to sell any personal property of that prisoner of war for that purpose:

(f) To manage and carry on, or permit to be carried on, the business of that prisoner of war as a going concern, and for that purpose to appoint such agents or servants as he considers necessary, and pay them such remuneration as he thinks fit:

(g) In the case of a prisoner of war who is no longer in New Zealand, to sell the whole or any part of the real or personal property of that prisoner in New Zealand, and to execute in his name and on his behalf all proper instruments of assurance:

(h) In the case of an appointment by a prisoner of war himself, to exercise in respect of the property of the prisoner of war any other powers which may be expressly conferred upon the Public Trustee by that prisoner in the instrument of appointment executed by him.

(5) All powers conferred upon the Custodian by these regulations may be exercised by him either personally or through such representative as he may think fit to appoint in that behalf.

(6) All expenses incurred by the Custodian (including such reasonable charges as he thinks fit to make for his services) in the exercise of his powers in respect of the property of any prisoner of war shall be payable out of the moneys received by him as Custodian of that property.

REGULATION 11.—PROBATE AND ADMINISTRATION.

(1) Save with the written consent of the Attorney-General, no person shall, whether on his own behalf or on the behalf of any other person, make or be concerned in making any application to the Supreme Court for probate of the will or of letters of administration of the estate of any person who on his death was an alien enemy, wherever resident, or for the resealing in New Zealand of any probate or letters of administration within the meaning of Part II of the Administration Act, 1908.

(2) Save with the written consent of the Attorney-General, no alien enemy, wherever resident, shall make or be concerned in making any application to the Supreme Court for probate of the will or for letters of administration of the estate of any person deceased, or for the resealing in New Zealand of any probate or letters of administration within the meaning of Part II of the Administration Act, 1908.

(3) No executor, administrator, or trustee of the estate of any deceased person shall, without the written consent of the Attorney-General, distribute or pay any part of the assets or proceeds of that estate to any beneficiary or creditor who is an alien enemy, wherever resident, or to any other person on his behalf.

REGULATION 12.—MANAGEMENT.

(1) Enemy property and the income thereof controlled by the Public Trustee in terms of these regulations, or the proceeds thereof, shall be held by the Public Trustee in trust for all persons having any interest in such property in accordance with their respective interests, save that no moneys shall be paid by the Public Trustee to an enemy except with the consent of the Attorney-General or in pursuance of powers conferred on the Public Trustee by these regulations.

(2) In addition to the powers conferred on him elsewhere in these regulations, the Custodian may in respect of property vested in him:—

(a) In such manner and on such terms as he thinks fit sell and transfer any enemy property provided that no such sale shall take place without the consent of the Attorney-General.

(b) Lease or concur in leasing any property for any term not exceeding two years (to take effect in possession within six months of the date of the lease), or from year to year, or for a weekly, monthly, or other like tenancy, or at will:

(c) Repair, and insure against fire, earthquake, or accident:

(d) Pay all rates, taxes, insurance premiums, or other outgoings payable in respect of the property in his hands or under any policy of insurance of any policy of insurance of any kind:

(e) Surrender, assign, or otherwise despose of, with or without consideration, any onerous property:

(f) Surrender or concur in surrendering any lease, and accept a new lease:

(g) Pay calls on shares in any corporation.

(3) All moneys received by the Public Trustee in terms of these regulations and the proceeds of any property sold by the Public Trustee in terms of these regulations shall be invested by him in accordance with the directions of the Minister of Finance.

REGULATION 13.—CHARGES.

1) The fees of the Public Trustee in all matters in which he acts under these regulations shall be as follows:—

On the gross value of assets realized—

(a) On the first £250 or fraction thereof, 12½ per cent., with a minimum of £3 3s.

(b) On the next £1,750 or fraction thereof, 6½ per cent.

(c) On all amounts above £2,000, 3½per cent.

Provided that the Public Trustee shall in his discretion have the power—

(aa) In the event of his considering, having regard to the work involved, that such fees are in total too large in any particular case, to reduce the amount to be charged to a sum adequate in his view for the work involved:

(bb) In the event of his considering that such fees are inadequate having regard to the work involved, to fix a fee commensurate in his view with the work performed. If assets are not realized, this provision is to be availed of by the Public Trustee in fixing the charge to be made by him.

(2) For the purposes of calculating the fees to be charged no distinction is to be made between the proceeds of an asset and the income earned by such asset before realization; the charges are to be calculated on the gross value of the total amount collected, both capital and income.

REGULATION 14.—LIABILITY OF PUBLIC TRUSTEE.

So long as the Public Trustee acts in good faith in the exercise of the powers, duties, and trusts conferred or imposed upon him by or inpursuance of these regulations, he shall be under no civil liability to any person whatever for any error, act, or default.

REGULATION 15.—OFFENCES.

If any person or company fails to supply the notices or information required by these regulations or to make any payments or delivery of property, papers, or documents required by these regulations, or acts in contravention of these regulations in any way, the person or company concerned commits an offence against these regulations.

REGULATION 16.—REVOCATION.

(1) The undermentioned regulations heretofore enuring under the War Regulations Continuance Act, 1920, are hereby revoked:—

Regulations comprised in that Part of the Second Schedule to the War Regulations Continuance Act, 1920, which is Numbered.	Subject-matter.
(4)	Estates of deceased persons.
(5)	Enemy property.
(12)	Enemy property.
(23)	Enemy property.

(2) All property vested, all contracts in force, all rights and liabilities accrued, and generally all acts of authorities, matters, acts, and things that originated or had effect under any regulations hereby revoked and are of continuing effect at the time of coming into force of these regulations shall vest, be in force, and enure under and for the purposes of the corresponding provisions of these regulations as fully as if they had originated under these regulations, and shall, where necessary, be deemed to have so originated.

SCHEDULE.

RETURNS OF ENEMY PROPERTY.

SUCH returns shall be made under the following heads:—

(1) Dividends and interest in respect of any shares, stock, debentures, debenture stock, and other obligations of any company incorporated in New Zealand, and any profits or share of profits of any business, and any interest on money lent other than interest on the securities mentioned under the next following head.

(2) Sums payable in New Zealand in respect of interest or securities issued by the Government of New Zealand or any other part of the British dominions, or in respect of securities issued by any municipal or other public or local authority in New Zealand or in any other country, and also all principal sums which become or have become due and repayable in respect of such securities.

(3) Shares, stock, debentures, debenture stock, and other obligations of com-

panies incorporated in New Zealand, and interests held in any undertaking, firm, or partnership carrying on business in New Zealand.

(4) Debts, bank deposits, and bank balances.

(5) Property held in New Zealand for safe custody, such as securities, deeds, personal belongings, jewellery, or cash.

(6) All income not otherwise referred to in this Schedule.

(7) All real and personal property not otherwise referred to in this Schedule.

EXPORT PROHIBITION EMERGENCY REGULATIONS.

6th September, 1939.

1. These regulations may be cited as the Export Prohibition Emergency Regulations 1939.

2. No person shall export any goods without the permission in writing of the Minister of Customs.

3. The Minister may grant permission for the export of any goods or goods of any class either generally or to any country or countries or to any person or persons, and such permission may be subject to any conditions he may in his discretion impose.

4. Any person desiring to export goods shall, at least ten days prior to the date of intended shipment, apply in writing to the Collector of Customs at the port at which the goods are proposed to be placed on board the exporting vessel for permission to export such goods. The applicant shall furnish the following particulars:—

(a) Description, quantity, and value of goods::

(b) Port of intended shipment:

(c) Name of intended exporting vessel:

(d) Approximate intended date of shipment:

(e) Ultimate destination of goods:

(f) Name and address of consignee:

(g) Any other particulars that may be required by the Collector. The Minister may, in his discretion, dispense with all or any of the requirements of this clause.

5. Except with the permission of the Collector, entry for export of any goods for the export of which permission is granted shall, notwithstanding anything to the contrary in section 69 of the Customs Act, 1913, or in any other Act, be made at the Customhouse at the Port of loading prior to shipment of the goods

on the exporting vessel.

6. The Minister may delegate to the Comptroller of Customs or to a Collector of Customs authority to entertain any application for permission to export goods and to grant or withhold any permission that the Minister is empowered by these regulations to grant or wtihhold, and any permission given by the Comptroller or by a Collector, in the name of the Minister or in his own name, and the conditions thereof, shall, for the purposes of these regulations be as effective as if given by the Minister in person.

7. (a) These regulations shall apply with respect to the export of all goods, notwithstanding that a license or other authority for the export of such goods may be in force under the Customs Acts or any other Act or under any regulations other than these regulations.

(b) The granting of permission to export any goods under these regulations shall not absolve any person from the obligation to comply with the requirements of any Act or of any other regulations with respect to the export of such goods.

8. These regulations shall come into force on the day following notification in the *Gazette* of the making thereof.

FOODSTUFFS EMERGENCY REGULATIONS.

4th September, 1939.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Foodstuffs Emergency Regulations 1939.

(2) These regulations shall be read together with and deem part of the Supply Control Emergency Regulations 1939.

(3) In these regulations, unless inconsistent with the context,—

"Foodstuffs" means every article which issued for food or drink by man which enters into or is used in the composition or preparation of any such article; and includes tobacco and cigarettes; but does not include sugar, wheat, wheaten flour, bran, pollard, or bread:

"Controller" means the Food Controller appointed under these regulations; and includes any person for the time being authorized to exercise or perform any of the Controller's powers or functions:

"Sale" includes every form of disposition (whether for valuable consideration or otherwise); and includes a contract for sale:

"Trader," in relation to foodstuffs, means any person who for the purpose of any trade or business carried on by him (whether as a producer, manu-

facturer, merchant, broker warehouseman, importer, or otherwise) holds from time to time a stock of foodstuffs.

REGULATION 2.—FOOD CONTROLLER.

(1) The Minister may from time to time appoint a Controller, to be known as "the Food Controller."

(2) The Controller shall hold office during the pleasure of the Minister.

(3) The Controller shall be subject in all things to the control of the Minister, and shall act in accordance with all directions, general or special, given to him by the Minister.

REGULATION 3.—POWERS OF THE FOOD CONTROLLER.

(1) The Controller shall have the following powers:—

(a) To regulate, restrict, control, or prohibit the distribution or use of any foodstuffs, and to fix conditions of sale of any foodstuffs:

(b) To take possession of any foodstuffs, wherever situated in New Zealand, or to acquire the title to any foodstuffs on board a ship and destined for New Zealand:

(c) To take such steps as the Controller thinks fit for the purpose of safeguarding the continuity of supply of any specific class or classes of foodstuffs, whether produced within the Dominion or imported into the Dominion:

(d) To require traders to enter into working agreements with one another for the pooling of supplies of food and storage facilities, and for the limitation of the number of traders carrying on business in any area or district:

(e) To require traders to deal only in any particular types, classes, or quantities of foodstuffs, and to pack the same in such packages or containers as may be directed:

(f) To require any person to furnish from time to time such returns, statements, statistics, or other information relating to foodstuffs and the possession, dealing, and use thereof as the Controller may deem necessary, and to require that any such information be verified by statutory declaration.

FACTORY EMERGENCY REGULATIONS.

4th September, 1939.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Factory Regulations 1939.

(2) These regulations shall be read together with and deemed part of the

Supply Control Emergency Regulations 1939.

(3) In these regulations, unless inconsistent with the context,—

"Controller" means the Factory Controller appointed under these regulations; and includes any person for the time being authorized to exercise or perform any of the Controller's powers or functions:

"Factory" means any building, office, or place in which any person is employed, directly or indirectly, in any handicraft or in preparing or manufacturing goods for trade or sale; and includes any building, office, or place in which work such as is ordinarily performed in a factory is performed for or on behalf of any local authority, whether for trade or sale or not; but does not include any building in course of erection, nor any temporary workshop or shed for workmen engaged in the erection of any building, nor any bakehouse (meaning thereby any building or place in which any article of food is baked or prepared for baking for sale for human consumption):

"Factory materials" means any materials or goods capable of being used in or for the purposes of any factory, or capable of being dealt with in any factory, whether by being manufactured, improved, altered or prepared, or otherwise; and includes goods that have been wholly or partly so dealt with; and also includes any tools, machinery, plant, or equipment capable of being used in or for the purposes of any factory; and also includes any patent rights relating to any such materials, goods, tools, machinery, plant, or equipment:

"Occupier," in relation to any factory, means the person occupying the factory; and includes any person acting or apparently acting in the general management or control of the factory:

"Owner," in relation to any factory materials, includes any person having the materials in his possession or control or on order by him.

REGULATION 2.—FACTORY CONTROLLER.

(1) The Minister may from time to time appoint a Controller to be known as "the Factory Controller."

(2) The Controller shall hold office during the pleasure of the Minister.

(3) The general functions of the Controller shall be to organize and promote the undertaking of factory production according to the importance thereof in the public interest, and for that purpose to determine the precedence and order of urgency thereof and ensure the supply of materials and labour for the prosecution of factory production according to the order of urgency laid down from time to time by the Controller.

(4) The Controller shall be subject in all things to control of the Minister, and shall act in accordance with all directions general or special, given to him by the Minister.

REGULATION 3.—REGULATION AND CONTROL OF FACTORY PRODUCTION.

(1) The Controller may from time to time, by notice to the occupier of any factory, whether or not the factory was in operation at the date of these regulations and whether or not it is the subject of any license granted under these regulations, direct that the occupier cease, restrict, or increase the production of the factory or of any branch thereof either generally or in respect of any specified goods or class of goods, or that the occupier produce at the factory or at any branch thereof goods of such kinds, descriptions, types, sizes, quantities and qualities and in such order of urgency as may be specified in the notice.

(2) Where a notice has been given under this regulation in respect of any factory no person shall, except with the precedent consent of the Controller, do any work in or about the factory in contravention of the terms of the notice, or cause or permit any other person so to do.

REGULATION 4.—LICENSING OF FACTORIES.

The Controller may from time to time direct, either generally or in respect of any specified industry or specified class of factories, that no factory shall be used as a factory except in accordance with a license issued by the Controller under these regulations.

REGULATION 5.—CONTROL OF FACTORY MATERIALS.

(1) The Controller may from time to time regulate, restrict, and control the use, sale, supply, distribution, and disposal of factory materials. The powers conferred by this regulation may be exercised either generally or in respect of any specified area, industry or class of industries, factory or class of factories, materials or class of materials, or person or class of persons.

(2) Without limiting the general powers conferred on the Controller by this reguation, it is hereby declared that they shall be deemed to include power to do all or any of the following things:—

(a) To require or direct owners of factory materials furnish such information and particulars in relation thereto, at such times and in such form and manner as the Controller thinks fit:

(b) To require or direct owners of factory materials to supply or transfer the whole or any part thereof to His Majesty the King or to any other person, in such quantities, at such places, at such times or intervals, in such order of urgency, and generally in such manner as the Controler thinks fit:

(c) To require or direct occupiers of factories and owners of factory materials not to use, dispose of, part with the possession or control of, or otherwise deal with factory materials except with the precedent consent of the Controller or in accordance with his directions:

(d) To require or direct occupiers of factories to use such substitutes for factory materials as the Controller thinks fit.

INDUSTRIAL EMERGENCY COUNCIL REGULATIONS.

14th September, 1939.

1. These regulations may be cited as the Industrial Emergency Council Regulations 1939.

2. In these regulations, unless inconsistent with the context,—

"Council" means the Industrial Emergency Council constituted under these regulations:

"Minister" means the Minister of Labour.

3. The Minister may from time to time appoint an Industrial Emergency Council comprising such number of representatives of employers and workers as he may deem fit.

4. The Minister shall appoint a Chairman of the Industrial Emergency Council.

5. It shall be the function of the Council to inquire into and to advise the Minister during the period of war emergency on any matters referred by him to the Council or on any other matters arising out of the state of emergency and pertaining to his office.

6. Without in any way limiting the powers of the Council to do all things necessary for the proper discharge of its functions, it is hereby provided that, on the direction of the Minister, the Council may enter upon the business premises of any employer and make such inquiries as it may deem to be necessary, and may require any person or persons or any industrial union or association of employers or of workers to furnish such information or evidence as the Council may require upon all matters coming within the scope of the Council's investigations. The Council may delegate any powers as it may think fit to any member or members of the Council.

7. The Minister may, on the recommendation of the Council, add any person or persons to the Council for any special purpose.

MEDICAL SUPPLIES EMERGENCY REGULATIONS.

4th September, 1939.

1. (1) These regulations may be cited as the Medical Supplies Emergency Regulations 1939.

(2) These regulations shall be read together with and deemed part of the Supply Control Emergency Regulations 1939 (hereinafter referred to as the principal regulations).

(3) In these regulations, unless inconsistent with the context,—

"Controller" means the Medical Supplies Controller appointed under these regulations; and includes any person for the time being authorized to exercise or perform any of the Controller's powers or functions:

"Medical supplies" means the goods, commodities, and articles specified in the Schedule hereto:

"Wholesaler" means a person who, whether exclusively or not, is engaged in the sale or supply of any medical supplies for the purpose of resale:

"Owner," in relation to any medical supplies, includes any person having the supplies in his possession or control or on order by him.

MEDICAL SUPPLIES CONTROLLER.

2. (1) The Minister may from time to time appoint a Controller to be known as "the Medical Supplies Controller."

(2) The Controller shall hold office during the pleasure of the Minister.

(3) The Controller shall be subject in all things to the control of the Minister and shall act in accordance with all directions, general or special, given to him by the Minister.

(4) The general functions of the Controller shall be to regulate and secure the adequacy and continuity of supply and distribution of medical supplies.

CONTROL OF MEDICAL SUPPLIES.

3. No wholesaler shall sell, deliver, or otherwise dispose of, or be concerned in the sale, delivery, or other disposal of, any medical supplies otherwise than in pursuance of an exemption or permit granted by the Controller under the principal regulations.

4. The last preceding clause shall apply as well to a sale, delivery, or disposal pursuant to any contract made before the coming into force of these regulations as to a sale, delivery, or disposal pursuant to a contract hereafter made.

5. It shall be a defence to any wholesaler charged with an offence against clause 3 of these regulations if he proves in respect of the sale, delivery, or disposal in question—

(a) That it was effected on grounds of urgency;

(b) That the delay in carrying out the transaction entailed in seeking a permit would, upon the facts known to the wholesaler at the time, have been prejudicial to the public interest.

(c) That the quantity of medical suplies the subject of the transaction was not greater than was neceessary to meet the immediate and reasonable requirements of the person to whom they were sold, delivered, or disposed of; and

(d) That within twenty-four hours of the transaction full particulars thereof and the reasons for carrying it out were supplied in writing by the wholesaler to the Controller.

6. (1) The Controller may from time to time regulate, restrict, and control the use, sale, supply, distribution, and disposal of medical supplies. The powers conferred by this regulation may be exercised either generally or in respect of any specified area, industry or class of industries, factory or class of factories, supplies or class of supplies, or person or class of persons.

(2) Without limiting the general powers conferred on the Controller by this regulation, it is hereby declared that they shall be deemed to include power to do all or any of the following things:—

(a) To require to direct owners of medical supplies to furnish such information and particulars in relation thereto, at such times and in such form and manner as the Controller thinks fit:

(b) To require or direct owners of medical supplies to supply or transfer the whole or any part thereof to His Majesty the King or to any other person, in such quantities, at such places, at such times or intervals, in such order of urgency, and generally in such manner as the Controller thinks fit:

(c) To require or direct owners of medical supplies not to use, dispose of, part with the possession or control of, or otherwise deal with medical supplies except with the precedent consent of the Controller or in accordance with his directions:

(d) To require or direct persons obtaining medical supplies from wholesalers to specify the source of their supply; and to require or direct such persons not to order or obtain medical supplies except from such sources as the Controller thinks fit.

7. Every wholesaler shall at all times permit the Controller and any person authorized by him in that behalf to inspect his stocks of medical supplies and all records of the receipt, supply, and distribution thereof.

SCHEDULE.

MEDICAL SUPPLIES.

1. All drugs and surgical dressings and all substances and preparations thereof named and included in the British Pharmacopœia and the British Pharmaceutical Codex.

2. Rubber and waterproof goods for medical, surgical, or nursing purposes.

3. Surgical instruments and appliances, including clinical thermometer.

4. Sterilizing and any other equipment designed for use in medical or surgical practice, including aseptic furniture.

5. Bacteriological and pathological apparatus and equipment, and all supplies for use in bacteriological and pathological practice.

6. X-ray apparatus and equipment, including X-ray films and developers, and massage and electro-therapeutic and diagnostic equipment and supplies.

7. Antiseptics, disinfectants, and germicides, whether sold under proprietary or trade names or otherwise.

8. Nitrous oxide gas and oxygen, and apparatus for the preparation and administration thereof.

9. Dental instruments, equipment, appliances, and materials used in dental practice.

10. Ligatures and sutures for use in medical or surgical practice.

11. Reagents, solutions, and other equipment appliances for scientific and chemical laboratories.

MINING EMERGENCY REGULATIONS.

4th September, 1939.

REGULATION 1.—PRELIMINARY

(1) These regulations may be cited as the Mining Emergency Regulations 1939.

(2) These regulations shall be read together with and deemed part of the Supply Control Emergency Regulations 1939.

(3) In these regulations, unless inconsistent with the context,—

"Controller" means the Mining Controller appointed under these regulations and includes any person for the time being authorized to exercise or perform any of the Controller's powers of functions:

"Mine" means a mine within the meaning of the Mining Act, 1926; and includes a coal-mine within the meaning of the Coal-mines Act, 1925:

"Gasworks" means any works used for the manufacture and storage of coal-gas.

"Mining materials" means any materials or goods capable of being used in or for the purposes of any mine or gasworks or capable of being dealt with in or for the purposes of any mine or gasworks, whether by being manufactured, improved, altered, or prepared, or otherwise; and includes goods that have been wholly or partly so dealt with; and also includes any tools, machinery, plant, or equipment capable of being used in or for the purposes of any mine or gasworks; and also includes

any patent rights relating to any such materials, goods, tools, machinery, plant, or equipment:

"Product" means any product or by-product of any mine or gasworks:

"Occupier," in relation to any mine or gasworks, means the person, body of persons, company, or local authority owning or controlling the mine or gasworks; and includes any person acting or apparently acting in the general management or control of the mine or gasworks:

"Owner," in relation to any mining materials or products, includes any person having the materials or products in his possession or control or on order by him.

REGULATION 2.—MINING CONTROLLER.

(1) The Minister may from time to time appoint a Controller to be known as "the Mining Controller."

(2) The Controller shall hold office during the pleasure of the Minister.

(3) The general functions of the Controller shall be to organize and promote the maintenance of employment and production in mines and gasworks, to control the production and distribution of the products thereof according to the importance thereof in the public interest, and for that purpose to determine the precedence and order of urgency thereof, and to ensure in relation to mines and gasworks an adequate supply of materials and labour, continuity in production, the most efficient means of distribution of products, and the avoidance of waste.

(4) The Controller shall be subject in all things to the control of the Minister, and shall act in accordance with all directions, general or special, given to him by the Minister.

REGULATION 3.—REGULATION AND CONTROL OF MINES AND GASWORKS.

(1) The Controller may at any time, by notice to the occupier of any mine or gasworks, whether or not the mine or gasworks was in operation at the date of these regulations and whether or not it is the subject of any license granted under these regulations, direct that the occupier cease or restrict the production of the mine or gasworks either generally or in respect of any particular products or class of products, or that the occupier produce at the mine or gasworks products of such kinds, descriptions, types, sizes, quantities, and qualities, and in such order of urgency, as may be specified in the notice.

(2) Where a notice has been given under this regulation in respect of any mine or gasworks no person shall, except with the precedent consent of the Controller, do any work in or about the mine or gasworks in contravention of the terms of the notice, or cause or permit any other person so to do.

REGULATION 4.—LICENSING OF MINES AND GASWORKS.

The Controller may from time to time direct, either generally or in respect of any specified mines or gasworks or classes thereof, that no mine or gasworks shall be operated except in accordance with a license issued by the Controller under those regulations.

REGULATION 5.—CONTROL OF MINING MATERIALS AND PRODUCTS.

(1) The Controller may from time to time regulate, restrict, and control the operation of mines and gasworks, and the use, sale, supply, distribution, and disposal of mining materials and products. The powers conferred by this regulation may be exercised either generally or in respect of any specified area, industry or class of industries, mine or class of mines, gasworks or class of gasworks, materials or class of materials, product, or class of persons, or person or class of persons.

(2) Without limiting the general powers conferred on the Controller by this regulation, it is hereby declared that they shall be deemed to include power to do all or any of the following things:—

(a) To require or direct occupiers of mines and gasworks and owners of mining materials and products to furnish such information and particulars in relation thereto at such time and in such from and manner as the Controller thinks fit:.

(b) To require or direct owners of mining materials and products to supply or transfer the whole or any part thereof to His Majesty the King or to any other person in such quantities, at such places, at such times or intervals, in such order of urgency, and generally in such manner as the Controller thinks fit:

(c) To require or direct occupiers of mines and owners of mining materials and products not to use, dispose of, part with the possession or control of, or otherwise deal with mining materials and products except with the precedent consent of the Controller or in accordance with his directions:

(d) To require of direct occupiers of mines and gasworks to use such substitutes for mining materials as the Controller thinks fit.

OIL FUEL EMERGENCY REGULATIONS.

4th September, 1939.

PRELIMINARY.

1. (1) These regulations may be cited as the Oil Fuel Emergency Regulations 1939.

(2) These regulations shall be read together with and deemed part of the

Supply Control Emergency Regulations 1939 (hereinafter referred to as the principal regulations).

2. In these regulations, unless inconsistent with the context,—

"Controller" means the Oil Fuel Controller appointed under these regulations; and includes any person for the time being authorized to exercise or perform any of the Controller's powers or functions:

"Oil fuel" includes motor-spirits, power kerosene, lighting kerosene, Diesel oil, fuel oil, and lubricating-oil, as hereinafter defined:

"Motor-spirits" means any petroleum distillate or similar hydrocarbon that distills completely at a temperature below 225° C. and is suitable for use as fuel in internal-combustion engines; and includes motor benzole and power alcohol:

"Power kerosene" means any petroleum distillate of which less than 50 per cent. by volume distills at a temperature below 160° C., and which is suitable for use as fuel in internal-combustion engines performing heavy duty, such as those of motor-lorries and tractors:

"Lighting kerosene" means any refined petroleum distillate that distills completely at a temperature below approximately 320° C., has a closed test flash-point above 115° C., and is suitable for use as an illuminant:

"Diesel oil" means any petroleum distillate, whether crude or refined, that is suitable for use in compression-ignition engines:

"Fuel oil" means any crude petroleum distillate or residual product of petroleum that is suitable for use in burners for the production of heat or steam:

"Lubricating-oil" means any oil or mixture of oils that is suitable for the lubrication of moving parts of any machinery; and includes petroleum greases and compounds of oils with other substances to form lubricating grease:

"Purchase" includes every form of acquisition (whether for valuable consideration or otherwise); and "to purchase" and "purchaser" have corresponding meanings:

"Sale" includes every form of disposition (whether for valuable consideration or otherwise); and "to sell" and "vendor" have corresponding meanings:

"Consumer's license" means a consumer's license to purchase issued under these regulations.

OIL FUEL CONTROLLER.

3. (1) The Minister may from time to time appoint a Controller to be known as "the Oil Fuel Controller."

(2) The Controller shall hold office during the pleasure of the Minister.

(3) The Controller shall be subject in all things to the control of the Minister, and shall act in accordance with all directions, general or special, given to him by the Minister.

POWERS OF THE OIL FUEL CONTROLLER.

4. The Controller shall have absolute control of the importation, sale, distribution, and use of oil fuel, and may impose such conditions as he thinks fit upon any person in connection with the importation, sale, distribution, or use of oil fuel.

5. Without limiting the generality of the powers hereinbefore conferred, it is hereby declared that the Controller shall have power to do any of the following things, namely:—

(a) To regulate, restrict, or prohibit the use of motor-spirits by any person for cleaning purposes:

(b) To regulate restrict, or prohibit services conducted by carriers, taxi-proprietors, and motor-omnibus operators in cities, boroughs, or town districts:

(c) To restrict or prohibit services conducted for the carriage of passengers or goods by road, water, or air on any route or in any area:

(d) To regulate, restrict, or prohibit the use of any private motor-vehicle, launch, or aircraft for purposes of business or personal convenience or pleasure or for purposes other than those which the Controller may specify:

(e) Generally to withhold supplies of oil fuel for any other purposes and direct that no person shall use oil fuel or any specified oil fuel or kind of oil fuel for any specified purpose if in the opinion of the Controller such action is necessary for the public welfare:

(f) To require importers and wholesale distributors of oil fuel to enter into working agreements with one another for the pooling of supplies of oil fuel and storage, tank, wagon, and other equipment and facilities, and for the limitation of the number of distributors of oil fuel operating in any area or district or otherwise:

(g) To require oil fuel to be sold according to grade as defined from time to time and not under any trade brand:

(h) To require any person to furnish from time to time to the Controller, or as he may direct, such returns, statements, statistics, or other information relating to oil fuel and the possession and use thereof and dealing therewith as the Controller may deem necessary, and to require that any such information be verified by statutory declaration.

DISTRICT AND SUB-DISTRICT CONTROLLERS.

6. The Chief Postmaster of each postal district recognized as such by the

Post and Telegraph Department shall be a District Controller for the purposes of these regulations.

7. Every District Controller shall in respect of his postal district have such powers and functions as may from time to time be delegated to him under the principal regulations.

8. Every delegation or direction made or given to any District Controller who is not the Director-General of the Post and Telegraph Department shall be made or given through the Director-General.

9. Every District Controller may appoint such Sub-district Controllers, and may delegate to them under the principal regulations such powers and functions as may from time to time be authorized by the Controller through the Director-General of the Post and Telegraph Department, or by the Director-General.

PURCHASE OF OIL FUEL BY CONSUMERS.

10. No person shall purchase in New Zealand any oil fuel for his own consumption except in accordance with the terms of a consumer's license to purchase issued under these regulations.

11. Every application for a consumer's license shall be made on a form provided by the Controller, and shall be delivered to a Postmaster.

12. A separate application is required in respect of every business or farm property. The application must be made by the manager of the business or property or by his authorized agent, and the Controller shall have the right to define what is to be regarded as one business or one property and who is to be regarded as the manager or the authorized agent of the manager.

13. Except as hereinafter provided, a consumer's licence shall be an ordinary licence and shall not authorize the purchase of any oil fuel except from the vendor named in the license.

14. On the ground of the purchaser's absence from the place where he is ordinarily resident or upon other grounds deemed by the Constroller to be adequate, the Controller may grant a special consumer's license to any person. A special license shall authorize the licensee to purchase oil fuel from any vendor.

15. The licensee under a consumer's license shall keep his license in safe custody and shall not assign, transfer, or lend it, or part with the possession of it, to any person otherwise than by placing it in the custody of his servant or agent for a purpose connected with these regulations.

16. It shall be the duty of every licensee holding a special consumer's license, upon every delivery of oil fuel to the licensee, to procure the particulars indicated in the license relating thereto, to be entered and authenticated in the license relating thereto, to be entered and authenticated by the vendor by means of the vendor's signature, or that of the vendor's servant or agent authorized by the vendor in that behalf.

17. Upon the return to the authority that granted it of a consumer's license mutilated or rendered illegible, or upon proof to the satisfaction of that authority, by statutory declaration or otherwise, that a license has been destroyed, stolen, or lost, and upon payment (in either case) of a fee of 2s. 6d., that authority may, on the application of the licensee, issue a duplicate license, which shall bear the word "Duplicate" thereon and which shall be of the same effect as the original license.

18. No person having purchased oil fuel under a consumer's license shall sell that fuel or any part thereof or use it otherwise than for the purpose or respective purposes set out in his application. In any proceedings for a breach of this regulation any oil fuel in the possession of any person charged shall be deemed to have been acquired under a consumer's license until the person charged affords proof to the contrary.

DISPOSAL OF OIL FUEL.

19. All oil fuel held by any person in New Zealand upon the coming into force of these regulations, and all oil fuel imported into or produced in New Zealand after the coming into force of these regulations (except oil fuel in bunkers intended for consumption by the ship that carries it), shall be at the disposal of the Controller.

20. Notwithstanding the terms of any contract entered into before or after the coming into force of these regulations, no person shall purchase or sell any oil fuel at the disposal of the Controller except either in accordance with the terms of a permit to purchase or sell granted to him by the Controller or in accordance with the terms of a consumer's license issued to the purchaser. In any proceedings for a breach of this regulation the oil fuel in question shall be deemed to be oil fuel at the disposal of the Controller until the person charged affords proof to the contrary.

21. The exercise by any person of any powers of disposition over oil fuel shall be deemed to be a sale thereof, notwithstanding that the oil fuel may not be within the ownership or possession of that person.

22. No person shall sell any oil fuel to the holder of a consumer's license unless the lincense is produced to him by the licensee on every occasion of such sale, and unless he makes at the time of every such sale an entry of the number of the license, the date of the transaction, and the quantity of oil fuel sold on a vendor's issue schedule provided by the Controller, and procures the entry to be verified by the signature of the licensee or his servant or agent.

23. Every person who sells any oil fuel to the holder of a special consumer's license shall at the time of delivery enter, or cause to be entered, on the license the particulars indicated therein relating to the sale, and authenticate the entry or cause the entry to be authenticated by his signature or that of his servant or agent authorized by him in that behalf.

24. Subject to the provisions of Regulations 26 to 30 hereof, no person shall

supply oil fuel to any person who acquires the fuel otherwise than in pursuance of a consumer's license unless before or at the time of supply the person to be supplied produces to the supplier a vendor's stock schedule provided by the Controller and unless the supplier thereupon makes an entry on that form of the date, the quantity supplied, and the source of supply.

25. Every person who sells any oil fuel to the holder of a consumer's license shall in respect of each such holder keep a separate record of licensee's purchases on a form provided by the Controller, and make the appropriate entires thereon in respect of every transaction on the day on which the transaction takes place.

26. Except as provided in Regulation 24 hereof, every person required to make a record under these regulations shall retain that record at his place of business for a period of one year from the date when the last entry therein is made, unless pursuant to any requirement of the Controller he is allowed to deliver, and does deliver it to the Controller, and he shall at all times while the record remains in his custody allow any person authorized in that behalf by the Controller to inspect it at all reasonable times and to make copies thereof and extracts therefrom.

27. Every person being in possession of any storage tank used for oil fuel shall at all reasonable times allow any person authorized in that behalf by the Controller to inspect the tank and take samples of the contents and gauge the contents by dipstick or any other appropriate method.

DISPOSAL OF RECORDS BY VENDORS.

28. Every vendor of oil fuel to the holders of consumers' licenses shall—

(a) Within seven days after the end of each month, deliver to the Controller his vendor's issue schedule and his vendor's stock schedule, showing all entries required by these regulations to be made thereon during that month:

(b) Return each record of licensee's purchases to the Controller forthwith after it is filled.

IMPORTATION OF OIL FUEL.

29. Every consignee of oil fuel to be imported into New Zealand, and every owner and agent of a vessel known to him to be on the water bound for New Zealand carrying oil fuel as cargo, shall as soon as possible give notice in writing to the Controller of the name of the vessel and, so far as is known to the person giving the notice, the quantity and kind of oil fuel borne as cargo, the port of origin thereof, the route of the vessel, her first port of destination in New Zealand, and the expected date of her arrival.

30. Every person required to give a notice under the last preceding regulation shall when any alteration or proposal or expected alteration in the route of the vessel, her first port of destination, or the date of her arrival becomes

known to him give further notice in writing to the Controller of such alteration or proposed or expected alteration.

31. The Controller may require any vessel aproaching New Zealand or in New Zealand waters or ports carrying oil fuel as cargo to proceed to such port or ports in New Zealand as he may think fit, and to discharge the whole or any portion of her cargo of oil fuel at such port or ports as he may direct, and every owner and agent of the vessel shall forthwith give such directions to the master thereof as may be necessary to carry out the Controller's requirements.

32 The importer of any oil fuel forming the whole or part of the freight or cargo of any vessel the voyage of which is deviated by direction of the Controller under the last preceding regulation shall be entitled to receive payment, under the provisions of the principal regulations relating to payment for supplies and services, of the amount necessary to cover the reasonable additional expenses incurred by the importer through the deviation.

33. Upon the discharge of any oil fuel at any port the Collector of Customs shall forthwith notify to the Controller—

(a) The name of every consignee of oil fuel:
(b) The exact kind of oil fuel discharged for each consignee:
(c) The quantity of each kind of such oil fuel.

OIL FUEL EMERGENCY REGULATIONS AMENDMENT NO. 1.

20th September, 1939.

1. These regulations may be cited as the Oil Fuel Emergency Regulations 1939, Amendment No. 1.

2. These regulations shall be read together with and form part of the Oil Fuel Emergency Regulations 1939 (hereafter called the principal regulations).

3. These regulations shall come into force on the day following their publication in the *Gazette*.

4. Regulation 2 of the principal regulations is amended by revoking the definition of "lighting kerosene" and substituting therefor the following definition:—

"'Lighting kerosene' means any refined petroleum distillate that distills completely at a temperature below approximately 320° C., has a closed test flash-point above 73° F., and is suitable for use as an illuminant."

5. The principal regulations are amended by adding thereto the following heading and additional regulations:—

"SALE AND PURCHASE UNDER COUPON SYSTEM."

"34. Notwithstanding anything to the contrary contained in Regulations 10

to 26 inclusive hereof, a person may purchase oil fuel for his own consumption, and oil fuel may be sold to such person, if the person is the holder of a coupon issued under these regulations authorizing such purchase and sale.

"35. A coupon may be issued to any person who is for the time being the owner within the meaning of the Motor-vehicles Act, 1924, of a motor-vehicle which is of such a type or kind as the Controller may from time to time direct.

"36. The number of coupons to be issued to any person at any one time shall be such as the Controller may from time to time direct.

"37. Each coupon shall be marked with a distinctive number, and a coupon marked with any number shall authorize a purchase and sale of oil fuel at a date not earlier than the Controller may from time to time notify in respect of coupons bearing that number.

"38. The Controller may direct that any coupon shall be deemed to relate to a specified quantity of oil fuel or to oil fuel of a particular kind, a thereupon such coupon shall be available for the purchase and sale only of the quantity of oil fuel so specified and for the purchase and sale only of oil fuel of the kind to which it relates (if so specified).

"39. On the purchase and sale of any oil fuel the coupon authorizing the purchase and sale shall be surrendered to the vendor and shall be dealt with by the vendor in the same way as the documents referred to in Reglation 26 and 28 hereof."

PRIMARY INDUSTRIES EMERGENCY REGULATIONS.

14th September, 1939.

1. These regulations may be cited as the Primary Industries Emergency Regulations 1939.

2. In these regulations, unless inconsistent with the context,—

"Controller" means the Primary Industries Controller appointed under these regulations; and includes any person for the time being authorized to exercise or perform any of the powers or functions of the Controller:

"Cool store" means any premises in which any primary product is deposited for the purpose of being chiled, cooled, or frozen, or for the purpose of being stored at a temperature below atmospheric temperature:

"Dairy-produce" means dairy-produce as defined by the Dairy Industry Act, 1908:

"Minister" means the Minister of Agriculture; and includes any person for the time being authorized to exercise or perform any of the Minister's powers or functions:

"Person" includes a corporation sole, and a body of persons whether corporate or unincorporate:

"Primary Product" means dairy-produce, wool, agricultural seeds, phormium fibre, vegetables of all kinds, tomatoes, meat and stock as defined by the Orchard-tax Act, 1927; and includes any by-product of the dairy-produce and meat-production industries; and also includes fertilizers, lime, manure, and feeding stuffs for stock:

3. (1) These regulations shall be administered by the Minister of Agriculture.

(2) The Minister may from time to time exercise or perform any of the powers or functions of the Controller, either in his own name or in the name of the Controller.

4. (1) The Minister may from time to time appoint a Controller, to be known as the Primary Industries Controller.

(2) The Controller shall hold office during the pleasure of the Minister.

(3) The Controller shall be subject in all things to the control of the Minister, and shall act in accordance with all directions, general or special, given to him by the Minister.

5. (1) The Minister and the Controller may from time to time, either generally or in respect of any particular area or in respect of any particular class of activity, delegate to any person any of his powers and functions, including the power of delegation conferred by this regulation.

(2) Subject to the next succeeding clause, every person to whom any powers or functions are delegated by the Minister or Controller, exercise or perform them in the same manner and with the same effect as the Minister or Controller could himself have exercised or performed them.

(3) Every such person shall be subject in all things to the control of the Minister and also of the Controller, and shall act in accordance with all directions, general or special, given to him by the Minister or by the Controller.

(4) Any delegation under this regulation may be made to a specified person or class of persons or to the holder for the time being of a specified office or class of offices, whether in the Government service or otherwise.

6. The general functions of the Controller shall be to direct, control, or prohibit, and regulate in such manner as he thinks fit, the production, processing, manufacturing, packing, freezing, chilling, storage, and utilization of any primary product, to require the production, processing, or manufacture for the purposes of utilization of any specified primary product, and to do such other things as are incidental to the regulation of the supply of primary products essential to the life of the community.

7. In the exercise of the powers conferred by these regulations the Controller may act in collaboration with any Controller appointed pursuant to the

Supply Control Emergency Regulations 1939, or with any other person or body of persons.

8. The Controller may from time to time regulate, restrict, and control the sale or disposal of any primary product and the purchase, acquisition, or installation of any plant, machinery, appliance, or equipment for use in connection with the production, processing, manufacturing, freezing, chilling, or storage of any primary product

9. The owner or occupier of any premises used for the production processing, manufacturing, chilling, freezing, cooling, storage, or supply of any primary product shall furnish such statistics and information relating to such premises or to any primary product for the time being deposited therein as the Controller may from time to time require.

10. In the exercise of the powers and functions conferred upon him by these regulations the Controller or any Grader, Inspector, or other person authorized in that behalf by the Controller shall have the right of entry into any premises used for the production, processing, manufacture, freezing, cooling, chilling, storage, or supply of any primary product, and may inspect and examine and primary product for the time being conveyed or deposited therein, and the premises, buildings, plant, and equipment thereof, and the books and records kept by the owner or occupier of the premises with respect to any such primary product.

11. No person shall erect any premises or reconstruct or adapt any existing premises with intention that they shall be used as a cool store except with the prior consent of the Controller.

12. (1) The Minister, and every person appointed for that purpose by the Minister, shall have the power of holding judicial inquiries conferred on the Minister of Industries and Commerce by section 13 of the Board of Trade Act, 1919, as amended by section 6 of the Board of Trade Amendment Act, 1923, and all powers incidental thereto; and the provisions of section 14 to 25 of the Board of Trade Act, 1919, and all other relevant provisions of that Act shall, with the necessary modifications, apply accordingly.

(2) Nothing in the foregoing provisions of this regulation shall be construed to affect the powers of the Minister of Industries and Commerce.

13. The Minister or the Controller may from time to time grant complete or partial exemptions from compliance with the provisions of these regulations or with any direction, restriction, requirement, or condition given or imposed under these regulations.

14. (1) Every person who applies to the Minister or to the Controller for any license, permit, consent, or exemption under these regulations shall furnish such information and particulars as the Minister or the Controller may from time to require.

(2) The Minister or Controller, in his discretion, may refuse any such application, or may grant the application wholly or partly, and either uncondi-

tionally or upon or subject to such conditions as he thinks fit.

(3) Any license, permit, consent, or exemption may be at any time revoked by the Minister or Controller, and any such conditions may from time to time be varied, revoked, or added to by the Minister or Controller as he thinks fit.

15. (1) Any notice, direction, license, permit, or other instrument given, granted, or made by the Minister or by the Controller shall be sufficiently authenticated if it is signed by the Minister or Controller or by any person on behalf of and by direction of the Minister or Controller, as the case may be.

(2) For the purpose of these regulations, except where otherwise specially provided, the term "public notice" means a notice published in the *Gazette* or in a newspaper circulating in the locality in which the matter of the notice arises or to which it relates.

(3) The Minister or the Controller may, without public notice, give notice to any person of any such direction, restriction, or requirement, and every person to whom the notice is given shall be bound thereby.

(4) Except where otherwise specially provided, any notice required to be given to any person for the purposes of these regulations may be given by causing it to be delivered to that person, or to be left at his usual or last-known place of abode or business or at the address specified by him in any application or other document received from him by the Minister or by the Controller, or to be posted in a letter addressed to him at that place of abode or business or at that address.

(5) If any such notice is sent to any person by registered letter it shall be deemed to have been delivered to him when it would have been delivered in the ordinary course of post, and in proving the delivery it shall be sufficient to prove that the letter was properly addressed and posted.

(6) Every public notice or notice under these regulations shall take effect when it is published or given, or at such later time as may be specified in that behalf in the notice.

(7) Any notice given under these regulations may be at any time varied or revoked by a subsequent notice.

SUGAR EMERGENCY REGULATIONS.

4th September, 1939.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Sugar Emergency Regulations 1939.

(2) These regulations shall be read together with and deemed part of the Supply Contorl Emergency Regulations 1939.

(3) In these regulations, unless inconsistent with the context,—

"Sugar" means both raw and refined sugar and any by-products therefrom:

"Controller" means the Sugar Controller appointed under these regulations; and includes any person for the time being authorized to exercise or perform any of the Controller's powers or functions:

'Sale" includes every form of disposition (whether for valuable consideration or otherwise):

"Trader," in relation to sugar, means any person, company, or firm who for the purpose of any trade or business carried on by him or them (whether as producer, manufacturer, merchant, broker, warehouseman, importer, retailer, or otherwise) holds from time to time a stock to that commodity.

REGULATION 2.—SUGAR CONTROLLER.

(1) The Minister may from time to time appoint a Controller to be known as "the Sugar Controller."

(2) The Controller shall hold office during the pleasure of the Minister.

(3) The Controller shall be subject in all things to the control of the Minister and shall act in accordance with all directions, general or special, given to him by the Minister.

REGULATION 3.—POWERS OF THE SUGAR CONTROLLER.

The Controller shall have the following powers:—

(a) To regulate, restrict, control, or prohibit, while these regulations remain in force, the distribution or use of any sugar, and to fix conditions attaching to the sale of any sugar:

(b) To buy, sell, and otherwise deal in sugar:

(c) To take possession of any sugar wherever situated in New Zealand or to acquire the title to any sugar on board a ship and destined for New Zealand at prices to be arranged at the time or subsequently:

(d) To take steps intended to safeguard, where deemed expedient, the continuity of supply of sugar whether produced within New Zealand or imported into New Zealand:

(e) To require traders to enter into working agreements with one another for the pooling of supplies of sugar and storage facilities, end for the limitation of the number of traders carrying on business in any area or district, and to restrict or prohibit the trading of any person who fails to enter into any such agreement on terms that the Controller considers reasonable and just or who commits default in observing or performing the terms of any such agreement entered into by him:

(f) To require any person to furnish from time to time such returns, statements, statistics, or other information relating to sugar, and the possession, dealing, and use thereof, as the Controller may deem necessary, and to require that any such information be verified by statutory declaration:

(g) To give notice to any person or trader of any such direction, restriction, or requirement as aforesaid, either in writing or orally, and whether by telephone or in other manner, and every person to whom such notice is given shall forthwith be bound thereby; but every notice given otherwise than in writing shall forthwith be confirmed by the Controller in writing.

SUPPLY CONTROL EMERGENCY REGULATIONS.

4th September, 1939.

REGULATION 1.—PRELIMINARY.

1. These regulations may be cited as the Supply Control Emergency Regulations 1939.

2. In these regulations, unless inconsistent with the context,—

"Controller" means a Controller appointed for the purposes of these regulations; and includes any person for the time being authorized to exercise or perform any of the powers or functions of any Controller:

"Minister" means the Minister of Supply; and includes any person for the time being authorized to exercise or perform any of the Minister's powers or functions;

"Person" includes a corporation sole, and also a body of person, whether corporate or unincorporate.

REGULATION 2.—MINISTER OF SUPPLY.

(1) These regulations shall be administered by such Minister of the Crown as the Governor-General may from time to time appoint in that behalf.

(2) The Minister so appointed shall, for the purposes of these regulations, be known as the "Minister of Supply."

(3) The general function of the Minister shall be to direct and co-ordinate the work of Controllers.

(4) The Minister may from time to time exercise or perform any of the powers or functions of any Controller either in his own name or in the name of the Controller.

REGULATION 3.—INQUIRIES AND INVESTIGATIONS.

(1) The Minister and every person appointed for that purpose by the Minister shall have the power of holding judicial inquiries conferred on the Minister of Industries and Commerce by section 13 of the Board of Trade Act, 1919, as amended by section 6 of the Board of Trade Amendment Act, 1923, and all powers incidental thereto; and the provisions of sections 14 to 25 of the Board of Trade Act, 1919, and all other relevant provisions of that Act shall, with the necessary modification, apply accordingly.

(2) Nothing in the foregoing provisions of this regulations shall be construed to affect the powers of the Minister of Industries and Commerce.

REGULATION 4.—DELEGATION POWERS BY MINISTER AND CONTROLLERS.

(1) The Minister and every Controller may from time, either generally or in respect of any particular area or in respect of any particular class of activity, delegate to any person any of his powers and functions, including the power of delegation conferred by this regulation.

(2) Subject to the next succeeding clause, every person to whom any powers of functions are delegated by the Minister or by any Controller may, without confirmation by the Minister or Controller, exercise or perform them in the same manner and with the same effect as the Minister or Controller could himself have exercised or performed them.

(3) Every such person shall be subject in all things to the control of the Minister and also of the Controller (if any) by whom he is appointed, and shall act in accordance with all directions, general or special, given to him by the Minister or by the Controller.

(4) Any delegation under this section may be made to a specified person or class of persons or to the holder or holders for the time being of a specified office or offices, whether in the Government service or otherwise.

REGULATION 5.—EXEMPTIONS.

The Minister or any Controller may from time to time grant complete or partial exemption from compliance with the provisions of these regulations or with any direction, restriction, requirment, or condition given or imposed under these regulations.

REGULATION 6.—GRANTING OF LICENSES, PERMITS, CONSENTS, AND EXEMPTIONS.

(1) Every person who applies to the Minister or to any Controller for any license, permit, consent, or exemption under these regulations shall furnish such information and particulars as the Controller may from time to time require.

(2) The Minister or Controller, in his discretion, may refuse any such appli-

cation, or may grant the application wholly or partly, and either unconditionally or upon or subject to such conditions as he thinks fit.

(3) Any license, permit, consent, or exemption may be at any time revoked by the Minister or Controller, and any such conditions may from time to time be varied, revoked, or added to by the Minister or Controller as he thinks fit.

REGULATION 7.—AUTHENTICATION OF DOCUMENTS.

(1) Any notice, direction, license, permit, or other instrument given, granted, or made by the Minister or by any Controller shall be sufficiently authenticated if it is signed by the Minister or Controller or by any person on behalf of and by direction of the Minister or Controller, as the case may be.

(2) Every instrument purporting to be signed by or on behalf of the Minister or any Controller shall, in the absence of proof to the contrary, be deemed to have been duly signed by or on behalf of and by direction of the Minister or Controller, as the case may be.

REGULATION 8.—NOTICE.

(1) The Minister or any Controller may give public notice of the exercise of any of his powers under these regulations or any direction, restriction, or requirement given or imposed by him under these regulations, and all persons shall be bound thereby.

(2) For the purposes of these regulations, except where otherwise specially provided, the term "public notice" means a notice published in the *Gazette* or in a newspaper circulating in the locality in which the matter of the notice arises or to which it relates.

(3) The Minister or any Controller may, without public notice, give notice to any person of any such direction, restriction, or requirement, and every person to whom the notice is given shall be bound thereby.

(4) Except where otherwise specially provided, any notice required to be given to any person for the purposes of these regulations may be given by causing it to be delivered to that person, or to be left at his usual or last known place of abode or business or at the address specified by him in any application or other document received from him by the Minister or by any Controller, or to be posted in a letter addressed to him at that place of abode or business or at that addressed.

(5) If any such notice is sent to any person by registered letter, it shall be deemed to have been delivered to him when it would have been delivered in the ordinary course of post, and in proving the delivery it shall be sufficient to prove that the letter was properly addressed and posted.

(6) Every public notice or notice under these regulations shall take effect when it is published or given, or at such later time as may be specified in that

behalf in the notice.

(7) Any notice given under these regulations may be at any time varied or revoked by a subsequent notice.

REGULATION 9.—PAYMENT FOR SUPPLIES AND SERVICES.

(1) Every person who supplies or transfers any materials, goods, chattels, rights, or services pursuant to any direction requirement, or condition made or imposed under these regulations shall be entitled to receive payment therefor out of moneys appropriated by Parliament for the purpose.

(2) In determining the amount to be paid in respect of any goods regard need not be had to the market price, but shall be had—

(a) If the goods are supplied or transferred by the grower or producer thereof, of the cost of production and to the rate of profit usually earned by him in respect of similar goods before the issue of the Proclamation of Emergency in force at the date of these regulations, and to whether that rate of profit was unreasonable or excessive, and to any other circumstances of the case:

(b) If the goods are supplied or transferred by any person other than the grower or producer thereof, to the price paid by that person for the goods, and to whether that price was unreasonable or excessive, and to the rate of profit usually earned in respect of the sale of similar goods before the issue of the said Proclamation of Emergency, and to whether that rate of profit was unreasonable or excessive, and to any other circumstances of the case; so, however, that if the person who supplies or transfers the goods himself acquired the goods otherwise, than in the usual course of business, no allowance, or an allowance at a reduced rate, on account of profit shall be made:

Provided that where by virtue of any Act or Regulations or of any order made thereunder the sale of the goods at a price above any specified price is prohibited, the price assessed under this regulation shall not exceed the price so specified.

(3) If any question arises as to the amount to be paid to any person under this regulation and that person and thatMinister or Controller are unable to agree thereon, the question shall be referred to one arbitrator if the parties can agree upon one, and otherwise to two arbitrator, one to be appointed by that person and one by the Minister or Controller, as the case may be, under the provisions of the Arbitration Act, 1908, and the obtaining of an award shall be a condition precedent to the commencement of legal proceeding in any Court for the recovery of the amount claimed.

REGULATION 10.—OFFENCES.

(1) Every person who with intent to deceive makes any false or misleading

statement or any material omission in any communication with or application to the Minister or any Controller (whether in writing or otherwise) commits an offence against these regulations.

(2) Every person who without lawful excuse acts in contravention of or fails to comply in any respect with any provision of these regulations or any direction, restriction, requirement, or condition given or imposed under these regulations commits an offence against these regulations.

TIMBER EMERGENCY REGULATIONS.

4th September, 1939.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Timber Emergency Regulations 1939.

(2) These regulations shall be read together with and deemed part of the Supply Control Emergency Regulations 1939 (hereinafter referred to as the principal regulations).

(3) In these regulations, unless inconsistent with the context,—

"Controller' means the Timber Controller appointed under these regulations; and includes any person for the time being authorized to exercise or perform any of the Controller's powers of functions:

"Proprietor" means any person engaged in the manufacture, seasoning, or sale of timber or manufactured timber products; and includes the owner of any sawmill, planingmill, sash and door factory, box-factory, or other timber-products factory, and any person acting or apparently acting in the general management or control of any such mill or factory:

"Timber" includes trees when they have fallen or have been felled, and whether sawn, hewn, split, or otherwise fashioned:

"Manufactured timber products" includes all articles manufactured from wood:

"Forest" includes standing trees suitable for the production of timber:

"Timber materials" means any materials, or goods capable of being used in or for the purposes of the business of any proprietor; and includes timber and manufactured timber products; and also includes any tools, machinery, plant, or equipment capable of being used in or for the purposes of any such business; and also includes any patent rights relating to any timber materials:

"Owner" in relation to any timber materials, includes any person having the timber materials in his possession or control or on order by him.

REGULATION 2.—TIMBER CONTROLLER.

(1) The Minister may from time to time appoint a Controller, to be known as "the Timber Controller."

(2) The Controller shall hold office during the pleasure of the Minister.

(3) The Controller shall be subject in all things to the control of the Minister, and shall act in accordance with all directions, general or special, given to him by the Minister.

(4) The general functions of the Controller shall be to exercise control over the manufacture and distribution of timber and manufactured timber products in the public interest, and for that purpose to determine the precedence and order of emergency of such manufacture and distribution and to exercise control over the supply of materials and spare parts which proprietors may require.

REGULATION 3.—CONTROL OF FORESTS.

(1) Except with the precedent consent of the Controller, no person shall—

(a) Sell or contract for the sale of any forest; or

(b) Purchase or contract for the purchase of any forest; or

(c) Grant or contract to grant a lease or demise of any forest; or

(d) Accept or contract to accept a lease or demise of any forest; or

(e) Grant or contract to grant any *profit à prendre* or license to fell standing timber; or

(f) Accept or contract to accept any *profit à prendre* or license to fell standing timber.

(2) The provisions of the last preceding clause shall not apply to any dealing with land, including forest, unless the land is covered with standing trees to such an extent as not to be immediately and substantially available for agricultural or grazing purposes, nor to any demise or lease of land including forest or any contract therefor under which the lessee is not permitted to fell standing timber except for use or consumption on the premises.

(3) The Controller may, by notice in writing to any person, direct that person to sell his estate and interest, or any specified portion of his estate or interest, in any forest to such proprietors as the Controller may nominate, the price and payment to be settled by arbitration as provided by the provisions of the principal regulations relating to payment for supplies and services, and all other terms of sale to be such as the Controller may deem equitable.

(4) The Controller may, by notice in writing to any person entitled to cut or engaged in the cutting of any forest, direct that he refrain from or cease the cutting thereof either wholly or in part.

REGULATION 4.—REGULATION AND CONTROL OF TIMBER WORKS.

(1) The Controller may at any time, by notice to any proprietor, direct that the proprietor cease, restrict, or increase his production, either generally or in respect of any particular products or class of products, or that the proprietor produce products of such kinds, descriptions, types, sizes, quantities, and qualities, and in such order of urgency as may be specified in the notice.

(2) Where a notice has been given under this regulation in respect of any businesses, mill, or factory, no person shall, except with the precedent consent of the Controller, do any work in or about the business, mill, or factory in contravention of the terms of the notice, or cause or permit any other person so to do.

REGULATION 5.—CONTROL OF TIMBER MATERIALS.

(1) The Controller may from time to time regulate, restrict, and control the operation of sawmills, planing mills, sash and door factories, box-factories, and other timber-products factories, and the use, sale, supply, distribution, and disposal of timber materials. The power conferred by this regulatiion may be exercised either generally or in respect of any specified area, industry, or class of industries, mill, or factory or class of mills or factories, timber or class of timber, product or class of products, or person or class of persons.

(2) Without limiting the general powers conferred on the Controller by this regulation, it is hereby declared that they shall be deemed to include power to do all or any of the following things:—

(a) To require or direct proprietors and owners of timber materials to furnish such information and particulars in relation thereto at such time and in such form and manner as the Controller thinks fit:

(b) To require to direct owners of timber materials to supply or transfer the whole or any part thereof to His Majesty the King or to any other person, in such quantities, at such places, at such times or intervals, in such order of urgency, and generally in such manner as the Controller thinks fit:

(c) To require or direct proprietors and owners of timber materials not to use, dispose of, part with the possession or control of, or otherwise deal with timber materials except with the precedent consent of the Controller or in accordance with his directions, and in the meantime to take such measures to ensure the safety and preservation thereof as the Controller thinks fit.

WHEAT AND FLOUR EMERGENCY REGULATIONS.

4th September, 1939.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Wheat and Flour Emergency Regulations 1939.

(2) These regulations shall be read together with and deemed part of the Supply Control Emergency Regulation 1939.

(3) In these regulations, unless inconsistent with the context,—

"Controller" means the Wheat and Flour Controller appointed under these regulations; and includes any person for the time being authorized to exercise or perform any of the Controller's powers or functions:

"Wheatgrower" means any person who has, in any one of the three calender years immediately prior to the coming into force of these regulations, planted more than 3 acres of land in wheat or who at any during the currency of these regulations plants more than 1 acre in wheat:

"Flourmiller" means the occupier, under whatever tenure, of any premises used as a flourmill:

"Baker" means the occupier, under whatever tenure, of any premises on which bread is baked for sale to the public.

REGULATION 2.—WHEAT AND FLOUR CONTROLLER.

(1) The Minister may from time to time appoint a Controller to be known as "the Wheat and Flour Controller."

(2) The Controler shall hold office during the pleasure of the Minister.

(3) The Controller shall be subject in all things to the control of the Minister and shall act in accordance with all directions, general or special, given to him by the Minister.

REGULATION 3.—POWERS OF THE WHEAT AND FLOUR CONTROLLER.

The Controller shall have the following powers:—

(a) To buy, sell, or otherwise to deal in wheat, flour, bran, pollard, and any other products manufactured from wheat, and in barley and oats:

(b) To prescribe conditions under which the industry of flourmilling may be carried on and which shall be binding on any person who operates a flourmill:

(c) To prescribe conditions under which the trade or occupation of bread-making may be carried on and which shall be binding on any person who makes bread otherwise than for the use of himself and his own family:

(d) To regulate, restrict, control, or prohibit the distribution of wheat, oats, barley, pollard, bran, flour, or bread:

(e) To take all such steps as may be considered by the Controller to be necessary to ensure that an adequate supply of wheat is grown and produced in New Zealand:

(f) To enter into arrangements for the supply of seeds, manure, agricul-

tural implements, spare parts for machinery, and any other requisites needed for the cultivation and harvesting of wheat, and to buy or sell any of the articles referred to in this paragraph:

(g) To take possession of any wheat, oats, barley, pollard, bran, flour, or bread wherever situated in New Zealand, and to enter upon private premises for the purpose of exercising the powers conferred by this paragraph:

(h) To prohibit, limit, restrict, control, or regulate the use of wheat, oats, barley, pollard, bran, flour, or bread, and to direct that all or any of those commodities may be used only for purposes specified by the Controller or may be used only in such manner as the Controller may direct:

(i) To require wheatgrowers, flourmillers, or bakers to supply such returns, statements, statistics, or other information as the Controller may deem necessary, and to require that any such information be verified by statutory declaration:

(j) To take possession, when the Controller thinks fit, of any farming implements which are customarily used in the cultivation of land and the growing, harvesting, and threshing of wheat, and to undertake the cultivation of land for the purpose of growing wheat:

(k) To assume fully control of all flourmills within New Zealand, and, for the purpose of ensuring adequate supplies of flour by the most economical means, to close down any mill or to direct that the production of flour shall be carried on only in certain mills within New Zealand, and to prescribe the quantity of flour which any mill shall produce in any calendar month:

(l) To determine the fair average quality of flour, to control the use of substances other than wheat in the making of flour, and to control the percentage by weight of the grist which may be extracted as flour:

(m) To take possession of, and to move from place to place, stocks of wheat and flour and materials or equipment required for the production, packing, or distribution of flour:

(n) For the purpose of conserving essential supplies, to prescribe the ingredients which may be used in the production of bread, and to prescribe the proportion in which different ingredients may be used:

(o) To control the delivery of bread, and to direct that any person may deliver bread only within a specified area:

(p) To set up committees to work with the Controller to ensure the co-operation of the sections of industry concerned, and to appoint to such committees such persons as the Controller may think fit:

(q) To take possession of any store or other building the use of which the Controller considers to be necessary for the proper storage of any of the commodities specified in paragraph (a) hereof,

WOOL EMERGENCY REGULATIONS.

14th September, 1939.

1. These regulations may be cited as the Wool Emergency Regulations 1939.

2. For the purposes of these regulations the term "wool" includes greasy wool, slipe wool, scoured wool, sheep-skins, and wool growing on any sheep or lamb, but does not include any wool that at the commencement of these regulations is in process of manufacture or treatment in a woollen mill.

3. It shall be unlawful to sell, transfer, assign, mortgage, charge, or pledge any wool, or otherwise to deal with any wool in any manner which may change or vary the ownership of the wool or the right to obtain or call for the ownership or possession of the wool.

4. Every person who is a party to any transaction that is rendered unlawful by these regulations, whether as vendor or purchaser, or as principal or agent, or otherwise, commits an offence against these regulations and shall be liable on summary conviction to a fine not exceeding £200 to imprisonment for a term not exceeding twelve months in the case of an individual, or to a fine not exceeding £1,000 in the case of a company or other corporation.

5. These regulations shall continue in force until the 14th day of October, 1939, and no longer.

WOOL EMERGENCY REGULATION (AMENDMENT No. 1).

15th September, 1939.

1. These regulations may be cited as the Wool Emergency Regulations 1939, Amendment No. 1, and shall be read together with and deemed part of the Wool Emergency Reguations 1939 (hereinafter referred to as the principal regulations).

2. Nothing in the principal regulations shall be construed to render unlawful—

(a) Any sale of sheep-skins by any farmer, butcher, freezing company, or proprietor of a slaughterhouse or abattoir to any tanner, fellmonger, merchant, or dealer in sheep-skins at prices not exceeding the prices at which similar sales were made or could have been made in the same locality on 1st September, 1939:

(b) An sale of sheep-skins by any tanner, fellmonger, merchant, or dealer in sheep-skins to any tanner of fellmonger in New Zealand at prices not exceeding the prices at which similar sales were made or could have been made in the same locality on 1st September, 1939.

3. (1) The Minister of Marketing may from time to time, in his discretion. and either unconditionally or upon or subject to such conditions as he thinks fit,

grant complete or partial exemptions from any of the provisions of the principal regulations (including these regulations).

(2) Any such exemption may be at any time revoked by the Minister, and any such conditions may from time to time be varied, revoked, or added to by the Minister as he thinks fit.

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COURTS EMERGENCY POWERS REGULATIONS.

20th September, 1939.

1. (1) These regulations may be cited as the Courts Emergency Powers Regulations 1939.

(2) These regulations shall come into force on the day following the day on which notification of the making thereof is published in the *Gazette*.

2. (1) In these regulations, unless the context otherwise requires,—

"Judgment" means any judgment or order of any Court (whether given or made before or after the commencement of these regulations) for the payment or recovery of a sum of money or for the recovery of possession of land in default of payment of rent; but does not include—

(a) Any judgment for the recovery of damages for tort;

(b) Any order made under the Destitute Persons Act, 1910;

(c) Any order made either in criminal proceedings or in proceedings for the recovery of a penalty in respect of any contravention of or failure to comply with any provisions of an Act:

"Legal remedy" means any remedy by way of—

(a) The levying of distress;

(b) The taking of possession of any property or the appointment of a receiver of any property;

(c) Re-entry upon any land;

(d) The realization of any security or the forfeiture of any deposit;

(e) The rescission of any agreement for the sale and purchase of land;

(f) The serving of a demand under paragraph (a) of section 170 of the Companies Act, 1933.

(2) For the purposes of these regulations a person entitled to the benefit of a judgment who issues a bankruptcy notice or presents a petition in bankruptcy or a winding-up petition founded on the non-payment of money due under that judgment shall be deemed to be proceeding to the enforcement of that judgment.

3. (1) Except in cases to which the next succeeding subclause applies, these regulations shall not apply to any judgment for the recovery of a debt that has become due by virtue of a contract made after the commencement of these regulations, or to any judgment given in proceedings for the enforcement of any such contract, or to any legal remedy or power available in consequence of any default in the payment of a debt or in the performance of an obligation, being a debt or obligation arising by virtue of any such contract.

(2) Where at any time after the commencement of these regulations any person who is not at that time a member of any of His Majesty's permanent forces is called up for naval, military, or air service, whether within New Zealand or elsewhere, these regulations shall not apply to any judgment for the recovery of a debt that becomes due by that person by virtue of a contract made after the date on which he is so called up, or to any judgment given in proceedings against that person for the enforcement of any such contract, or to any legal remedy or power available in consequence of any default by that person in the payment of a debt or in the performance of an obligation, being a debt or obligation arising by virtue of any such contract.

(3) For the purposes of these regulations a contract shall be deemed to have been made before any date if an offer made before that date so as to be binding on a contracting party if accepted within a specified period expiring on or after that date is accepted by the contracting party at any time within that period.

4. (1) Subject to the provisions of this regulation, no person shall be entitled, without the leave of the appropriate Court, to do or to continue or complete the doing of any of the following acts;—

(a) To proceed to execution on or otherwise to the enforcement of any judgment:

(b) To exercise any legal remedy:

(c) To call up or demand payment of the principal sum or any part of the principal sum secured by any mortgage:

(d) To exercise any power of sale conferred by any mortgage:

(e) To commence or to continue proceedings in any Court for breach of any covenant expressed or implied in any mortgage, other than a covenant for the payment of interest.

(2) Nothing in this regulation shall affect—

(a) Any power of sale of a mortgage of land or an interest in land who was in possession of the mortgaged property at the commencement of these regulations, or who has appointed a receiver who at the commencement of these regulations was in possession of the mortgaged property or in receipt of the rents and profits thereof:

(b) Any power of sale of a mortgage in possession of property other than land or some interest in land, where the power of sale has arisen and notice of the intended sale has been given before the commencement of these regulations:

(c) Any right or power of pawnbrokers to deal with pledges:

(d) The institution or persecution of any proceedings for the appointment by any Court of a receiver of any property, or for the recovery of possession of land otherwise than in default of payment of rent.

(3) For the purposes of this regulation the appropriate Court in relation to any act specified in paragraph (a) or paragraph (e) of clause (1) of this regulation shall be the Court by which the judgment concerned was given or the Court in which the proceedings concerned are intended to be commenced or continued, as the case may be. Subject to the foregoing provisions of this clause, the appropriate Court for the purposes of this regulation shall be the Supreme Court in any case where either the amount claimed or the value of the property concerned exceeds £2,000, and in every other case shall be either the Supreme Court or a Magistrate.

5. (1) If on any application for the leave of the appropriate Court to do or to continue or complete the doing of any act affected by the last preceding regulation the Court is of opinion that the person liable to satisfy the judgment or to pay the debt or to perform the obligation in question is unable immediately to do so by reason of circumstances directly or indirectly attributable to any war in which His Majesty may be engaged the Court may, in its absolute discretion, after considering all the circumstances of the case and the position of all the parties, refuse the application for leave or grant it either unconditionally or upon or subject to such conditions as the Court thinks fit.

(2) No appeal lie from any decision of the Supreme Court or of a Magistrate under this regulation.

6. Where a bankruptcy petition has been presented against any debtor or a winding-up petition has been presented against any company on the ground that it is unable to pay its debts, and the debtor or company proves to the satisfaction of the Court having jurisdiction in the bankruptcy or winding-up that his or its inability to pay his or its debts is due to circumstances directly or indirectly attributable to any war in which His Majesty may be engaged, the Court may, in its absolute discretion, after considering all the circumstances of the case and the position of all the parties, at any time stay the proceedings under the petition for such time and subject to such conditnons as the Court thinks fit.

COURTS EMERGENCY POWERS REGULATIONS (No. 2).

No. 236, 4th November, 1939.

1. These regulations may be cited as the Courts Emergency Powers Regulations 1939 (No.2).

2. (1) An application under the Courts Emergency Powers Regulations 1939 for leave to enforce a judgment or order by proceedings in the Magistrates'

Court under the Imprisonment for Debt Limitation Act, 1908, may be made on the hearing of the judgment summons on notice to the effect of the form in the Schedule hereto, incorporated in or annexed to the judgment summons and served on the judgment debtor with the judgment summons.

(2) No order shall be made on the hearing of a judgment summons unless the Magistrate is satisfied either that a notice has been served accordance with the provisions of the last preceding clause or that the judgment or order is one which may be enforced without leave under the regulations.

SCHEDULE.

NOTICE TO ACCOMPANY A JUDGMENT SUMMONS.

(Title as in Judgment Summons.)

UNDER the Courts Emergency Powers Regulations 1939 a person is not entitled, except with the leave of the Court, to proceed to the enforcement of a judgment or order to which the regulations apply, and if the Court is of opinion that the person liable to satisfy the judgment or order is unable immediately to do so by reason of circumstances directly or indirectly attributable to the present war, the Court may refuse leave to enforce the judgment or order or may give leave to enforce it subject to such restrictions and conditions as the Court thinks proper.

If you desire to take advantage of the protection afforded by the said regulations, and attend the hearing of the accompanying judgment summons, you will have an opportunity of showing cause why the discretion of the Court should be exercised in your favour.

SUPREME COURT EMERGENCY RULES.

13th September, 1939.

1. These rules may be cited as the Supreme Court Emergency Rules 1939.

2. These rules shall come into force on the day following publication hereof in the *Gazette*.

3. The Code of Civil Procedure set forth in the Second Schedule to the Judicature Act, 1908, is hereby amended by inserting therein following Rule 531cc thereof the following additional rules:—

531dd. Upon any application to the Supreme Court for a grant of probate or letters of administration or for the resealing in New Zealand of a probate or letters of administration within the meaning of Part II of the Administration Act, 1908, the applicant shall file his affidavit stating whether he is or is not an alien enemy within the meaning of the Enemy Property Emergency Regulations

1939 or any regulations for the time being in force replacing those regulations and in the former case shall set out that the written consent of the Attorney general has been given to the making of the application, and that consent shall be annexed to the affidavit.

531ee. Upon any application to the Supreme Court for a grant of probate or lettres of administration or for the resealing in New Zealand if a probate or letters of administration as aforesaid there shall also be filed an affidavit, made by some person with a knowledge of the facts stating to the best of the depinent's knowledge, information, and belief whether the deceased person was or was not at the time of his death an alien enemy within the meaning of the Enemy Property Emergency Regulations 1939 or any regulations for the time being in force replacing those regulations, and in the former case the affidavit shall set out that the written consent of the Attorney-General has been given to the making of the application, and that consent shall be annexed the affidavit.

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AVIATION EMERGENCY REGULATIONS.

4th September, 1939.

1. These regulations may be cited as the Aviation Emergency Regulations 1939.

2. In these regulations, unless inconsistent with the context,—

"Aircraft" means any machine which can derive support in the atmosphere from reactions of the air, and includes (1) aerostats, whether free balloons, captive balloons, or airships; and (2) aerodynes, both (a) non-mechanically driven, whether gliders or kites, and (b) mechanically driven, whether aeroplanes, gyroplanes, rotocopters, or ornithopters; and aeroplanes include land planes, seaplanes, and amphibians:

"Aerodrome" means any definite or limited ground or water area used or intended to be used, whether regularly or occasionally and whether wholly or in part, for the landing or departure of aircraft, and includes all buildings, sheds, vessels, piers, and other structures thereon or appertaining thereto.

3. It shall be lawful for any officer of the Royal New Zealand Air Force authorized in that behalf by the Air Board constituted under section 12 of the Air Force Act,1937, from time to time and at any time to requisition, purchase, lease, take possession of, or use for the purpose of His Majesty's Naval, Military, or Air Forces or for any other service of State, any aerodrome, aircraft, aircraft equipment, machinery, plant, material, and things found therein or thereon.

4. The fact that any officer of the Royal New Zealand Air Force exercises

any of the powers conferred by the last preceding regulation shall be conclusive evidence that he is duly authorized so to do.

5. Any exercise of any the powers conferred by Regulation 3 hereof shall be effected by notice in writing stating that such notice is given under the authority of these regulations, and shall be sufficient if served upon the owner, proprietor, or person for the time being in apparent control or possession of the property or thing in respect of which any such power is being exercised.

6. Any such notice may from time to time be withdrawn, modified, or superseded wholly or in part by any subsequent notice.

7. Every such notice shall take effect according to the tenor thereof, but subject to any arrangement that may at any time be made between the Air Board of the one part and the owner of the other part.

8. No person shall sell, transfer, or let on hier (whether under charter or otherwise) or do anything involving the creation of a charge on any aircraft, airframe, aero-engine, or airscrew without the prior consent of the Air Board, signified in writing under the hand of the Air Secretary; and if any person purports to effect any such transaction without such consent, then, in addition to the transaction being void, he shall be guilty of an offence against these regulations.

9. Any person who suffers any direct injury or loss owing to the exercise of any of the powers hereinbefore conferred shall be entitled to receive compensation therefor, the amount of such compensation to be fixed by agreement with the Air Board with the concurrence of the Minister of Finance or, in default of agreement, to be fixed by a Compensation Court under Part III of the Public Works Act, 1928.

10. Except with the prior consent in writing of the Air Board, no person shall install or carry, or permit to be installed or carried, any photographic camera in or take photographs from any aircraft.

11. All rights of property or contractual or other rights accruing to or vested in His Majesty the King by the operation of any notice under these regulations, and any power, authority, or discretion so accruing or vested, may be enforced or exercised by the Air Board or by any person appointed by the said Board in that behalf either in its or his own respective name or in the name of His Majesty the King.

12. Any person who fails to comply with any notice or with any lawful demand made pursuant to the powers conferred by these regulations, or who commits or attempts to commit a breach of Regulation 10 hereof, shall be deemed to have committed an offence against these regulations.

MOTOR VEHICLES IMPRESSMENT EMERGENCY REGULATIONS.

4th September, 1939.

REGURATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Motor-vehicles Impressment Emergency Regulations 1939.

(2) These regulations are arranged as follows:—

Regulation 1.—Preliminary.
Regulation 2.—Administration.
Regulation 3.—General Powers of Chief Impressment Officer.
Regulation 4.—Requirements of Armed Services and National Emergency Requirements.
Regulation 5.—Impressment.
Regulation 6.—Particulars to be supplied by Owner.
Regulation 7.—Delivery pursuant to Warrant of Impressment.
Regulation 8.—Rejection and Repossession.
Regulation 9.—Encumbrancers.
Regulation 10.—Valuation.
Regulation 11.—Payment.
Regulation 12.—Arbitration.
Regulation 13.—Running-costs, Repaires, and Services.
Regulation 14.—Travelling Allowances and Expenses.
Regulation 15.—Possessory Liens.
Regulation 16.—Payments subject to Appropriation.
Regulation 17.—Offences.

(3) In these regulations, unless inconsistent with the context,—

"Armed Services" means the Naval, Military, and Air Forces of the Dominion:

"Encumbrancer" means any person having at the time of impressment an interest (other than an interest as holder as hereinafter defined) in or an encumbrance, charge, or lien upon or over any impressed motor vehicle or equipment, including the bailor thereof, under an agreement of hire or hire-purchase, and any owner not being the holder as hereinafter defined:

"Equipment" means any equipment, accessories, fittings, and materials used or capable of being used in connection with the running, maintenance, and repaire of motor-vehicles, including tires, tubes, tools, spare parts, breakdown equipment, fuel, grease, oils and engines for motor-vehicles and parts thereof:

"Holder" means the person who at the time of impressment is lawfully in possession of an impressed motor-vehicle or equipment, excluding a person in possession merely as servant or agent of some other person, but including the bailee thereof under an agreement of hire or hire-purchase and an agent

for sale or otherwise of a vehicle or equipment owned by a person outside New Zealand:

"Motor-vehicle" means any vehicle propelled by mechanical power, including a tractor and the chassis of a motor-vehicle, and also includes a trailer capable of being drawn by a motor-vehicle; it includes with respect to any particular motor-vehicle all accessories fittings, and equipment (including spare parts, spare tires, sideboards, tailboards, nets, chains, tarpaulins or other waterproof covers) belonging to the same:

"Registerd owner" means the person who at the time of issue of a notice of impressment is registered as the owner of a motor-vehicle in terms of the Motor-vehicles Act, 1924.

REGULATION 2.—ADMINISTRATION.

(1) The person for the time being holding the office of Registrar of Motor-vehicles Act, 1924, shall be the Chief Impressment Officer for the purposes of these regulations.

(2) The Chief Impressment Officer may appoint Deputy Registrars of Motor-vehicles under the last-mentioned Act to be Impressment Officers for the purposes of these regulations.

(3) The Chief Impressment Officer may himself exercise any power exercisable by an Impressment Office under these regulations.

(4) Every Impressment Officer may exercise such of the powers conferred on the Chief Impressment Officer by these regulations as the Chief Impressment Officer may from time to time authorize him to exercise:

Provided that the exercise by any Impressment Officer of any such powers shall, in favour of any person dealing with him, be conclusive evidence that he is for the time being so authorized.

REGULATION 3.—GENERAL POWERS OF CHIEF IMPRESSMENT OFFICER.

(1) The Chief Impressment Officer shall have absolute power to impress for the use of the Armed Services or for any national purpose and motor-vehicle or any equipment, and thereupon either—

(a) To take over the ownership thereof; or

(b) To take the same on hire on behalf of the Crown for any period or for an unnamed period, and subject to such terms and conditions as he thinks fit:

and also forthwith or at any time thereafter—

(c) To reject the same after impressment, and shall have power to do all acts and things incidental to the exercise of the powers aforesaid.

(2) The Chief Impressment Officer may exercise any or all of his powers under these regulations with respect to any motor-vehicle or equipment, notwithstanding that the owner of such motor-vehicle or equipment is a manufacturer or importer of or dealer in motor-vehicles or equipment, or is the owner of a motor-vehicle-assembling plant in New Zealand, and holds such motor-vehicle or equipment in the course of his business.

(3) The Chief Impressment Officer may, in collaboration with the Armed Services, appoint vehicle-collecting centres at which impressed motor-vehicles or equipment may be directed to be delivered; but this provision shall not limit the power of an Impressment Officer to name in a warrant any other place for delivery.

REGULATION 4.—REQUIREMENTS OF ARMED SERVICES AND NATIONAL EMERGENCY REQUIREMENTS.

(1) Each Armed Service may from time to time inform the Chief Impressment Officer of the number, types, makes, and other particulars of motor-vehicles and of equipment required to be impressed for use in the operations of that Service, and of its requirements as to the time and place of delivery.

(2) The Under-Secretary of the Internal Affairs Department may from time to time inform the Chief Impressment Officer of the number, types, makes, and other particulars of motor-vehicles and of equipment required to be impressed for use for any national purpose connected with a state of emergency other than a purpose of the Armed Services, and of his requirements as to the time and place of delivery.

REGULATION 5.—IMPRESSMENT.

(1) The Chief Impressment Officer may authorize and direct any Impressment Officer to issue a warrant of impressment in the form designated M.V.I.-1 in the First Schedule hereto in respect of any designated motor-vehicle or equipment, and may give any Impressment Officer general authority to issue warrants of impressment in respect of designated classes of motor-vehicles or equipment within designated areas.

(2) Every such warrant shall be sufficient if served upon the registered owner or holder of the motor-vehicle or equipment to which it relates either personally or by registered-post letter addressed to the registered owner or holder, as the case may be, at his usual or last-known place of abode or business, and if served by registered post shall be deemed to be served at the time when it would be delivered at its address in the ordinary course of registered post.

(3) Immediately upon service of a warrant as aforesaid the motor-vehicle or equipment to which it relates shall be deemed to have been impressed, and thereupon the registered owner or holder, and also any person in whose possession such motor-vehicle or equipment shall be and who has knowledge of the

said warrant, shall hold such motor-vehicle or equipment unconditionally at the disposal of the Impressment Officer issuing the warrant.

REGULATION 6.—PARTICULARS TO BE SUPPLIED BY OWNER.

(1) Every warrant served in accordance with the last preceding regulation shall be accompanied by a copy of the form designated M. V. I.-2 in the First Schedule hereto.

(2) The said form M. V. I.-2 shall be accurately and fully completed and signed by the registered owner or holder, and verified by him by declaration made before a person qualified as appearing in the said form.

(3) In the said form M. V. I.-2 the registered owner or holder shall furnish full particulars of the motor-vehicle or equipment impressed and of any liens, encumbrances, or leases to which it is subject, or of any agreement of hire-purchase under which he is in possession thereof, and of all equipment and tools belonging to the same (if a motor-vehicle).

(4) The registered owner shall cause the said form M. V. I-2, completed and verified as aforesaid, to be delivered at the place named in the warrant, together with the motor-vehicle or equipment to which it relates, as hereinafter provided.

REGULATION 7.—DELIVERY PURSUANT TO WARRANT OF IMPRESSMENT.

(1) Every person shall upon service of a warrant of impressment upon him cause the motor-vehicle or equipment to which it relates to be delivered (together with the form M.V.I.-2 completed and verified as aforesaid) at the place named in such warrant on the day and at the time specified therein.

(2) The registered owner and any person in possession of an impressed motor-vehicle or impressed equipment, and any person or persons to whom the duty of making delivery thereof has been entrusted, who knowingly fails to deliver such motor-vehicle or equipment or to cause the same to be delivered at the place named in the warrant on or before the day named therein commits an offence against these regulations.

(3) It shall be a defence to a person charged with a breach of this regulation if he proves that the failure with which he is charged was due to causes beyond his control.

(4) A motor-vehicle shall not be deemed to have been delivered within the meaning of this regulation unless it is delivered as a complete unit, in so far as it was a complete unit, at the time of impressment, accompanied by all essential equipment, accessories, tools, and fittings belonging thereto, including spare parts, spare tires, sideboards, tailboards, nets, tarpaulins or other waterproof covers.

(5) Upon delivery of an impressed motor-vehicle or any impressed equip-

ment at the place named in the warrant the person so making delivery shall be given a receipt in the form designated M.V.I.-3 in the First Schedule hereto.

REGULATION 8.—REJECTION AND REPOSSESSION.

(1) If an Impressment Officer or an officer in charge of a vehicle-collecting center decides that an impressed motor-vehicle or any impressed equipment is to be returned to the owner or other person in whose hands it was impressed, or when the term of a hiring is about to end and not to be extended, the Impressment Officer or an officer in charge of a vehicle-collecting centre shall cause a notice to repossess in the form designated M. V.I.-4 in the First Schedule hereto to be served upon the last registered owner or person in whose hands the motor-vehicle or equipment was impressed, as the case may require, in the same manner as is hereinbefore provided for the service of warrants requiring the said owner or person aforesaid to cause delivery to be taken of the said motor-vehicle or equipment at the place named in such notice on the day and at the time specified therein.

(2) The last registered owner or other person as aforesaid shall, upon service of the said notice upon him, cause delivery to be taken according to the tenor thereof, and shall cause the said notice M. V. I.-4 to be surrendered to the person from whom he takes delivery.

(3) The exercise in respect of any motor-vehicle or equipment by the Impressment Officer or by an officer in charge of a vehicle-collecting centre of the powers conferred upon him by this regulation shall not be deemed to prejudice the power of the Impressment Officer again to impress or reject the same motor-vehicle or equipment.

REGULATION 9.—ENCUMBRANCERS.

(1) The Chief Impressment Officer may from time to time, if he thinks fit, cause to be published in the *Gazette* notice of any vehicle taken under these regulations, with name of owner, and particulars of type, make, chassis number and engine number, and a list of equipment taken, with such particulars thereof as in his opinion will serve to identify the same; such published notice shall be headed by a notice to encumbrancers of the taking in the form designated M. V. I.-8 in the First Schedule hereto.

(2) Any person having an interest in or who is an encumbrancer of any motor-vehicle or equipment included in such notice shall, within ten days from publication thereof in the *Gazette* as aforesaid, give written notice of his interest or encumbrance to the Chief Impressment Officer, and shall give in such notice explicit details of the nature of his interest or encumbrance and of the amount he claims to be due to him.

(3) No encumbrancer shall be relieved from observing the requirements of this regulation or be deemed to have acquired any rights to payment or otherwise to have his position improved by reason only of the fact that the registered owner or holder has given, pursuant to Regulation 6, notice in form M. V. I.-2 of any encumbrance.

REGULATION 10.—VALUATION.

(1) Immediately upon the taking of a motor-vehicle or of any equipment the Chief Impressment Officer shall assess the value thereof as at the date of delivery upon the basis of the fair ruling market value thereof, having regard to the date of manufacture, the present condition and (in the case of a motor-vehicle) of the mileage run by it, but excluding any enhancement of value arising from the state of emergency or any consideration of special value to the owner due to the fact that a motor-vehicle or equipment is a component of a fleet or service or aggregation of equipment.

(2) In no case shall such assessment of value exceed the price paid by the owner less a reasonable sum for depreciation, or exceed the sum which would be paid by a willing buyer to a willing seller under normal conditions, to the intent that the Chief Impressment Officer is to assess value and not compensation for loss occasioned the owner or any encumbrancer by reason of the taking.

REGULATION 11.—PAYMENT.

(1) As soon as may be after a vehicle or equipment has been taken and valued, but if a notice relating thereto has been published in the *Gazette* not sooner than twelve days after the date of publication, the Chief Impressment Officer shall give to the owner thereof or, as the case may require, to every person who to his knowledge has any interest in or encumbrance over the property a notice in such one of the forms designated M. V. I.-5, M. V. I.-6, and M. V. I-7, in the First Schedule hereto as the case may require.

(2) If all parties concerned agree to the amounts proposed in such notice to be paid and furnish the indemnity against other claims set out in the forms aforesaid, the Chief Impressment Officer shall forthwith pay to such parties the amounts aforesaid.

(3) If the parties concerned do not all agree to the amounts proposed in such notice the Chief Impressment Officer may reconsider his proposals, and in default of agreement the amounts to be paid shall be fixed by arbitration as hereinafter provided, and shall be paid forthwith after an agreement is come to or after the arbitral award is published.

(4) Immediately upon the giving of a notice that a motor-vehicle or equipment has been taken into the ownership of the Crown, the property therein shall be deemed to have become vested in the Crown as at the time of delivery pursuant to the warrant of impressment free from any rights, charges, encumbrances, or other interests whatsoever.

(5) Immediately upon the giving of a notice that a motor-vehicle or equip-

ment has been taken on hire by the Crown a hiring thereof shall be deemed to have commenced as at the time of delivery pursuant to the warrant of impressment, and all possessory and other rights, charges, encumbrances, and other interests therein shall be deemed to be subject to such hiring.

REGULATION 12.—ARBITRATION.

(1) Any dispute or difference between an Impressment Officer or the Chief Impressment Office and the owner as to the assessment of value of any motor-vehicle or equipment, or as to the disposal amongst the parties concerned of the amount representing such value, or as to the rate of hire to be paid, shall be referred to the arbitration of one indifferent person if the parties can agree upon one, otherwise to the arbitration of two arbitrators, one to be appointed by the Chief Impressment Officer and the other by the person or persons interested in the property, or of their umpire, in accordance with the Arbitration Act, 1908, and the award of the arbitrator, arbitrators, or umpire, as the case may be, shall be final.

(2) Where the dispute or difference concerns the disposition by the Chief Impressment Officer amongst encumbrancers of the moneys representing the assessed value of a motor-vehicle or equipment, any such encumbrancers may be permitted to be heard upon the arbitration.

REGULATION 13.—RUNNING-COSTS, REPAIRS, AND SERVICES.

(1) The Impressment Officer shall pay to the owner a reasonable sum (having regard to the type of motor-vehicle) for the cost of running an impressed motor-vehicle upon any journey such motor-vehicle is required to make for the purposes of these regulations.

(2) Every person carrying on the business of selling petrol, lubricants, tires, spare parts, or other equipment and accessories, or the business of a motor mechanic or motor-garage proprietor, shall, when requested so to do by the person in charge of a motor-vehicle in course of delivery pursuant to a warrant of impressment and on production to him of the warrant, supply without immediate payment any goods or services within his power and necessary to enable the said motor-vehicle to reach the place named in the warrant, and shall hand an account for the said goods and services to the person in charge of the said motor-vehicle for delivery with the motor-vehicle.

(3) The person in charge of a motor-vehicle shall give to the person supplying goods or rendering services in accordance with this regulation a receipt for or acknowledgement of the same.

(4) The Chief Impressment Officer shall examine accounts rendered pursuant to this regulation, and may pay the same if found reasonable and in order.

REGULATION 14.—TRAVELLING ALLOWANCES AND EXPENSES.

(1) Any person travelling in obedience to a warrant of impressment or to a

notice to repossess shall be entitled to claim the locomotion expenses and the travelling-allowances and living-expenses set forth in the Second Schedule hereto, and the Impressment Officer may pay the same or, in his discretion, may issue in lieu thereof (in whole or in part) railway or other transport warrants, meal-tickets, or other authorities for services.

(2) In addition, and notwithstanding the provisions of Regulation 13, the Impressment Officer may pay to the person delivering a motor-vehicle pursuant to a warrant such sums as that person satisfies the Impressment Officer by appropriate vouchers he has necessarily disbursed in cash for repairs, petrol, oil, or other goods and services in effecting such delivery.

(3) No locomotion expenses shall be paid to a claimant under this regulation in respect of that part of a journey travelled in a motor-vehicle which he is delivering or of which he has taken delivery pursuant to these regulations.

REGULATION 15.—POSSESSORY LIENS.

Any person exercising a possessory lien over any impressed motor-vehicle or equipment shall, upon production to him of a warrant by the owner or any other authorized person, forthwith deliver up possession of such motor-vehicle or equipment, and shall thenceforward have the rights of other encumbrancers under these regulations with respect to any moneys secured by such lien.

REGULATION 16.—APPROPRIATION.

Any payments the making of which is authorized by these regulations shall be made subject to appropriation by the Legislature of any moneys necessary for the purpose.

REGULATION 17.—OFFENCES.

(1) Every person who fails to comply with any of the provisions of these regulations commits an offence against these regulations.

(2) Any person who knowingly makes to the Chief Impressment Officer or any Impressment Officer any statement that is false or misleading in a material particular or in any information or return that he is required to make under these regulations makes any material ommission commits an offence against these regulations.

SCHEDULES.

FIRST SCHEDULE.

WARRANT OF IMPRESSMENT.

The Motor-vehicles Impressment Emergency Regulations 19 . . In terms of

the above-mentioned regulations you are hereby commanded to deliver the undermentioned motor-vehicle (equipment) to the officer in charge at the vehicle-collecting centre at ..... not later than ..... a. m. (p.m.) on ..... day, the ..... day of ....., 19.....

(Date).....

.....

Impressment Officer.

*Particulars of Vehicle impressed.

Registration No.	Make.	Engine No.	Chassis No.	Carrying-capacity.

Particulars of Equipment impressed.

Notes.—(1) All accessories, fittings, and equipment (including spare parts, spare tires, tools, sideboards, tailboards, nets, chains, tarpaulins or other waterproof covers) belonging to a vehicle are deemed to be part of the vehicle and must be delivered therewith.

(2) Form M.V.I.-2 is attached hereto and must be completed signed and verified as indicated therein and delivered with the vehicle to the officer in charge of the vehicle-collecting centre.

(3) Payment for the property will be made forthwith after a valuation has been made and notified to you and accepted, or (failing acceptance or agreement) after the amount has been fixed by arbitration.

(4) Your attention is drawn to the instructions printed on the back of this warrant.

(5) Failure to comply with the requirements of this warrant renders you liable to fine or imprisonment.

(reverse.)

INSTRUCTIONS TO DRIVER.

(a) In the event of a breakdown, report to the nearest civilian garage for repairs. Cost of repairs will be paid by Chief Impressment Officer, Wellington. On arrival at the vehicle-collecting centre report the circumstances and suply a statement of the nature and cost of repairs carried out at the garage.

(b) If the repair is beyond the capacity of the nearest civilian garage, report the breakdown by telephone to the Impressment Officer who issued the warrant of impressment. He will arrange for towage and repair of vehicle, and instruct you as to returning home or waiting with the vehicle.

(c) If any additional petrol, lubricants, or spare parts are required to enable you to reach the vehicle-collecting centre, present this warrant to a garage-

proprietor and he will supply your requirements. You should give him a receipt for supplies delivered to you and obtain an account from him and hand it to the officer in charge, vehicle-collecting centre.

DIRECTIONS TO GARAGE-PROPRIETORS AND TRADERS.

These instructions are authority for assistance to the driver of the vehicle described in this warrant in the repair of the vehicle and/or supply of petrol, lubricants, or spare parts to enable him to take the vehicle to its destination. Obtain receipt from driver for goods supplied and give separate account to him. Payment for services and goods will be made by the Chief Impressment Officer, Wellington.

(M.V.I.-2.

PARTICULARS OF IMPRESSED MOTOR-VEHICLE (or EQUIPMENT).

The Motor-vehicles Impressment Emergency Regulations 19 . .

To the Officer in Charge,

Vehicle-collecting Centre, (Pease shown in warrant form M.V.I.-1).

In accordance with the demand made in the warrant of impressment for the undermentioned motor-vehicle (equipment) I hereby set out particulars of the motor-vehicle (equipment) referred to therein:—

(1) Type of vehicle (truck, tractor, &c.):.....
(2) Make of vehicle: .....
(3) Registration No. .....
(4) Engine No. .....
(5) Chassis No. .....
(6) Carrying-capacity: .....
(7) Model: .....
(8) Wheel-base: .....
(9) H. P.: .....
(10) Number of axles: .....
(11) Fixed or tip body: .....
(12) Tire-sizes: .....
(13) Whether twin or single wheels fitted at rear:.....
(14) Kind of fuel used to propel vehicle (motor-spirits, Diesel oil, &c.):.....
(15) State whether vehicle has side and/or tail boards:.....
(16) Year of manufacture: .....
(17) Date of purchase: .....
(18) Whether purchased new or second-hand: .....
(19) Price of chassis when new:.....
(20) Price of body when new:.....
(21) Price paid for complete vehicle:.....
(22) State cost and particulars of extra structural alterations: .....

(23) Total mileage run at date of impressment: .....
(24) My estimate of present value of vehicle or equipment: £..... s.....d.
(25) State particulars of full equipment—

	Condition.
(a) Number of tires:	
(b) Kind of top supplied:	
(c) Number of tarpaulins:	
(d) Other waterproof covers: ..	
(e) (Other equipment):	
(f) (Other equipment):	
(g) (Other equipment):	
(h) (Other equipment):	

(26) Set out in detail particulars of all tools, &c., handed over with vehicle:
(27) Particulars of encumbrances, &c.—

Nature of Encumbrance. (State whether subject to hire-purchase agreement, instrument by way of security, charge, lien, or other encumbrance, or as the case may be.)	Person entitled in Respect of Encumbrance.	Amount due to Person entitled.
		£ s. d.

(28) Particulars as to condition of vehicle—
The vehicle is in perfect running condition.
The vehicle requires attention as follows:.....
(Strike out words not applicable.)
(29) Particulars of registration fees and insurance premiums paid:.....

.....
(Signature of registered owner.)

Declared at ..... on the....., 19...., before me—

.....
(Solicitor, Justice, of the Peace, Postmaster, Minister of Religion, Police Officer, Medical Practitioner, Member of New Zealand Society of Accountants.)

Note.—Where the impressment warrant relates to equipment, items 24, 25, and 27 must be completed as nearly as applicable.

(M.V.I.-3.

RECEIPT FOR IMPRESSED VEHICLE.

The Motor-vehicles Impressment Emergency Regulations 19.....
Consecutive No.....
Received from ..... an impressed motor-vehicle (impressed equipment) as described hereunder:—
Type: .....
Registration No. .....
Make: .....
Engine No. .....
Chassis No. .....
Particulars of accounts received from owner—

Name and Address of Garage-proprietor or Claimant.	Particulars of Account.	
		£ s. d.

I hereby certify that the equipment (accompanying the above motor-vehicle) set out in the form M.V.I.-2 received from above named has been checked and found to be in order.
Dated this ..... day of ....., 19.....

.....
(Signature of Receiving Officer.)

(M.V.I.-4.

NOTICE TO REPOSSESS.

The Motor-vehicles Impressment Emergency Regulations 19.....
To.....
In terms of the above-mentioned regulations you are hereby required to cause delivery to be taken of the undermentioned motor-vehicle (equipment) at the vehicle-collecting centre at..... not later than .....a.m.(p.m.) on ....., the ..... day of ..... 19...., such motor-vehicle (equipment) having been (rejected subsequently to impressment), (taken on hire and now no longer required).
You are further required to cause this notice to be surrendered at the time of delivery to the person from whom delivery is taken.

Particulars of Vehicle.

Type.	Registration No.	Make.	Engine No.	Chassis No.

Particulars of Equipment.

Dated this ..... day of ....., 19.....

.....

Officer in Charge, Vehicle-collecting Centre.

(M.V.I.-5.

NOTICE OF VALUATION.

(Unencumbered Property.)

The Motor-vehicles Impressment Emergency Regulations 19.....

To.....

NOTICE is hereby given that the motor-vehicle (equipment) described in the Schedule hereto and delivered at ..... on the ..... day of ....., 19...., pursuant to a warrant of impressment has been taken into the ownership of the Crown, and that the value thereof has been assessed at (Show amount in figures and words).

If you are prepared to accept the amount aforesaid in full settlement payment will be made on receipt of the duplicate of this notice with the form of agreement appended thereto duly signed by you and witnessed.

If you are not prepared to accept the amount aforesaid in full settlement notice of objection in the form appended hereto setting out the amount claimed must be delivered to the Chief Impressment Officer not later than fourteen days after the receipt by you of this notice.

Schedule.

Dated at ....., this .....day of ....., 19.....

.....

Chief Impressment Officer.

Notice of Acceptance of Valuation.

I, (Full name and address), hereby agree to accept the sum above mentioned in full settlement of all claims arising out of the impressment of the above-described property and to indemnify His Majesty the King in respect of all claims and demands made by any other persons claiming any interest in or charge over the said property at the time of impressment.

Dated at ....., this .....day of ....., 19.....

Signed in the presence of—

Witness—Name: .....
Occupation: .....
Address: .....

.....

Notice of Objection to Valuation.

I, (Full name and address), hereby object to the valuation above set out of the above-described property, and I claim the sum of (Show amount in figures and words) in respect of the impressment thereof, on the following grounds (Here set out reasons for claim).

Dated at ....., this .....day of ....., 19.....

Signed in the presence of—

Wtiness—Name: .....
Occupation: .....
Address: .....

.....

(M.V.I.-6.

NOTICE OF VALUATION.

(Property under Hire or Subject to Encumbrance.)

The Motor-vehicles Impressment Emergency Regulations 19.....

To.....

NOTICE is hereby given that the motor-vehicle (equipment) described in the Schedule hereto and delivered at .....on the ..... day of ....., 19...., pursuant to a warrant of impressment has been taken into the ownership of the Crown, and that the value thereof has been assessed at (Show amount in figures and words).

It is proposed to make payment as follows:—

To encumbrancer (Name)—Amount: £.....
To bailor (Name—Amount: £..... by instalments of £..... each on (Dates), or as the case may be.
Balance (if any) to registered owner—Amount: £.....

If you are prepared (subject to concurrence of other parties concerned) to accept in full settlement the amount set out above as payable to you, payment be made on receipt of the duplicate of this notice with the form of agreement appended hereto duly signed and witnessed.

If you are not prepared (subject to concurrence of other parties concerned) to accept in full settlement the amount set out above as payable to you, notice of objection in the form appended hereto setting out the amount claimed must be delivered to the Chief Impressment Officer not later than fourteen days after the receipt by you of this notice.

Schedule.

Dated at ....., this .....day of ....., 19.....

.....

Chief Impressment Officer.

Notice of Acceptance of Valuation.

I, (Full name and address), hereby agree to accept the sum above mentioned in full settlement of all claims by me arising out of the impressment of the above-described property and agree to indemnify His Majesty the King in respect of all claims and demands made by any other person except the person(s) named above claiming any interest in or charge over the said property at the time of impressment.

Dated at ....., this.....day of ....., 19.....

Signed in the presence of—

Witness—Name: .....
Occupation:.....
Address:.....

.....

Notice of Objection to Valuation.

I, (Full name and address), hereby object to—

(1) The valuation above set out of the above-described property (Strike out if not applicable).

(2) The apportionment proposed above of payment for the above-described property.

And I claim the sum of (Show amount in figures and words) in respect of the impressment thereof for my interest therein on the following grounds (Here set out reasons for claim).

Dated at ....., this .....day of....., 19.....

Signed in the presence of—

Witness—Name: .....
Occupation:.....
Address:.....

.....

(M.V.I.-7.

NOTICE OF HIRING.

The Motor-vehicles Impressment Emergency Regulations 19.....

To .....

NOTICE is hereby given that the motor-vehicle (equipment) described in the Schedule hereto and delivered at.....on the ..... day of ....., 19....., pursuant to a warrant of impressment has been taken on hire by the Crown (upon a monthly hiring) (for a period of..... from the ..... day of ....., 19....), or as the case may be.

The amount of hire payable will be paid monthly within fourteen days after the end of each calendar month. It is proposed that a rate per day be agreed upon, and I shall be glad if you will intimate to me the daily rate to which you consider yourself entitled (or as the case may require).

Schedule.

Dated at ....., this .....day of ....., 19.....

.....

Chief Impressment Officer.

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NOTICE OF TAKING OF IMPRESSED MOTOR-VEHICLES AND EQUIPMENT.

The Motor-vehicles Impressment Emergency Regulations 19.....

NOTICE is hereby given that the motor-vehicles (and equipment) described in the Schedule hereto have been taken by the Crown under the provisions of the above-mentioned regulations. Any person having an interest therein under any agreement of hire-purchase, instrument by way of security, lease, or by virtue of any lien, charge, or as part owner may, within ten days of the publication of this notice in the Gazette, give written notice of such interest to the Chief Impressment Officer of Motor-vehicles at Wellington and shall give in such notice explicit details of the nature of his interest and of the amount he claims to be due to him.

Schedule.

Type.	Name & Address of Owner from whom received.	Make of Motor-vehicle.	Registered No.	Chassis No.	Engine No.

Description of Equipment.

Dated this ..... day of....., 19.....

.....

Chief Impressment Officer.

SECOND SCHEDULE.

Allowances and Expenses payabe to Persons travelling pursuant to a Warrant of Impressment or to a Notice to Repossess.

Travelling and Living Expenses.

For every day's necessary absence from usual place of abode, 12s.

The allowance shall be for each day of twenty-four hours, and for any part of a day shall be at the rate of 6d. for each hour:

Provided that a fraction of an hour if less than half an hour shall not be taken into account, and half an hour or more shall be reckoned as one hour.

For a period of absence less than twenty-four hours actual and reasonable expenses only but not exceeding the amount of the daily rate shall be paid.

Locomotion Expenses.

Persons residing more than three miles from the place named in the warrant of impressment or in the notice to repossess may also be allowed their fares by the least expensive means of public conveyance.

Where there is no public conveyance mileage at the rate of 9d. per mile one way may be paid (except as subject to clause (3) or Regulation 14).

Receipts.

A receipt must be furnished for each payment in excess of 5s. for fares (other than railway fares) or other disbursements in respect of which a refund is claimed.

PROCLAMATION.

9th September, 1939.

WHEREAS by section 20 of the Naval Defence Act, 1913, it is provided that the Governor-General may transfer to the King's Naval Forces any vessel of the New Zealand Naval Forces and that any such transfer may be for such period and subject to such conditions as may be arranged between the Government of Great Britain:

And whereas, in the opinion of the Governor-General, and having been so requested by the Government of Great Britain, it is now expedient in the interests of Great Britain that such transfer should now be effected to the extent hereinafter appearing:

And whereas at the present time His Majesty's ship "Leander" and His Majesty's ship "Achilles" are vessels of the New Zealand Naval Forces:

Now, therefore, I, George Vere Arundell, Viscount Galway, Governor-General of the Dominion of New Zealand, in pursuance of the powers and authorities conferred upon me by section 20 of the Naval Defence Act, 1913, and of all other powers and authorities enabling me in that behalf, do hereby transfer to the King's Naval Forces His Majesty's Ship "Leander" and His Majesty's ship "Achilles" so as to pass under the operational control and be at the disposition of the Government of Great Britain and to remain under such control and disposition from the date of this Warrant until further transfer thereof is duly effected, subject, however, to the condition that all officers and men borne and to be borne on the books of the said ships shall nevertheless remain part of the New Zealand Naval Forces and shall be subject to the laws, rules, and regulations in force relating to officers and men of the New Zealand Naval Forces.

SHIPPING DETENTION EMERGENCY REGULATIONS.

4th September, 1939.

REGULATIONS.

1. These regulations may be cited as the Shipping Detention Emergency Regulations 1939.

2. All merchant ships belonging to or under the control of the Government of the German Reich, or belonging to or under the control of nationals of the said German Reich, which are in New Zealand ports at the time of the coming into force of these regulations, or which may arrive in New Zealand ports while these regulations remain in force, shall be detained by Collectors of Customs on behalf of His Majesty's Government in New Zealand.

3. In exercising the powers conferred by these regulations every Collector or Customs, and every officer of Customs acting under the direction of a Collector of Customs, shall have all the powers conferred by Part XVII of the Customs Act, 1913, but it shall not be lawful to release any ship detained under these regulations, notwithstanding any tender of security, except pursuant to a direction given by the Minister of Customs in writing.

SHIPPING DETENTION EMERGENCY REGULATIONS (AMENDMENT No. 1).

4th September, 1939.

REGULATIONS.

1. These regulations may be cited as the Shipping Detention Emergency Regulations 1939, Amendment No. 1.

2. Subject to clause 3 hereof, the following ships shall be seized forthwith as prize by Collectors of Customs on behalf of His Majesty's Government in New Zealand:—

(a) Any enemy ship which on the date of the coming into force of these regulations is in a port in New Zealand, or which may thereafter arrive in a port in New Zealand, and whether or not such ship has been detained by a Collector of Customs:

(b) Any neutral ship engaged in rendering unneutral service:

(c) Any neutral ship engaged in breach of blockade:

(d) Any neutral ship which is herself contraband of war.

3. The following ships shall not be liable to seizure as prize:—

(a) Ships protected by a British or allied pass or license, or under the general provisions of an Order in Council of His Majesty or of His Excellency the Governor-General in Council and while acting in accordance therewith:

(b) Hospital ships as provided by the Hague Convention of the 18th October, 1907, for the adaptation of the principles of the Geneva Convention to Maritime War; also neutral merchant ships, yachts, or boats, having on board wounded, sick, or ship-wrecked of the belligerents, but subject to any undertaking that may have been given to them they remain liable to capture for any violations of neutrality they may have committed:

(c) Enemy vessels employed exclusively in coast fisheries or small boats employed in local trade. This immunity does not extend to fishing-vessels capable of being used for deep-sea fishing:

(d) Enemy ships, while exclusively engaged on religious, scientific, or philanthropic missions:

(e) Enemy ships employed as cartel ships.

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CENSORSHIP AND PUBLICITY EMERGENCY REGULATIONS (AMENDMENT No. 1).

No. 215, 13th October, 1939.

1. These regulations may be cited as the Censorship and Publicity Emergency Regulations 1939, Amendment No. 1.

2. These regulations shall be read together with and form part of the Censorship and Publicity Emergency Regulations 1939 (hereinafter called the principal regulations).

3. Clause (3) of Regulation 4 of the principal regulations is revoked, and the following substituted:—

"(3) The Controller of Censorship shall receive such salary as may from time to time be fixed by the Prime Minister."

4. Clause (7) of Regulation 7 of the principal regulations is amended by adding thereto the following additional paragraph:—

"(f) That no telegraph message received from a member of the public shall be accepted for urgent transmission."

5. Clause (3) of Regulation 12 of the principal regulations is revoked, and the following substituted:—

"(3) The Director of Publicity shall receive such salary as may from time to time be fixed by the Prime Minister."

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CENSORSHIP AND PUBLICITY EMERGENCY REGULATIONS.

1st September, 1939.

PAR I.—GENERAL.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Censorship and Publicity Emergency Regulations 1939.

(2) In these regulations, unless inconsistent with the context,—

(a) General Definitions.

"Board" means the Censorship and Publicity Board established by these regulations and, where the context so requires, includes any person or persons to whom any powers of the Board have been delegated:

"His Majesty's Forces" includes the New Zealand and all other military, naval, or air forces raised by the Government of any Territory forming part of His Majesty's Dominions:

"Public safety" includes the effective conduct of the military, naval, or air operations of His Majesty, the maintenance of industries essential to the public welfare, and the prevention of seditious utterances:

"Telegraphic message" includes telephonic messages, and also includes not only messages transmitted by electric wires or cables, but also those transmitted by radio-telegraphy or radio-telephony.

(b) Definitions relating to Telephone and Postal Censorship.

"Officer of Customs" means any person employed in the service of the Customs:

"Police officer" means a member of the Police Force of any rank:

"Postal censor" means a person appointed to act as a postal censor under Regulation 5 hereof:

"Postal packet" means a letter, post-card, letter-card, newspaper, a book-packet, pattern or sample packet or parcel, New Zealand parcel, foreign parcel, and every other packet or article transmissible by post, and includes a telegram:

"Telegraphic censor" means a person appointed to act as a telegraphic censor under Regulation 7 hereof:

"Telegraph-station" means any station or place in New Zealand at which tele-

graphic messages are received from or transmitted to any place outside New Zealand, and includes all cables or wires connected with that station, and all things necessary for the efficient working thereof.

(c) Definitions relating to Publicity.

"Cinematograph film" includes a sound-track and any other article on which sounds have been recorded for the purpose of their being reproduced in connection with the exhibition of cinematograph film:

"To publish" means to communicate to the public or to any person or persons whether in writing or orally or by radio-telegraphy or radio-telephony or otherwise; and in relation to cinematograph-film includes the mechanical or electrical reproduction of any sound in connection with the projection of the film; and "publication" has a corresponding meaning.

REGULATION 2.—CENSORSHIP AND PUBLICITY BOARD.

(1) There shall be a Board, to be known as the Censorship and Publicity Board.

(2) The members of the Board shall be the Prime Minister, the Minister of Defence, the Postmaster-General and Minister of Telegraphs, the Chiefs of the Naval, General, and Air Staffs, the Permanent Head of the Prime Minister's Department, the Director-General of the Post and Telegraph Department, and such other persons appointed, either personally or *ex officio*, as the Prime Minister from time to time thinks fit so to appoint.

(3) The Prime Minister shall himself be Chairman of the Board.

(4) The Prime Minister may appoint a Deputy-Chairman of the Board and arrange for an officer of the Public Service or any other person to be the Secretary of the Board.

(5) The members of the Board other than those holding office *ex officio* may resign office by notice in writing to the Secretary, and may at any time be removed by the Prime Minister by notice in writing to the member affected, or by public notice, and the Prime Minister shall indicate to the Secretary of the Board the fact of every such resignation or removal.

REGULATION 3.—POWERS AND PROCEDURE OF THE BOARD.

(1) The Board shall have complete power to administer these regulations, and any powers hereby conferred on the Controller of Censorship, Director of Publicity, or any other person shall, if and whenever the Board thinks fit, be exercisable directly by the Board, and any exercise of power by any such person may accordingly be superseded by action on the part of the Board.

(2) The Board may delegate any of the functions and powers conferred on

it by these regulations, either generally or in respect of any particular area or in respect of any particular class of activity, to any committee of its members or of other persons or partly of its members and partly of other persons, and any determination of such a committee shall, unless modified by the Board, have effect as a determination of the Board.

(3) Any such delegation may at any time be revoked or modified by the Board.

(4) An notice or direction or other document of the Board shall be sufficient if given in writing signed by the Secretary or any other person purporting to act on behalf and by direction of the Board.

(5) The Board may in its discretion grant exemption, either wohlly or in part, from compliance with any notice or direction of the Board or any requirement of these regulations, and any such exemption may at any time be withdrawn.

PART II. TELEGRAPH AND POSTAL CENSORSHIP.

REGULATION 4.—CONTROLLER OF CENSORSHIP.

(1) The Governor-General may from time to time appoint a Controller of Censorship, who, under the control and subject to the direction of the Board, shall be charged with the administration of this part of these regulations.

(2) The Controller of Censorship may resign office by notice in writing to the Board through the Chairman of the Board, and may at any time be removed by the Board by notice in writing or by public notice.

(3) The Controller of Censorship shall receive such salary as may from time to time be appropriated by Parliament for the purpose.

REGULATION 5.—POSTAL CENSORSHIP.

(1) The Controller of Censorship may from time to time authorize any officer of the Public Service or any other person to act during his pleasure as a postal censor.

(2) Any person may be appointed to act as a postal censor either generally or at any one or more post-offices in respect of postal packets received at or transmitted by or delivered from any post-office, or reaching New Zealand in transit between any other postal administrations.

(3) The Controller of Censorship may in his discretion cause any postal packet to be opened, detained, or delayed.

(4) A postal censor may open, detain, or delay any postal packet.

(5) Except with the authority of a postal censor, it shall not be lawful for any postal officer to transmit beyond New Zealand, or to include in a mail be-

ing made up for transmission beyond New Zealand, any postal packet so addressed as by direction of the Controller of Censorship to require submission to a postal censor.

(6) Except with the authority of a postal censor, it shall not be lawful for any postal officer to deliver or to make available any postal packet so addressed as, by direction of the Controller of Censorship, to require submission to a postal censor.

REGULATION 6.—TELEGRAPH-STATIONS.

(1) The Controller of Censorship may direct that any telegraph station shall be closed.

(2) Any such direction may at any time be revoked.

(3) The Controller of Censorship shall be deemed to be appointed as the person to assume and retain possession on behalf of the Governor-General of any telegraph station under section 161 of the Post and Telegraph Act, 1928, and to accept possession from the company or persons owning or occupying that station.

(4) The Controller of Censorship shall be an officer of the Crown duly authorized to require operators and other persons to transmit and receive messages pursuant to section 161 of the Post and Telegraph Act, 1928.

REGULATION 7.—TELEGRAPHIC CENSORSHIP.

(1) The Controller of Censorship may from time to time authorize any officer of the Public Service or any other person to act during his pleasure as a telegraphic censor.

(2) Any person may be appointed to act as a telegraphic censor either generally or at any one or more telegraph-stations in respect of telegraphic messages received at or transmitted by or delivered from any telegraph-station or reaching New Zealand in transit between any other telegraph administrations.

(3) The Controller of Censorship may in his discretion cause any telegraphic message to be persued and detained or delayed.

(4) A telegraphic censor may persue and detain or delay any telegraphic message.

(5) If and so long as any appointment of a telegraphic censor is in force with respect to any telegraph-station it shall not be lawful to transmit from that station any telegraphic message untiland unless the transmission thereof has been approved by a telegraphic censor at that station.

(6) If and so long as any appointment of a telegraphic censor is in force with respect to any telegraph-station it shall not be lawful for any person employed at that station to deliver or disclose to any other person any telegraphic

message received at that station until and unless such delivery or disclosure has been approved by a telegraphic censor at that station.

(7) In time of war or at any time when war is reasonably to be apprehended a telegraph message addressed to any place beyond New Zealand shall be accepted for transmission only at the sender's risk and subject to the following conditions:—

(a) That it is written wholly in plain language either English or French:

(b) That it does not contain, either in the address, text, or signature, any code address or code word of any kind:

(c) That it bears the sender's name at the end of the text. (Any message not complying with this requirement shall be stopped in transmission until such name has been notified by the sender by means of a paid telegram):

(d) That without notice to the sender it may be stopped, delayed, or otherwise dealt with in all respects at the discretion of the Controller of Censorship:

(e) That no claim in respect of the message, whether for the reimbursement of the sum paid for transmission or otherwise, shall be recognized in the circumstances whatsoever.

REGULATION 8.—SECRET-CODE TELEGRAMS.

(1) For the purposes of this regulation "secret-code telegram" means a telegraphic message having an apparent meaning on the face thereof but having a different meaning for the intended recipient or for any other person.

(2) Every person who transmits, or causes to be transmitted, or presents or causes to be presented to any officer of the Post and Telegraph Department for transmission from New Zealand a secret-code telegram shall be guilty of an offence against these regulations.

(3) Every person who in New Zealand is knowingly concerned in the transmission by any other person into New Zealand of a secret-code telegram shall be guilty of an offence against these regulations.

REGULATION 9.—COMMUNICATIONS WITH PERSONS IN ENEMY TERRITORY.

(1) No person shall communicate or attempt to communicate, whether by post, or telegraph, or any other manner whatever, and whether directly, or indirectly through any other person, firm, or company in New Zealand or elsewhere, with any person, firm, or company having or carrying on business in the territory of any State at war with His Majesty or in occupation of any State at war with His Majesty.

(2) No person shall in any manner act as an intermediary in any such com-

munication or attempted communication or be in any manner knowingly concerned therein.

(3) Nothing in this regulation shall apply to enemy territory in the military occupation of His Majesty's forces.

(4) The Board may if it appears desirable in any particular case, grant an exemption from the provisions of this regulation. Any such exemption may be subject to such conditions as the Board thinks fit to impose and may at any time be withdrawn.

REGULATION 10.—COMMUNICATIONS INJURIOUS TO PUBLIC SAFETY.

(1) If the Controller of Censorship has at any time reasonable grounds to suppose that any person, firm, or company in New Zealand or elsewhere is engaged in any business undertaking, correspondence, or communications of a nature injurious to the public safety or the effective conduct of the operations of the armed forces of His Majesty, the Controller of Censorship may, by notice under his hand in the *Gazette*, order that no postal packet or telegram addressed to or intended for that person, firm, or company shall be forwarded or delivered by the Post Office or transmitted by telegram.

(2) Until such order is in like manner revoked no such postal packet or telegram shall be forwarded, delivered, or transmitted, nor shall any money-order be issued in favour of or paid to, such person, firm, or company.

(3) While any such order remains in force all postal packets and telegraphic messages received at any post-office or telegraph-office for transmission to such person, firm, or company shall be submitted to censorship as hereinbefore provided.

(4) While any such order remains in force no persons shall communicate, whether by post, or telegraph, or any other manner whatever, and whether directly or indirectly, through any other person, firm, or company in New Zealand or elsewhere, with the person, firm, or company to whom or to which the order relates, and no person shall in any manner act as an intermediary in any such communication or attempted communication or be in any manner knowingly concerned therein.

(5) While any such order remains in force no person shall remit or attempt to remit from New Zealand, whether directly or indirectly, any money to or for the benefit of or on behalf of the person, firm, or company to whom or to which the order relates or be in any manner knowingly concerned in any such remittance or attempted remittance.

(6) While any such order remains in force no person shall make or offer to make any contract with a person, firm, or company to whom or to which the order relates, or be in any manner knowingly concerned in the making or the offering of any such contract.

REGULATION 11.—COMMUNICATIONS OTHERWISE THAN BY POST.

(1) No Person shall otherwise than through the Post Office send or cause to be sent any letter or other written communication of such a nature that in the ordinary course of correspondence or business it would be transmitted through the Post Office.

(2) Any letter or other communication carried by a person embarking or landing at a New Zealand port or aerodrome or elsewhere may be seized and opened, detained, or delayed by any officer of Customs or police officer, and every such letter or other communication so seized, unless returned forthwith to the person carrying the same, shall forthwith be delivered to a censor of postal packets referred to in these regulations.

(3) If any police officer or officer of Customs has reasonable cause to suspect that any person is unlawfully carrying on or about his person or amongst his personal baggage any letter or other written communication of such a nature that in the ordinary course of correspondence or business would be transmitted through the Post Office, he may detain the person so suspected for the purpose of being searched, and may without warrant forthwith search that person.

(4) A woman or girl may be detained as aforesaid, but shall not be searched except by a female searcher appointed for the purpose by either a police officer or officer of Customs.

(5) Any police officer or officer of Customs or any person authorized by him in that behalf who on reasonable and probable grounds believes that any person has sent or is about to send, or has caused to be sent or is about to cause to be sent, otherwise than through the Post Office any letter or other written communication of such a nature that in the ordinary course of correspondence or business it would be transmitted through the Post Office may forthwith arrest such person without warrant, whether such person is guilty or not.

(6) Any person so arrested shall be taken before a Justice to be dealt with according to law, or may be delivered to any police officer to be so taken and dealt with.

(7) In any proceedings for a breach of clause (1) of this regulation the onus of proving that he has complied with this regulation shall be on the person charged with such offence.

(8) No person shall do any act or attempt to do any act with intent to evade, obstruct, or interfere with the effective censorship, whether in New Zealand or elsewhere, and whether in pursuance of these regulations or of the laws of any other country, of telegrams, letters, or other postal packets.

PART III.—PUBLICITY.

REGULATION 12.—DIRECTOR OF PUBLICITY.

(1) The Governor-General may from time to time appoint a Director of Pub-

licity, who, under the control of the Board, shall be charged with the administration of this part of these regulations.

(2) The Director of Publicity may resign office by notice in writing to the Board through the Chairman of the Board and may at any time be removed by the Board by notice in writing or by public notice.

(3) The Director of Publicity shall receive such salary as may from time to time be appropriated by Parliament for that purpose.

(4) The Director of Publicity may from time to time authorize any officer of the Public Service or any other person to act on his behalf for the purposes of this part of these regulations, and any such appointment may at any time be revoked.

REGULATION 13.—PREJUDICIAL INFORMATION.

(1) Subject as hereafter provided, no person shall in any manner likely to prejudice the public safety or the efficient prosecution of any naval, military, or air force operations of His Majesty's Forces obtain, attempt to obtain, place by writing or otherwise on record, communicate to any person, publish, or have in his possession any document or record whatsoever of or containing any information being or purporting to be information with respect to any of the following matters, that is to say:—

(a) The number, description, armament, equipment, disposition, movements, or condition of any of His Majesty's forces, vessels, or aircraft:

(b) Any operation or projected operation of any of His Majesty's forces, vessels, or aircraft:

(c) Any measures for the defence or fortification of any place on behalf of His Majesty:

(d) The number, description, armament, equipment, dispositions, movements or condition of any British vessel of the Mercantile Marine or of a vessel of the Mercantile Marine belonging to any State or a subject of any State other than a State with which His Majesty is at war:

(e) Any cargo laden or about to be laden in any ship or commercial aircraft which is about to leave New Zealand or which is in the course of a voyage from New Zealand, or any statement as to the use or intended use in the service of His Majesty of any ship which is about to leave New Zealand or which is in the course of a voyage from New Zealand:

(f) Any other matter whatsoever, information as to which would or might be directly or indirectly useful to any State with which His Majesty is at war.

(2) No person shall publish any information of the kind referred to in this regulation unless such information:—

(a) Has previously appeared in a newspaper already received in New Zealand by mail and originally published in a part of His Majesty's Dominions where censorship restrictions accepted by the Director of Publicity as sufficient were in force at the date of such original publication; or

(b) Has been approved for publication by the Director of Publicity.

REGULATION 14.— SUBVERSIVE REPORTS.

(1) In this regulation—

"Graphic representation" includes a photograph, photographic plate, photographic film, or other sensitized article which has been exposed in a camera, whether developed or not:

"Report" includes any oral or written statement and any graphic representation however produced:

"Subversive report" includes—

(i) A false report:

(ii) A Report intended or likely to cause disaffection to His Majesty:

(iii) A report containing words expressive of a seditious intention within the meaning of section 118 of the Crimes Act, 1908:

(iv) A report intended or likely to interfere with the success of His Majesty's forces by land, sea, or air:

(v) A report intended or likely to prejudice the recruiting or training of His Majesty's forces or the discipline or administration of His Majesty's forces:

(vi) A report intended or likely to interfere with the national effort by disruption of the morale of the civil population or armed forces:

(vii) A report intended or likely to prejudice the relations between His Majesty's subjects and any friendly foreign State or the subjects of that State:

(viii) A report intended or likely to undermine public confidence in banking or the currency, or intended or likely to prejudice the success of any financial measures taken or to be taken by the Government for the purpose of the more effective prosecution of any war in which for the time being His Majesty may be engaged.

(2) No person shall publish or attempt to publish, or communicate or attempt to communicate, to any person, orally or otherwise, any subversive report.

(3) No person shall do any act or have in his possession any article with a view to making or facilitating the publication or communication of any subversive report.

(4) No prosecution for an offence against this regulation shall be instituted except with the written consent of the Attorney-General.

(5) Judicial notice shall be taken of the signature to any consent given under the last preceding clause hereof.

REGULATION 15.—PERIODICAL PUBLICATIONS.

(1) If the Director of Publicity is of opinion that the publication or unrestricted publication of any information in the form of letterpress or graphic representation would be prejudicial to the public safety, he may give or cause to be given to the proprietor, editor, printer, or publisher of any periodical notice in writing prohibiting the publication of the information described in such notice.

(2) No person to whom is given or deemed to be given a notice to the effect set out in the last preceding clause hereof shall print, publish, or prepare for printing or publication, or attempt to print, publish, or prepare for printing or publication, and other person shall knowingly print, publish, or prepare for printing or publication, or knowingly attempt to print, publish, or prepare for printing or publication, any letterpress or graphic representation in breach of a notice given as aforesaid.

(3) If the Director of Publicity is of opinion that the publication or unrestricted publication of information in the form of letterpress or graphic representation relating to any specified topic would be prejudicial to the public safety, he may give or cause to be given to the proprietor, editor, printer, or publisher of any periodical notice in writing prohibiting the publication of information relating to the topic specified in the notice without the prior written consent of the Director of Publicity or some person acting on his behalf.

(4) No person to whom is given or deemed to be given a notice to the effect set out in the last preceding clause hereof shall print, publish, or prepare for printing or publication, or attempt to print, publish, or prepare for printing or publication, and no other person shall knowingly print, publish, or prepare for printing or publication, any letterpress or graphic representation relating to a topic specified in a notice given as aforesaid without the prior written consent of the Director of Publicity or some person acting on his behalf.

(5) A notice given under this regulation to the proprietor, editor, printer, or publisher of a periodical shall be deemed to be given to all of them.

(6) Any notice under this regulation shall be sufficient if addressed to the proprietor, editor, printer, or publisher of a periodical by description of his position and the name or a commonly accepted name of the periodical of which he is proprietor, editor, printer, or publisher without the addition of his personal name.

(7) Any notice under this regulation shall be sufficiently given if left at the premises where the periodical is usually printed or published with some person appearing for the time being to have the management thereof.

(8) For the purposes of this regulation a periodical shall be deemed to preserve the same identity through the succeeding issues thereof so long as it continues to have the same proprietor or the same editor or the same printer or the same publisher, notwithstanding changes in any of the other persons concerned in these capacities and notwithstanding any change in title, price, format, name, intervals of publication, or place of publication, and accordingly any notice given under this regulation shall continue to have effect notwithstanding any such change as aforesaid.

(9) Any notice given under this regulation may from time to time by like notice be revoked or modified.

(10) If any periodical the publisher of which is convicted of a breach of this regulation is a newspaper within the meaning of section 2 of the Printers and Newspapers Registration Act, 1908, it shall be lawful for the Court by which he is convicted, in addition to any other penalty it may think fit to impose, to order that during such period as may be specified in the order such person shall not publish or be concerned in publishing in New Zealand any newspaper within the meaning of section 2 of the aforesaid Act.

(11) No person in respect of whom such order as aforesaid is made shall during the period therein specified publish or be concerned in publishing in New Zealand any newspaper within the meaning of section 2 of the aforesaid Act.

(12) For the purposes of this regulation any document printed or published for sale or distribution along with any copies of a periodical or of any issue thereof shall be deemed to be a part of such periodical.

REGULATION 16.—PUBLICATIONS GENERALLY.

(1) No person shall otherwise than in a periodical publication the issues of which appear at intervals not regularly exceeding thirty-two days publish or prepare for publication, or attempt to publish or to prepare for publication, or import or attempt to import, any letterpress or graphic representation relating or referring to any war in which His Majesty is for the time being engaged unless such letterpress or graphic representation has been submitted to the Director of Publicity and approved by him in writing for publication or importation, as the case may be.

(2) Nevertheless the last preceding clause hereof shall not be deemed to prevent the publication or importation of writings that relate generally to the topic of any such war as aforesaid, but do not in detail describe or purport to describe any actual events thereof.

(3) No person shall have in his possession any set type, stereotypes, engraved stones, process or other blocks, plates, or other matter capable of being printed from directly or indirectly if the publication of letterpress or graphic representations from such matter would be an offence against this regulation.

(4) The printing of a proof for revision of submission to the Director of Pub-

licity, and for no other purpose, or the importation of a single document for submission to the Director of Publicity and for no other purpose, shall not be deemed to be an offence against these regulations.

(5) No person shall print or publish in any periodical publication or in any other printed document:—

(a) Any matter or statement which in any manner indicates or may be reasonably supposed to indicate the existence in that document of any omission, alteration, or addition due to the exercise of the powers of censorship conferred by these regulations; or

(b) Any statement or indication that any matter or kind of matter has been required to be submitted to censorship under these regulations or that a censor has refused his authority for the printing or publication of any matter or kind of matter.

REGULATION 17.—PRINTING-PRESSES.

(1) For the purposes of this regulation the term "printing-press" includes every machine or device used or capable of being used for the purpose of multiplying copies of any writing or graphic representation.

(2) If the Director of Publicity thinks it desirable in the interests of public safety so to do, he may give or cause to be given to the proprietor or manager of any printing-press notice in writing—

(a) That no matter is to be printed on that printing-press until such matter has been submitted to censorship and the publication thereof has been authorized by the Director of Publicity:

(b) That any matter or kind of matter specified in the notice is not to be printed on that printing-press until the matter so to be printed has been submitted to censorship and the publication has been authorized by the Director of Publicity.

(3) No person to whom is given or deemed to be given a notice to the effect set out in the last preceding clause hereof shall print or prepare for printing or attempt to print or prepare for printing, and no other person shall knowingly print or prepare for printing or knowingly attempt to print or prepare for printing, any matter or kind of matter in contravention of the terms of such notice.

(4) A notice given under this regulation to the proprietor or manager of a printing-press shall be deemed to be given to each of them.

(5) Any notice under this regulation shall be sufficient in addressed to the proprietor or manager of a printing-press by description of his position and description of the premises at which the printing-press is situate without the addition of his personal name.

(6) Any notice under this regulation shall be sufficiently given if left at the premises where the printing-press is situate with some person appearing for the

time being to have the management thereof.

(7) For the purposes of this regulation a printing-press shall be deemed to preserve the same identity notwithstanding any change in name, ownership, managership, or plant, or removal to other premises, and accordingly any notice given under this regulation shall continue to have effect notwithstanding any such change or removal as aforesaid.

(8) Any notice given under this regulation may from time to time by like notice be revoked or modified.

REGULATION 18.—LEGAL PROCEEDINGS AND OFFENCES.

(1) In any proceedings for a breach of this part of these regulations the onus of proving that he has complied with these regulations shall lie on the person charged with such offence.

(2) Every person who fails to comply with any of the foregoing requirements or who commits or attempts to commit any act in breach of this part of these regulations commits an offence against these regulations.

(3) In addition to any other penalty imposed upon a conviction for a breach of Regulation 16 hereof, the Court may order that any documents for the publication or preparation for publication or importation of which any person has been convicted shall be forefeited to and become the property of His Majesty.

DEFENCE EMERGENCY REGULATIONS.

1st September, 1939.

1. (1) These regulations may be cited as the Defence Emergency Regulations 1939.

(2) In these regulations, unless the context otherwise requires, expressions defined in the Defence Act, 1909, shall have the meanings so defined.

2. (1) The National Military Reserve is hereby recognized as the National Reserve for the purposes of section three of the Defence Amendment Act, 1915.

(2) The National Military Reserve shall be deemed to be part defence forces within the meaning of the Defence Act, 1909, and these regulations.

(3) All regulations made under the Defence Act, 1909, shall, so far as they are applicable, and with the necessary modifications, apply with respect to the National Military Reserve as if it were part of the Territorial Force.

3. (1) The Governor-General may, by Proclamation, call out the Defence Forces, or any part thereof, for military service for purposes of defence in New Zealand.

(2) The Defence Forces, or any part thereof, shall be liable to be employed on military service accordingly from the time of the publication of the Proclamation so calling out those Forces, or that part thereof, until the publication of a Proclamation notifying that the military service of those Forces, or of that part thereof is no longer required.

4. It shall be lawful for the Governor-General at any time to accept the offer of any members of the Defence Forces to be called out for military service for purposes of defence at such places in New Zealand as may be specified in their agreement, whether or not a Proclamation is issued calling out the Defence Forces or any part thereof, and upon any such offer being accepted they shall be liable whenever required during the period to which the offer extends to be called out and employed on military service accordingly.

5. When the Defence Forces or any part thereof or any members thereof have been called out for military service in New Zealand in accordance with the provisions of these regulations, every member of those Forces or of that part thereof or every member so-called out shall at all times, while he remains under the obligation of military service, be subject to military law as established by the Army Act, except so far as that Act is inconsistent with the Defence Act, 1909, or with any regulations made thereunder, or with these regulations.

6. (1) The Minister of Defence or any person authorized by him in that behalf may, notwithstanding anything to the contrary in any Act, do any act on or in connection with any land that he considers necessary or expedient for defence purposes, and in particular, without limiting the general power hereby conferred, may do all or any of the following things:—

(a) Enter on, pass over, and encamp on the land:

(b) Construct military works and other works on the land:

(c) Pull down or erect or alter any building, fence, barricade, obstruction, or erection on the land:

(d) Divert or stop any watercourse:

(e) Close any road or street on the land either wholly or partly, or prohibit, restrict, or prevent traffic or any class of traffic on any such road or street.

(2) As soon as it is in his opinion practicable the Minister shall, so far as possible, restore the land to its former condition.

(3) Except as hereinafter provided compensation shall be paid out of moneys to be appropriated by Parliament for the purpose to every person having any estate or interest in any land in respect of any loss or injury suffered by that person by reason of the use of the land for defence purposes. The provisions of subsection two to seven of section four of the Military Manoeuvres Act, 1915, shall, with the necessary modifications, apply with respect to claims for compensation under this clause.

(4) No compensation shall be payable under the last preceding clause to any

person in respect of the closing of any road or street or the prohibition, restriction, or prevention of traffic on a road or street if reasonable and sufficient alternative access is available or is provided.

(5) Every person commits an offence against these regulations who—

(a) Wilfully and without lawful authority obstructs or interferes with the exercise of any power under this regulation:

(b) Erects or displays and notice or mark on or relating to any land dealt with under this regulation representing or implying that the use of the land is not available for defence purposes:

(c) Contrary to any notice, direction, or order given for the purposes of this regulation, uses or attempts to use any road or street for purposes of traffic:

(d) Without lawful authority removes or otherwise interferes with any notice, sign, or mark erected or posted for the purposes of this regulation:

(e) In any other way unlawfully interferes with the authorized use of any land under this regulation.

(6) Every person who, without lawful authority, obstructs, or interferes with the exercise of any power under this regulation, or who uses or attempts to use any road or street for purposes of traffic contrary to any notice, direction, or order given for the purposes of this regulation, may be arrested, without any warrant or other authority, by any officer or non-commissioned officer of the Defence Forces or by any constable and taken, as soon as conveniently may be, before a Magistrate, to be dealt with according to law.

(7) Any land dealt with under this regulation shall be deemed to be land reserved for or forming part of defences for the purposes of section 61, Defence Act, 1909.

DEPENDENCY EMERGENCY REGULATIONS.

1st September, 1939.

1. These regulations may be cited as the Dependency Emergency Regulations 1939.

2. These regulations shall come into force in the Cook Islands other than Niue when publicly notified by the Resident Commissioner of Rarotonga in such manner as he thinks proper, in the Island of Niue when publicly notified by the Resident Commissioner of Niue in such manner as he thinks proper, and in the Mandated Territory of Western Samoa on the day of publication hereof in the *Western Samoa Gazette*.

3. Any regulations issued by the Governor-General in Council in accordance

with the provisions of the Public Safety Conservation Act, 1932, shall apply to the Cook Islands and to Western Samoa, subject to the modifications hereinafter contained.

4. Any references, express or implicit, in such regulations shall in the Cook Islands other than Niue be deemed to be references to the Cook Island, in the Island of Niue to be references to the Island of Niue, and in Western Samoa to be references to Western Samoa.

5. Any reference in any such regulations to the Governor-General or to a Minister of the Crown shall be deemed to be a reference in the Cook Islands other than Niue to the Resident Commissioner of Rarotonga, in the Island of Niue to the Resident Commissioner of Niue, and in Western Samoa to the Administrator of Western Samoa.

6. Any refence in any such regulations to a particular Department or officer of the Government shall be deemed to be a refence to an appropriate Department or officer of the local Administration, or, if there is no such appropriate Department or officer in the Cook Islands other than Niue to the Resident Commissioner of Rarotonga, in the Island of Niue to the Resident Commissioner of Niue and in Western Samoa to the Administrator of Western Samoa.

7. Any reference in any such regulations to a Court shall be deemed to be a refernce to the High Court of the Cook Islands or the High Court of Western Samoa, as the case may be.

PROCLAMATION OF EMERGENCY.

1st September, 1939.

WHEREAS by section two of the Public Safety Conservation Act, 1932, it is provided that if at any time it appears to the Governor-General that any circumstance exist, or are likely to come into existence, whereby the public safety or public order is or is likely to be imperilled, he may be Proclamation approved in Executive Council declare that a state of emergency exists throughout New Zealand:

And whereas it appears to me that circumstances are likely to come into existence whereby the public safety and public order are likely to be imperilled:

Now, therefore, I, George Vere Arundell, Viscount Galway, Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power conferred on me by the said section two, and with the approval of the Executive Council, do hereby declare that a state of emergency exists throughout New Zealand.

NAVAL MOBILIZATION EMERGENCY REGULATIONS.

1st September, 1939.

REGULATION 1.—PRELIMINARY.

1:1. These regulations may be cited as the Naval Mobilization Emergency Regulations 1939.

1:2. In these regulations, unless inconsistent with the context,—

"Naval Board" means the Naval Board of New Zealand established by the Naval Defence Amendment Act, 1936;

"Director of Naval Reserves" means any officer for the time being appointed by the Naval Board to administer under their direction the Naval Reserves in New Zealand;

"His Majesty's Naval Forces" includes the New Zealand Naval Forces and any Naval Force raised by the Government of any territory forming part of His Majesty's Dominions;

"Naval Discipline Act" includes the Imperial Act called the Naval Discipline Act, 1866, and the amendments thereof;

"Naval Reserves" includes all persons of any of the following classes, namely,—

(a) Retired officers of the Royal Navy;

(b) Officers whose names are on the Emergency List of the Royal Navy;

(c) Officers of the Royal Naval Reserve (Active or Retired) of the Royal Navy;

(d) Officers of the Royal Naval Volunteer Reserve (Active or Retired) of the Royal Navy;

(e) Retired officers of the New Zealand Naval Forces;

(f) Officers of the Royal Naval Reserve and Royal Naval Volunteer Reserve (Acting or Retired) of the New Zealand Naval Forces;

(g) Pensioners of the Royal Navy;

(h) Royal Fleet Reservists, Classes A and B, of the Royal Navy;

(j) Men of the Royal Naval Reserve and Royal Naval Volunteer Reserve of the Royal Navy;

(k) Men of Classes A (Active and Inactive), B, C, and D of the New Zealand Naval Reserves;

(l) All other officers and men liable for service in any of His Majesty's Naval Forces by reason of membership active or retired in any such forces or in any reserve organization conected therewith.

1:3. So far as these regulations apply to persons who are subject to the Acts of the Parliament at Westminster referred to in the Schedule hereto or are subject to the Naval Discipline Act otherwise than by reason of the application of that Act to New Zealand as part of the law of New Zealand by section 18 of the Naval Defence Act, 1913, these regulations shall be deemed to be supplementary to the said Acts and to all Proclamations, Orders in Council, directions, and orders heretofore or hereafter made or given thereunder.

1:4. So far as these regulations apply to persons who are or at any time have been subject to the Naval Defence Act, 1913, these regulations shall take effect, notwithstanding anything contained in the Naval Defence Act, 1913, or in any regulations made thereunder and now in force.

1:5. So far as these regulations apply to persons who are members of the New Zealand Royal Naval Reserve (Men) constituted by regulations made under the Naval Defence Act, 1913, on the 10th day of July, 1922, these regulations shall be deemed to have the same effect as if a Proclamation had been issued under Article 60 of the said regulations made on the 10th day of July, 1922, calling into active service Royal Naval Reserve men of all classes.

REGULATION 2.—NAVAL RESERVE OFFICERS.

2:1. All persons who are Retired Officers of the New Zealand Naval Forces including the Royal Naval Reserve (New Zealand Division) and the Royal Navy Volunteer Reserve (New Zealand Division) shall be liable to be called into active employment in case of war or of emergency.

2:2. It shall be the duty of every retired officer of the New Zealand Naval Forces to hold himself at the disposal of the Naval Board and to obey a personal summons sent to him under these regulations.

2:3. The refernce in Regulation 4:6 hereof to being of the age of sixty years or upwards shall have no application to a retired officer of the New Zealand Naval Forces. Nevertheless, the Naval Board will, so far as the public interest admits, make the first selection of retired officers for employment from those who are under the age of sixty years at the time of coming into force of these regulations.

REGULATION 3.—DUTY TO REPORT.

3:1. All men of the Naval Reserves as herein defined, except members of Class D of the Royal Naval Reserve (New Zealand Division), shall, within seven days of the coming into force of these regulations, report in writing their full names and complete postal addresses to the Director of Naval Reserves at the Navy Office, Wellington.

3:2. Except as provided by the last preceding regulation, no obligation to report is imposed by these regulations on any member of the Navy Reserves as herein defined until a personal summons has been sent to him as herein provided,

and no such member shall proceed to any naval ship, establishment, or place unless and until so directed by a personal summons sent under these regulations.

REGULATION 4.— PERSONAL SUMMONS.

4:1. The Director of Naval Reserves or any officer whom the Naval Board may appoint to act in his stead and who purports to act on behalf of the Naval Board issue to any member of the Naval Reserves as herein defined a notice in writing instructing him to proceed to any ship, establishment, or place for service in the Naval Forces.

4:2. So far as concerns members of the Naval Reserves of the Royal Navy from time to time for the time being resident or present in New Zealand, any personal summons shall be deemed to have been given by the Naval Board on behalf and by direction of the Lords Commissioners of the Admiralty in Great Britain and in conformity with instructions of the said Lords Commissioners communicated to the Naval Board.

4:3. A personal summons shall be sufficient if sent by ordinary post letter addressed to the member of the Naval Reserves at his usual or last known place of abode or business, and shall be deemed to be given at the time when it would be delivered at its address in the ordinary course of post.

4:4. Every personal summons shall direct the person named therein to proceed to the ship, establishment, or place therein appointed so as to reach it by the time or on the date mentioned in the summons (according to the terms thereof), and there to report to the officer indicated in the summons.

4:5. A time for reporting to be mentioned in a personal summons shall be not less than forty-eight hours after the time of receipt of the summons, and a date for reporting to be mentioned in a summons shall be not earlier than the second day after the day of service of the summons.

4:6. Every person who fails to report within the time or on the date mentioned in the personal summons at the appointed ship, establishment, or place to the officer indicated in the summons shall be guilty of an offence against these regulations:

Provided that this regulation is without prejudice to his liability to be proceeded against under any other provision of law.

4:7. Nevertheless, it shall be a defence to any person proceeded against under the provision of the last preceding regulation if such person proves:—

(a) That he did not receive the personal summons and took no steps to ebade receiving it, whether by concealing or failing to notify his usual place of abode or business, or by absenting himself from his usual place of abode or business, or otherwise; or

(b) That by reason of long distance from the appointed ship, establishment, or place he was unable to reach it within the prescribed time, but that by

telegraphic message to the officer indicated in the summons he explained his situation and obeyed to the best of his ability and instructions sent in reply to his message; or

(c) That he was of the age of sixty years or upwards or was through sickness or infirmity unable to obey the personal summons.

4:8. Every person to whom a personal summons is given shall from the time when it is deemed to be given be a person subject to the Naval Discipline Act within the meaning of section 87 of that Act.

REGULATION 5.—DESERTERS AND HARBOURERS.

5:1. All persons whom deserted from His Majesty's Naval Forces before the coming into force of these regulations shall be deemed to be Naval Reserves for the purposes of these regulations.

5:2. Any person who deserted from His Majesty's Naval Forces before the coming into force of these regulations and who within forty-eight hours of the coming into force of these regulations reports in writing his full name, rank, and complete postal address to the Director of Naval Reserves at the Navy Office, Wellington, shall not be proceeded against on account of any act of desertion committed before the coming into force of these regulations.

5:3. Any person who harbours or conceals or assists a person whom he knows or has reasonable grounds to believe to be summoned to report and to have failed to report as required by these regulations commits an offence against these regulations:

Provided that this regulation is without prejudice to his liability to be proceeded against under any other provision of law.

SCHEDULE.

THE Acts to be cited as the Royal Naval Reserve Acts, 1859 to 1927, namely:—

The Royal Naval Reserve (Volunteer) Act, 1859 (Imperial).
The Royal Naval Reserve (Volunteer) Act, 1896 (Imperial).
The Naval Reserve (Mobilization) Act, 1900 (Imperial).
The Naval Reserve Act, 1900 (Imperial).
The Royal Naval Reserve Act, 1902 (Imperial).
The Naval Forces Act, 1903 (Imperial).
The Royal Naval Reserve Act, 1927 (Imperial).

The Acts to be cited as the Naval Reserve (Officer) Acts, 1863 and 1926, namely:—

The Officers of Royal Naval Reserve Act, 1863 (Imperial).
The Naval Reserve (Officers) Act, 1926 (Imperial).

NAVAL MOBILIZATION EMERGENCY REGULATIONS (AMENDMENT No. 1).

1st September, 1939.

1. These regulations may be cited as the Naval Mobilization Emergency Regulations 1939, Amendment No. 1.

2. Where persons of any of the following classes are called up for service with the New Zealand Naval Forces:—

(a) Retired officers of the Royal Navy;

(b) Officers whose names are on the Emergency List of the Royal Navy;

(c) Officers of the Royal Naval Reserve (Active or Retired) of the Royal Navy;

(d) Officers of the Royal Naval Volunteer Reserve (Active or Retired) of the Royal Navy;

these officers shall be called up and be appointed in and receive the pay and allowances of the last rank held on the Active List, and shall when so appointed and serving use the title and wear the uniform of the said rank.

3. Nevertheless, where promotion from Lieutenant to Lieutenant-Commander in the Executive and Engineer Branches has on or after retirement been granted automatically by virtue of and in strict seniority, then the rank last held on the Active List shall for the purposes of the last preceding clause hereof be deemed to be the rank of Lieutenant Commander

PROCLAMATION.

1st September, 1939.

IN pursuance and exercise of the powers conferred by section six of the Air Force Act, 1937, I, George Vere Arundell, Viscount Galway, Governor-General of the Dominion of New Zealand, having communicated to Parliament the occasion for this Proclamation, do hereby transfer to the Regular Air Force all officers and airmen of the Air Force Reserve, and do hereby declare that this Proclamation shall take effect on the first day of September, one thousand nine hundred and thirty-nine.

PROCLAMATION.

1st September, 1939.

WHEREAS an occasion of imminent national danger now exists within the meaning of section seven of the Air Force Act, 1937:
And whereas a Proclamation under section six of the said Act has been issued:
Now, therefore, in pursuance and exercise of the powers conferred upon me

by the said section seven, I, George Vere Arundell, Viscount Galway, Governor-General of the Dominion of New Zealand, do hereby proclaim and declare that all officers and airmen of the Territorial Air Force are liable for continuous service within New Zealand during the continuance of the said occasion of imminent national danger.

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PRICE STABILIZATION EMERGENCY REGULATIONS.

1st September, 1939.

1. These regulations may be cited as the Price Stabilization Emergency Regulations 1939.

2. These regulations shall come into force on the day of notification hereof in the *Cazette*.

3. In these regulations, unless the context otherwise requires,—

"Minister" means the Minister of Industries and Commerce:

"Said fixed day" means the 1st day September, 1939:

"Price," in relation to any goods or services, includes every valuable consideration whatsoever, whether direct or indirect:

"Indirect consideration" includes every valuable consideration whatsoever which in effect relates to the sale of any goods although ostensibly relating to any other matter or thing:

"Sale" includes barter and every other disposition of goods for valuable consideration:

"Standard price," in respect of any locality, means the current price at which on the said fixed day goods of a given nature and quality were saleable in that locality in given quantities and on given terms as to payment, delivery, and otherwise:

"Standard rate," in respect of any locality, means the current rate or fee at or for which on the said fixed day services of any particular kind were currently performed.

4. The provisions of these regulations shall, with the necessary modifications, apply with respect to rates or fees charged for the performance of services (otherwise than pursuant to a contract of service between master and servant) in the same manner as they apply in respect of the prices charged for goods.

5. No person who on the said fixed day was engaged in the business of selling any goods shall sell goods of the same nature and quality in the same quantity and on the same terms as to payment, delivery, or otherwise at a price which is higher than the lowest price at which he sold or was willing to such goods on

the said fixed day.

6. No person who on the said fixed day was engaged in the business or profession of performing any services shall perform similar services at a rate or for a fee which is higher than the rate or fee at or for which he performed or was willing to perform such services on the said fixed day.

7. No person who commences in any locality to be engaged in the business of selling any goods after the said fixed day shall sell such goods in that locality at a price exceeding the standard price thereof on the said fixed day.

8. No person who commences in any locality to be engaged in the business or profession of performing any services shall perform similar services in that locality at a rate or for a fee exceeding the standard rate thereof on the said fixed day.

9. No person shall purchase any goods for purposes of hoarding whether in contemplation of ultimate resale or disposal or ultimate personal consumption or otherwise howsoever, and no person shall sell any goods to any other person whether for resale or otherwise if he is of opinion or if circumstances exist under which he would reasonably be of opinion that such other person requires such goods for purposes of hoarding and not for normal use in the course of business or for normal consumption.

10. Expect as may otherwise be provided under the authority of regulations made under the principal Act, no person being in possession of goods for mercantile purposes shall destroy or hoard such goods, or shall refuse to sell such goods or to make them available for sale in any case where he is offered a price not lower than the lowest price at which he sold or was willing to sell goods of the same nature and quality in the same quantity and on the same as to payment, delivery, or otherwise on the said fixed day, or in the case of a person refered to in Regulation 7 hereof where he is offered a price not lower than the standard price:

Provided, however, that in any case where the Minister may, in accordance with the provisions of the next succeeding regulation, authorize the sale of any goods at a price other than the price aforsaid, the price so authorized shall be the price at which sale shall not be refused as provided in this regulation.

11. (1) Notwithstanding anything in these regulations, the Minister may, by notice made and published by him in such manner as he thinks fit, authorize the sale of any goods or performance of any specified locality at a price, rate, or fee exceeding the price, rate, or fee aforesaid by such amount as the Minister thinks fit to specify, or at such price, rate, or fee (exceeding the price, rate, or fee aforesaid) as the Minister thinks fit to specify, and no sale of such goods or performance of services in that locality in accordance with the authority so granted by the Minister shall be deemed to be a breach of Regulations 5 to 8 hereof.

(2) Any such authority may be at any time withdrawn by the Minister by notice made and published by him in such manner as he thinks fit.

12. For the purpose of the effective administration of these regulations, any person appointed in that behalf by the Minister shall have the powers of holding judicial inquiries and ancillary powers conferred on the Minister of Industries and Commerce pursuant to section 13 of the Board of Trade Act, 1919, as amended by the Board of Trade Amendment Act, 1923; and for that purpose the provisions of sections 14 to 25 of the Board of Trade Act, 1919, and all other relevant provisions of that Act shall apply *mutatis mutandis*.

13. (1) Every person shall be guilt of an offence against these regulations who does, or attempts, or conspires to do any act declared by these regulations to be unlawful.

(2) Every person who incites, aids, abets, counsels, procures any other persons, or conspires wth any other person, to commit an offence against these regulations shall be guilty of an offence against these regulations.

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NOTICE TO MARINERS.

No. 480, 2nd September, 1939.

PUBLIC TRAFFIC REGULATIONS.
PORT OF AUCKLAND.
INTRODUCTORY.

1. Until further notice the following regulations are to be observed by all merchant vessels (see definition, paragraph 6) approaching or moving within the Port of Auckland.

2. *Limits* of the Port.—The port is all that area of the tidal waters within a straight line drawn from the northern extreme of the eastern head of Tamaki River to the southern extreme of Park Point, Waiheke Island; thence by high-water mark of ordinary spring tides to the northern extreme of the western entrance point to Owhanaki Bay; thence by a straight line to the southern extreme of Home Bay Point, Tapu (Motutapu) Island; thence by high-water mark of ordinary spring tides to Emu Point, and onwards, following the eastern shore of Islington Bay inwards to its head at its narrowest width, and its western shore outwards to Motukoreho Channel, continuing along the southern and western shore of Rangitoto Island to a position where a straight line projecting 270° passes through Rangitoto Beacon to the mainland.

3. The ordinary regulations of the port are to be adhered to except where varied by these regulations.

4. All former Public Traffic Regulations are hereby cancelled.

5. *Use of Wireless Telegraphy, Wireless Telephony, and Sound Signalling.* The use of any of the above methods of communicating or signalling for any

purpose whatsoever is forbidden in the harbours of New Zealand; the only exceptions to this rule are such sound signals as are authorized to be made by the Regulations for Preventing Collisions at Sea and by local regulations.

(2) For the proper enforcement of the above the wireless telegraph office or offices of such ships will be sealed up while in harbour by the Customs or other officer to whom this responsibility has been assigned. During the stay of the vessel in harbour access to the wireless telegraphy office(s) will only be allowed under the following condition: If the vessel is remaining in harbour for some time so that it is necessary for the wireless staff to have access to the office(s) in order to attend to the batteries, &c., the master of the merchant vessel will be responsible for warning the Customs officers who may arrange for the breaking of the seals. The master will be held responsible that no messages are transmitted while the office(s) is (are) open, and should state for how long access is required in order that the Customs officers may afterward go on board and reseal the office(s).

(3) In vessels fitted with wireless switches" (whereby the master can prevent the operator from sending messages without his knowledge unless the latter tampers with the apparatus) the procedure detailed above may be dispensed with.

(4) Any breach of these regulations renders the master of an offending ship liable to a fine not exceeding £1,000.

6. *Definitions*,—For the purpose of these regulations—

(a) Fog
(b) Thick weather — Is considered to exist when it is impossible owing to meteorological, or other conditions affecting visibility, to communicate between the examination steamer and the examination battery by visual signals.

(c) The term "merchant vessel" includes all vessels other than the examination vessels and ships flying the White Ensign or a foreign naval flag.

(d) The term "small craft" refers to all vessels under 100 net register tons, and includes small steamers, scows, schooners, ketches, trawlers, fishing-boats, yachts, and launches, other than those flying the White Ensign or a foreign naval flag.

(e) The term "examination steamer" includes any vessel employed in the examination service which displays the signals specified in paragraph 25.

(f) The Examination Officer is the officer of the examination service normally in the examination steamer who examines merchant vessels wishing to enter a defended port prior to their entry. As a result of his examination he permits or does not permit a merchant vessel to enter the defended port.

PART I.—ENTRY INTO THE PORT.

11. *Advice to shipowners and Shipping Agents.*—Shipowners and shipping

agents are advised that, in their own interests, and in order to avoid delays to their vessels in their recognition by and passage through the examination service, they should when circumstances permit—

(a) As a general rule arrange for their vessels to arrive at the port during daylight.

(b) Give notice of the expected arrival of their vessels at the port to the Chief Examining Officer, the Harbourmaster, Auckland, stating the following particulars:—

(1) Name of vessel(s).

(2) Date and time due at the port.

(3) Appearance and distinguishing features such as funnel markings, &c.

(4) Nature of cargo.

(5) Ports of loading and ports of discharge of cargo.

(6) Number of passengers, if any.

(c) See that their vessels are provided with a complete set of international code flags, also with two white and two red lanterns (ready and available for use) in addition to the regulation navigation lights.

12. *Instructions for Merchant Vessels wishing to enter the port.*—(For special regulations for small craft wishing to enter the port see paragraph 31.)

Subject to the pilotage regulations contained in paragraphs 66-68, merchant vessels arriving from seaward may proceed to the examination anchorage and there anchor at any time.

(2) Normally, merchant vessels are permitted to enter the port by day and by night after having passed through the examination service.

(3) For fog and thick-weather restrictions on entry into the port, sea paragraph 23.

(4) For other restrictions on entry into the port, see paragraph 26.

13. Merchant vessels approaching the port are especially cautioned against making use of private signals of any description either by day or night; the use of such signals will render merchant vessels liable to be fired on.

14. All merchant vessels must pass through the examination service before they will be permitted to enter the port.

15. All merchant vessels approaching a New Zealand port at which the examination service is in force must hoist their signal letters on arriving within visual-signalling distance of the port and are not to wait for the signal "What ship is that?" to be made by the examination vessel or signal-station.

16. Merchant vessels (other than small craft—for definition of which see paragraph 6—and for instructions for which see paragraph 31) wishing to enter the port are to proceed to the examination anchorage and there anchor unless

before anchoring they are given permission and the necessary instructions to proceed into the port by the Examining Officer.

17. All orders and instructions necessary to enable a merchant vessel to enter the port will be given by the Examining Officer whose orders and instructions are to be implicitly obeyed. Disobedience will render a merchant vessel liable to be fired on.

18. As a general rule merchant vessels will be examined by the Examining Officer in the order of their arrival in the examination anchorage.

19. Any merchant vessels attempting to leave the examination anchorage without permission of the Examining Officer will be fired on.

20. Should bad weather or any other cause prevent a merchant vessel anchoring in the examination anchorage she will be ordered by the Examining Officer to remain under way in the examination anchorage or to proceed to sea, and will not be permitted to enter the port unless she can be identified while under way by the Examining Officer.

21. Port dues will not be collected from merchant vessels which close the examination vessel solely for the purpose of obtaining information.

22. *Prohibited Entrances.*—Motukoreho Channel and the passage south of Motukoreho Island will be closed to all traffic.

23. *Fog or Thick-weather Restrictions.*—Vessels should anchor during fog or thick weather.

24. *Examination Anchorage, Position and Limits.*—The examination anchorage is situated in Rangitoto Channel, as shown on Admiralty Charts 1896, Approaches to Auckland, and 1970, Auckland Harbour.

25. *Examination Steamers.*—The examination steamers will be found in the examination anchorage or in the vicinity thereof, and will be known by the following distinguishing marks:—

(a) By Day: They will fly a special flag—white and red horizontal surrounded by a blue border—at the fore mast-head and the Blue Ensign.

Should the port be closed (see paragraph 26) they will hoist in addition to the above three red balls vertical 6 ft. apart in a position where they are clearly visible all round the horizon.

(b) By Night: They will carry in addition to the ordinary navigation lights three lights vertical 6 ft. apart in a position where they are clearly visible all round the horizon. These three lights will be white when the port is open, red when the port is closed (see paragraph 26).

26. *"Port closed": Meaning of the Term.*—The term "Port closed" means that vessels are not permitted to proceed inward further than the examination anchorage.

(2) The port will be closed as stated in paragraph 23. In addition, the port may be closed at any other time by order of the Captain-in-Charge.

27. *Signal to indicate "Port closed" and where hoisted.*—The signal to indicate that the port is closed is—

(a) By day—

(1) Three red balls hoisted vertically 6 ft. apart in a position in the examination steamer (see paragraph 25) where they are clearly visible all round the horizon.

(2) A similar signal hoisted at Takapuna Head.

(b) By night—

(1) Three red lights hoisted vertically 6 ft. apart in a position in the examination steamer where they are clearly visible all round the horizon in lieu of the three white lights hoisted when the port is open (see paragraph 25).

(2) A similar signal hoisted at Takapuna Head.

28. *Instructions to Merchant Vessels when the Port is closed.*—When the signals specified in paragraph 27 are displayed the port is closed, and all merchant vessels must either remain in the examination anchorage or proceed to sea. No merchant vessel is permitted to proceed to sea from the examination anchorage without permission from the Examining Office (see paragraph 19).

29. *Regulations to be observed when in the Examination Anchorage.*—Except to save life or to avoid accident, or with previous permission from the Examining Officer, masters of merchant vessels are forbidden to—

(1) Move the vessel.

(2) Communicate in any way with the shore or with other vessels.

(3) Lower any boats.

(4) Work any cables.

(5) Allow any person to leave the vessel, or any part of the vessel, cargo, stores, &c., to be removed.

(2) Should it be necessary in order to save life or to avoid accident to do any of these things without previous permission of the Examining Officer, this officer is to be communicated with at once.

30. *To get into Communication with the Examining officer when in the Examination Anchorage :—*

(a) By day—Merchant vessels are to hoist flags D.P.G. international code.

(b) By night—Merchant vessels are to hoist two lights, red over white, 3 ft. apart, at the fore masthead.

31. *Special Regulations for Small Craft wishing to enter the Port.*—All small craft must enter by the Rangitoto Channel are to report to the examination vessel, from whom permission to enter must be obtained.

32. *Prohibitions allecting Small Craft.*—Small craft must not anchor in the fairways of the Rangitoto Channel or of the Inner Harbour.

PART II.—INTERNAL MOVEMENT.

37. *Local Authority controlling Internal Movement.*—The Harbour-master, Auckland Harbour Board, is the local authority controlling internal movement. No movement in the port is to take place without the authority of this officer.

38. *Restrictions on Merchant Vessels entering certain Areas in the Port.*—Vessels with quantities of explosives exceeding ten tons should enter the examination anchorage, whence they will be directed by the pilot to the large explosives anchorage.

(2) Vessels with explosives not exceeding ten tons will proceed to the examination anchorage, and then to the small explosives anchorage off Orakei Wharf.

(3) Vessels from overseas requiring medical examination will enter examination anchorage, and then proceed to gazetted anchorage in Inner Harbour for medical inspection.

39. *Routes to be followed* are as laid down in the New Zealand Pilot.

40. *Speed Limits.*—Vessels are not to exceed a maximum speed of 10 knots.

41. *Anchorages* are as laid down in the New Zealand Pilot and on Admiralty Charts.

42. *Special Regulations for Small Craft.*—Small craft are, as far as practicable, to keep clear of the fairways of the Rangitoto Channel and Inner Harbour.

43. *Lights to be shown or obscured at Night in the Port and in the Examination Anchorage By all Merchant Vessels :—*

(a) When under way—The regulation lights are to be displayed:

(b) When at anchor or secured—Normally, no lights are to be visible from outboard (but see paragraph 44).

44. When a merchant vessel is under way, merchant vessels at anchor or secured are to show anchor lights (see paragraph 46) until such vessel is anchored or secured, or, in the case of a merchant vessel leaving, until such vessel is clear of the port. Vessels at anchor in the examination anchorage are to obscure their lights when the vessel under way is clear of the examination anchorage.

45. *Steaming Lights and Bow Lights.*—Merchant vessels permitted to navigate within the port and in the examination anchorage in the dark hours are not to employ electrically-lit lanterns as steaming or bow lights.

46. *Anchor Lights.*—Electrically-lit lanterns are not to be used. Normal brilliancy of all lanterns used is to be reduced by one-half. All lanterns used are to be fitted with overhead screens arranged so as to cut off the light at an angle of between 20° and 25° above the horizontal.

47. *Other Lights.*—No lights aloft, on deck, or below (except those mentioned in paragraphs 43 to 46 above, and such as are necessary for authorized

signalling purposes) shall be permitted to be visiblt from outboard. This applies to all merchant vessels whether under way, at anchor, or secured.

(2) It is imperative that masters and others in charge of merchant vessels should see that this order, which is for their own protection, is carried out.

48. *Fog and Thick-weather Regulations.*—Vessels other than ferry-steamers and small craft should anchor during fog or thick weather.

49. *Approach to Government Vessels and Establishments.*—No merchant vessels is to approach any Government vessel, ship, lighter, or other Government craft, or any Government dockyard or establishments without a written permit from the Captain-in-Charge to be obtained through the Collector of Customs.

(2) The Examining Officer will inform merchant vessels that vessels flying certain distinguishing signals are Government vessels and are not to be approached.

50. *Merchant Vessels to keep clear of H. M. Ships.*—All merchant vessels are to keep clear of any of H.M. ships being navigated in the port.

51. *Patrol of Internal Waterways and Approaches to the Port.*—The internal waterways of the port and the approaches thereto may be patrolled by Naval patrol craft and/or other Government vessels. Captains, masters, and others in charge of merchant vessels are hereby warned to observe any orders given by the patrols. All merchant vessels are subject to inspection and search by these patrols. Disobedience of orders given by these patrols renders a merchant vessel liable to be fired on.

PART III.—DEPARTURE FROM THE PORT.

56. *Steps necessary on the part of Masters and/or Agents before a vessel may leave the Port.*—Permission to leave must be obtained from the Collector of Customs and masters are to inquire from that officer as to the source from which mine warnings, sailing orders, and clearance papers are issued.

57. *Fog and Thick-weather Restrictions.*—Vessels other than ferry-steamers and small craft should anchor during fog or thick weather.

58. *Signal Prohibit Sailing.*—A blue flag, hoisted at King's Wharf Signal-station and Mount Victoria, indicates that no merchant vessel is to leave the port while that signal is flying.

59. *Routes to be followed* are as laid down in the New Zealand Pilot.

60. *Speed Limits.*—Vessels are not to exceed a maximum speed of 10 knots.

61. *Special Regulations for Small Craft.*—Small craft are as far as practicable to keep clear of the fairways of the Inner Harbour and Rangitoto Channel.

PART IV.—PILOTAGE.

66. *Whether Compulsory: Entering or Leaving.*—Pilotage is compulsory when

entering or leaving for all vessels over 100 tons net register.

67. *If Compulsory, between what Limits.*—Pilotage is compulsory in Auckland Harbour and the Hauraki Gulf inside a line drawn from Whangaparaoa Peninsula to Tiritiri, Matangi, and thence to Motuhurakia Island (The Noises).

68. *Exemptions.*—The following are exempt from pilotage provided that the master has obtained a pilotage-exemption certificate for the Port of Auckland:

(a) Ships actually trading and which have made in the course of trading at least one round trip between New Zealand and any port within the Commonwealth of Australia, or between New Zealand and any of the islands lying between the parallels of thirty degrees north and thirty degrees south latitude and the meridians of one hundred and fifty-five degrees east and one hundred and thirty degrees west longitude.

(b) Ships actually trading between any ports or places in New Zealand, including the Chatham, Autipodes, Bounty, Campbell, and Auckland Islands.

PART V.—AUTHORITIES.

73. *List of Authorities concerned with those Regulations from whom Permission to do certain Acts is to be obtained:*

Nature of Permission Granted by Authority Concerned.	Authority Concerned.	Paragraphs in Regulations.
To enter the port (merchant vessels).	Examining Officer.	16, 17.
To enter the port (small craft)	Examining Officer.	31.
To leave the port.	Collector of Customs.	56.
To move in or leave the examination anchorage.	Examining Officer.	19, 28, 29.
For internal movement.	Harbour Master.	37.
To open wireless offices.	Collector of Customs.	5.
To approach Government vessels or establishments.	Captain-in-Charge through Collector of Customs.	49.
To communicate or lower boats in the examination anchorage.	Examining Officer.	29.

PORT OF WELLINGTON.

INTRODUCTORY.

1. Until further notice the following regulations are to be observed by all merchant vessels (see definition, paragraph 6) approaching or moving within the port of Wellington.

2. *Limits of the Port.*—The port is all that area of the tidal waters of Port Nicholson north of a line drawn from Pencarrow Head to Palmer Head.

3. The ordinary regulations of the port are to be adhered to except where varied by these regulations.

4. All former Public Traffic Regulations are hereby cancelled.

5. *Use of Wireless Telegraphy, Wireless Telephony, and Sound Signalling.* The use of any of the above methods of communicating or signalling for any purpose whtsoever is forbidden in the harbours of New Zealand; the only exceptions to this rule are such sound signals authorized to be made by the Regulations for Preventing Collisions at Sea.

(2) For the proper enforcement of the above, the wireless telegraph office or offices of such ships while in harbour will be sealed by the Customs or other officer to whom this responsibility has been assigned. During the stay of the vessels in harbour access to the wireless telegraph office(s) will only be allowed under the following condition: If the vessel is remaining in harbour for such a period that it is necessary for the wireless staff to have access to the office(s) in order to attend to the batteries, &c., the master of the merchant vessel will be responsible for warning the Customs officers who may arrange for the breaking of the seals. The master will be held responsible that no messages are transmitted while the office(s) is (are) open, and should state for how long access is required in order that the Customs officers may afterward go on board and reseal the office(s).

(3) In vessels fitted with "wireless switches" (whereby the master can prevent the operator from sending messages without his knowledge unless the latter tampers with the apparatus) the procedure detailed above may be dispensed with.

(4) Any breach of these regulations renders the master of an offending ship liable to a fine not exceeding £1,000.

6. Definitions—For the purpose of these regulations:

(a) Fog (b) Thick weather (Is considered to exist when it is impossible owing to meteorological, or other conditions affecting visibility, to communicate between the examination steamer and the examination battery by visual signals.

(c) The term "merchant vessel" includes all vessels other than the examination vessels and ships flying the White Ensign or a foreign naval flag.

(d) The term "small craft" refers to all vessels under 100 net register tons, and includes small steamers, scows, schooners, ketches, trawlers, fishing-boats, yatchts, and launches, other than those flying the White Ensign or a foreign naval flag.

(e) The term "examination steamer" includes any vessel employed in the examination service which displays the signals specified in paragraph 23.

(f) The Examining Officer is the officer of the examination service normally in the examination steamer who examines merchant vessels wishing to enter a defended port prior to their entry. As a result of his examination he permits or does not permit a merchant vessel to enter a defended port.

PART I.—ENTRY INTO THE PORT.

11. *Advice to Shipowners and Shipping Agents.*—Shipowners and shipping agents are advised that, in their own interests, and in order to avoid delays to their vessels in their recognition by and passage through the examination service, they should when circumstances permit—

(a) As a general rule arrange for their vessels to arrive at the port during daylight:

(b) Give notice of the expected arrival of their vessels at the port to the Chief Examining Officer, the Harbourmaster, Wellington, stating the following particulars:—

(1) Name of vessel(s).

(2) Date and time due at the port.

(3) Appearance and distinguishing features such as funnel marks, &c.

(4) Nature of cargo.

(5) Ports of loading and ports of discharge of cargo.

(6) Number of passengers, if any.

(c) See that their vessels are provided with a complete set of international code flags, and two white and two red lanterns (ready and available for use) in addition to the regulation navigation lights.

12. *Instruction for Merchant Vessels wishing to enter the port.*—(For special regulations for small craft wishing to enter the port, see paragraph 29.)

Merchant vessels arriving from seaward may proceed to the examination anchorage and there anchor at any time.

(2) Normally, merchant vessels are permitted to enter the port by day and night after having passed through the examination service.

13. Merchant vessels approaching the port are especially cautioned against making use of private signals of any description either by day or by night; the use of such signals will render merchant vessels liable to be fired on.

14. All merchant vessels must pass through the examination service before

they are permitted to enter the port.

15. All merchant vessels approaching a New Zealand port at which the examination service is in force must hoist their signal letters on arriving within visual-signalling distance of the port and are not to wait for the signal "What ship is that?" to be made by the examination steamer or signal-station.

16. Merchant vessels (other than small craft—for definition of which, see paragraph 6, and for instructions for which, see paragraph 29) wishing to enter the port are to proceed to the examination anchorage and there anchor, unless before anchoring, they are given permission and the necessary instructions to proceed into the port by the Examining Officer.

17. All orders and instructions necessary to enable a merchant vessel to enter the port will be given by the Examining Officer whose orders and instructions are to be implicitly obeyed. Disobedience will render a merchant vessel liable to be fired on.

18. As a general rule merchant vessels will be examined by the Examining Officer in the order of their arrival in the examination anchorage.

19. Any merchant vessels attempting to leave the examination anchorage without the permission of the Examining Officer will be fired on.

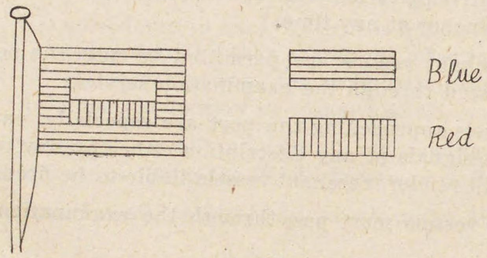
20. Should bad weather or any other cause prevent a merchant vessel anchoring in the examination anchorage she will be ordered by the Examining Officer to remain under way in the examination anchorage or to proceed to sea and will not be permitted to enter the port unless she can be identified while under way by the Examining Officer.

21. Port dues will not be collected from merchant vessels whch close the examination steamer solely for the purpose of obtaining information.

22. *Examination Anchorage, Position and Limits.*—The examination anchorage is situated in Worser Bay, within the following limits: From Steeple Rock, 090° 2 cables; thence 000° 10 cables; thence 270° to the land.

23. *Examination Steamers.*—The examination steamer will be found in the examination anchorage or in the vicinity thereof and will be known by the following distinguishing marks:—

(a) By Day: They will fly a special flag — white and red horizontal surrounded by a blue border—at the foremasthead and the Blue Ensign.



Should the port be closed (see paragraph 24) they will hoist in addition to the above three red balls vertical 6 ft. apart, in a position where they are clearly visible all round the horizon.

(b) By Night: They will carry in addition to the ordinary navigation lights three lights vertical 6 ft. apart, in a position where they are clearly visible all round the horizon. These three lights will be white when the port is open and red when the port is closed.

24. *"Port closed": Meaning of the Term.*—The term "Port closed" means that vessels are not permitted to proceed further than the examination anchorage. The port may be closed at any time by order of the Naval Officer-in-Charge.

25. *Signal to indicate "Port closed" and where hoisted.*—The signal to indicate that the port is closed is—

(a) By day—

(1) Three red balls hoisted vertically 6 ft. apart, in a position in the examination steamer (see paragraph 23) where they are clearly visible all round the horizon.

(2) A similar signal hoisted at Beacon Hill.

(b) By night—

(1) Three red lights hoisted vertically 6 ft. apart, in a position in the examination steamer where they are clearly visible all round the horizon in lieu of the three white lights hoisted when the port is open (see paragraph 23.)

(2) A similar signal hoisted at Beacon Hill.

26. *Instructions to Merchant Vessels when the Port is closed.*—When the signals specified in paragraph 25 are displayed, the port is closed, and all merchant vessels must either remain in the examination anchorage or proceed to sea. No merchant vessel is permitted to sea from the examination anchorage without permission from the Examining Officer (see paragraph 19).

27. *Regulations to be observed when in the Examination Anchorage.*—Except to save life or to avoid accident, or with previous permission from the Examining Officer, masters of merchant vessels are forbidden to—

(1) Move the vessel.

(2) Communicate in any way with the shore or with other vessels.

(3) Lower any boats.

(4) Work cables.

(5) Allow any person to leave the vessel, or any part of the vessel, cargo, stores, &c., to be removed.

(2) Should it be necessary in order to save life or to avoid accident to do any of these things without previous permis ion of the Examining Officer, this officer

is to be communicated with at once.

28. To get into Communication with the Examining Officer when in the Examination Anchorage:—

(a) By day—Merchant vessels are to hoist flags D.P.G. international code.

(b) By night—Merchant vessels are to hoist two lights red over white 3 ft. apart, at the fore masthead.

29. *Special Regulations for Small Craft wishing to enter the Port.*—All small craft are to report to the examination steamer from whom permission to enter must be obtained.

PART II.—INTERNAL MOVEMENT.

34. *Local Authority controlling Internal Movement.*—The Harbourmaster, Wellington Harbour Board, is the local authority controlling internal movement. No movement in the port is to take place without the authority of this officer.

35. *Restrictions on Merchant Vessels entering certain Areas in the Port.*—Vessels are not to anchor in the entrance to Evans Bay. Vessels with quantities of explosives in excess of five tons are to proceed direct from the examination anchorage to the explosive anchorage, and vessels requiring medical examination to the Health Officers examination ground.

36. *Routes to be followed are as laid down in the New Zealand Pilot.*

37. *Anchorages are as laid down in the New Zealand Pilot and on Admiralty Charts.*

38. *Lights to be shown or obscured at Night in the Port and in the Examination Anchorage—By all Merchant Vessels:—*

(a) When under way—The regulation lights are to be displayed.

(b) When at anchor or secured—Normally, no lights are to be visible from outboard (but see paragraph 39).

39. When a merchant vessel is under way, merchant vessels at anchor or secured are to show anchor lights (see paragraph 41) until such vessel is anchored or secured, or, in the case of a merchant vessel leaving, until such vessel is clear of the port. Vessels at anchor in the examination anchorage are to obscure their lights when the vessel under way is clear of the examination anchorage.

40. *Steaming and Bow Lights.*—Merchant vessels permitted to navigate within the port and in the examination anchorage in the dark hours are not to employ electrically-lit lanterns as steaming or bow lights.

41. *Anchor Lights.*—Electrically-lit lanterns are not to be used. Normal brilliancy of all lanterns used is to be reduced by one-half. All lanterns used

are to be fitted with overhead screens arranged so as to cut off the light at an angle of between 20° and 25° above the horizontal.

42. *Other Lights.*—No lights aloft, on deck, or below (except those mentioned in paragraphs 38 to 41 above, and such as are necessary for authorized signalling purposes) shall be permitted to be visible from outboard. This applies to all merchant vessels whether under way, at anchor, or secured.

(2) It is imperative that masters and others in charge of merchant vessels should see that this order, which is for their own protection, is carried out.

43. *Approach to Government Vessels and Establishments.*—No merchant vessel is to approach any Government vessel, ship, lighter, or other Government craft or any Government dockyard or establishment without a written permit from the Naval Officer-in-Charge to be obtained through the Collector of Customs.

(2) The Examining Officer will inform merchant vessels that vessels flying certain distinguishing signals are Government vessels and are not to be approached.

44. *Merchant Vessels to keep clear of H. M. Ships.*—Merchant vessels are to keep clear of any of H. M. ships being navigated in the port.

45. *Patrol of Internal Waterways and Approaches to the Port.*—The internal waterways of the port and the approaches thereto may be patrolled by Naval patrol craft and/or other Government vessels. Captains, masters, and others in charge of merchant vessels are hereby warned to observe any orders given by the patrols. All merchant vessels are subject to inspection and search by these patrols. Disobedience of orders given by these patrols renders a merchant vessel liable to be fired on.

PART III.—DEPARTURE FROM THE PORT.

50. *Steps necessary on the part of Masters and/or Agent before a Vessel may leave the Port.*—Permission to leave must be obtained from the Collector of Customs and masters are to inquire from that officer as to the source from which mine warnings, sailing orders, and clearance papers are issued.

51. *Signal Prohibiting Sailing.*—A blue flag hoisted at Pipitea Wharf indicates that no merchant vessel is to leave the port while this signal is flying.

52. *Routes to be followed* are as laid down in the New Zealand Pilot.

PART IV.—PILOTAGE.

57. *Whether Compulsory: Entering or Leaving.*—Pilotage is optional both entering and leaving and the arrangements detailed in the New Zealand Pilot will continue to be in force.

PART V.—AUTHORITIES.

62. *List of Authorities concerned with these Regulations from whom Permission to do certain Acts is to be obtained :—*

Nature of Permission Granted by Authority Concerned.	Authority Concerned.	Paragraphs in Regulations
To enter the port (merchant vessels)	Examining Officer	16.
To enter the port (small craft)	Examining Officer	29.
To leave the port	Collector of Customs	50.
To move in or leave the examination anchorage	Examining Officer	19, 27.
For internal movement	Harbourmaster	34.
To open wireless office/s	Collector of Customs	5.
To approach Government vessels or establishments	Naval Officer-in-Charge through Collector of Customs	43.
To communicate or lower boats in the examination anchorage	Examining Officer	27.

PORT OF LYTTELTON.

INTRODUCTORY.

1. Until further notice the following regulations are to be observed by all merchant vessels (see definition, paragraph 6) approaching or moving within the port of Lyttelton.

2. *Limits of the Port.*—The port is all that area of tidal waters within a radius of 5 nautical miles of Baleine Point.

3. The ordinary regulations of the port are to be adhered to except where varied by these regulations.

4. All former Public Traffic Regulations are hereby cancelled.

5. *Use of Wireless Telegraphy, Wireless Telephony, and Sound Signalling* — The use of any of the above methods of communicating or signalling for any purpose whatsoever is forbidden in the harbours of New Zealand; the only exceptions to this rule are such sound signals as are authoriezd to be made by the Regulations for Preventing Collisions at Sea.

(2) For the proper enforcement of the above wireless telegraph office or offices of such ships will be sealed up while in harbour by the Customs or other officer to whom this responsibility has been assigned. During the stay of the vessel in harbour access to the wireless telegraphy office(s) will only be allowed under

the following condition: If the vessel is remaining in harbour for some time so that it is necessary for the wireless staff to have access to the office(s) in order to attend to the batteries, &c., the master of the merchant vessel will be responsible for warning the Customs officers who may arrange for the breaking of the seals. The master will be held responsible that no messages are transmitted while the office(s) is(are) open, and should state for how long access is required in order that the Customs offices may afterward go on board and reseal the office(s).

(3) In vessels fitted with "wireless switches" (whereby the master can prevent the operator from sending messages without his knowledge unless the latter tampers with the apparatus) the procedure detailed above may be dispensed with.

(4) Any breach of these regulations renders the master of an offending ship liable to a fine not exceeding £1,000.

6. *Definitions—For the purpose of these regulations—*

(a) Fog
(b) Thick weather

Is considered to exist when it is impossible owing to meteorological, or other conditions affecting visibility, to communicate between the examination steamer and the examination battery by visual signals.

(c) The term "merchant vessel" includes all vessels other than the examination vessels and ships flying the White Ensign or a foreign naval flag.

(d) The term "small craft" refers to all vessels under 100 net register tons, and includes small steamers, scows, schooners, ketches, trawlers, fishing-boats, yachts, and launches, other than those flying the White Ensign or a foreign naval flag.

(e) The term "examination steamer" includes any vessel employed in the examination service which displays the signals specified in paragraph 24.

(f) The Examining Officer is the officer of the examination service normally in the examination steamer who examines merchant vessels wishing to enter a defended port prior to their entry. As a result of his examination he permits or does not permit a merchant vessel to enter the defended port.

PART I.—ENTRY INTO THE PORT.

11. *Advice to Shipowners and Shiping Agents.*—Shipowners and shipping agents are advised that, in their own interests, and in order to avoid delays to their vessels in their recognition by and passage through the examination service, they should when circumstances permit—

(a) As a general rule arrange for their vessels to arrive at the port during daylight:

(b) Give notice of the expected arrival of their vessels at the port to the Chief Examining Officer, the Harbourmaster, Lyttelton, stating the following particulars:—

(1) Name of vessel(s).

(2) Date and time due at the port.

(3) Appearance and distinguishing features such as funnel markings, &c.

(4) Nature of cargo.

(5) Ports of loading and ports of discharge of cargo.

(6) Number of passengers, if any.

(c) See that their vessels are provided with a complete set of international code flags, also with two white and two red lanterns (ready and available for use) in addition to the regulation navigation lights.

12. *Instructions for Merchant Vessel wishing to enter the port.*—(For special regulations for small craft wishing to enter the port, see paragraph 30.)

Merchant vessels arriving from seaward may proceed to the examination anchorage and there anchor at any time.

(2) Normally, merchant vessels are permitted to enter the port by day and by night after having passed through the examination service.

(3) For fog and thick-weather restrictions on entry into the port, see paragraph 22.

(4) For other restrictions on entry into the port, see paragraph 25.

13. Merchant vessels approaching the port are especially cautioned against making use of private signals of any description either by day or night; the use of such signals will render merchant vessels liable to be fired on.

14. All merchant vessels must pass through the examination service before they will be permited to enter the port.

15. All merchant vessels approaching a New Zealand port at which the examination service is in force must hoist their signal letters on arriving within visual-signalling distance of the port, and are not wait for the signal "What ship is that?" to be made by the examination vessel or signal-station.

16. Merchant vessels (other than small craft—for definition of which, see paragraph 6, and for instrcutions for which, see paragraph 30) wishing to enter the port are to proceed to the examination anchorage and there anchor unless before anchoring they are given permission and the necessary instructions to proceed into the port by the Examining Officer.

17. All orders and instructions necessary to enable a merchant vessel to enter the port will be given by the Examining Officer, whose orders and instructions are to be implicitly obeyed. Disobedience will render a merchant vessel liable to be fired on.

18. As a general rule, merchant vessels will be examined by the Examining

Officer in the order of their arrival in the examination anchorage.

19. Any merchant vessels attempting to leave the examination anchorage without permission of the Examining Officer will be fired on.

20. Should bad weather or any other cause prevent a merchant vessel anchoring in the examination anchorage she will be ordered by the Examining Officer to remain under way in the examination anchorage or to proceed to sea, and will not be permited to enter the port unless she can be identified while under way by the Examining Officer.

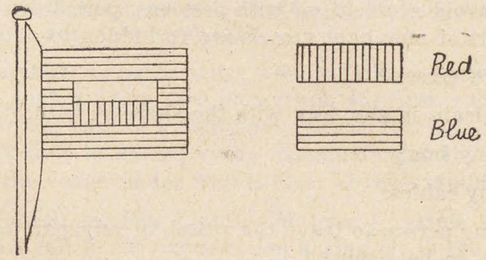
21. Port dues will not be collected from merchant vessels which close the examination vessel solely for the purpose of obtaining information.

22. *Fog or Thick-weather Restrictions.*—Vessels should anchor during fog or thick weather.

23. *Examination Anchorage, Position and Limits.*—The examination anchorage is situated in Port Lyttelton as shown on Admiralty Chart No. 1999.

24. *Examination steamers.*—The examination steamers will be found in the examination anchorage or in the vicinity thereof and will be known by the following distinguishing marks:—

(a) By Day: They will fly a special flag—white and red horizontal surrounded by a blue border—at the fore mastheads and the Blue Ensign.



Should the port be closed (see paragraph 25) they will hoist in addition to the above three red balls vertical 6 ft. apart, in a position where they are clearly visible all round the horizon.

(b) By Night: They will carry in addition to the ordinary navigation lights three lights vertical 6 ft. apart in a position where they are clearly visible all round the horizon. These three lights will be white when the port is open, red when the port is closed (see paragraph 25).

25. *"Port closed"*: Meaning of the Term.—The term "Port closed" means that vessels are not permitted to proceed inward further than the examination anchorage.

(2) The port will be closed as stated in paragraph 22. In addition the port may be closed at any other time by order of the Naval Officer-in-Charge.

26. *Signal to indicate "Port closed" and where hoisted.*—The signal to indicate that the port is closed is—

(a) By Day—

(1) Three red balls hoisted vertically 6 ft. apart, in a position in the examination steamer (see paragraph 24) where they are clearly visible all round the horizon.

(2) A similar signal hoisted at Toloa (Adderley) Head Signal-station.

(b) By Night—

(1) Three red lights hoisted vertically 6 ft. apart, in a position in the examination steamer where they are clearly visible all round the horizon in lieu of the three white lights hoisted when the port is open (see paragarph 24).

(2) A similar signal hoisted at Adderley Head.

27. *Instructions to merchant Vessels when the Port is closed.*—When the signals specified in paragraph 26 are displayed the port is closed, and all merchant vessels must either remain in the examination anchorage or proceed to sea. No merchant vessel is permitted to proceed to sea from the examination anchorage without permission from the Examining Officer (see paragraph 19).

28. *Regulations to be observed when in the Examination Anchorage.*—Except to save life or to avoid accident, or with previous permission from the Examining Officer, masters of merchant vessels are forbidden to—

(1) Move the vessel.

(2) Communicate in any way with the shore or with other vessels.

(3) Lower any boats.

(4) Work any cables.

(5) Allow any person to leave the vessel, or any part of the vessel, cargo, stores, &c., to be removed.

(2) Should it be necessary in order to save life or to avoid accident to do any of these things without previous permission of the Examining Officer, this officer is to be communicated with at once.

29. *To get into Communication with the Examining Officer when in the Examination Anchorage:—*

(a) By day—Merchant vessels are to hoist flags D.P.G. international code.

(b) By night—Merchant vessels are to hoist two lights red over white 3 ft. apart, at the fore masthead.

30. *Special Regulations for Small Craft wishing to enter the Port.*—All small craft are to report to the examination vessel from whom permission to enter must be obtained.

PART II.—INTERNAL MOVEMENT.

35. *Local Authority controlling Internal Movement.*—The Harbourmaster is the local authority controlling internal movement. No movement in the port is to take place without the authority of this officer.

36. *Restrictions on Merchant Vessels entering certain Areas in the Port.*—Vessels with quantities of explosives exceeding five tons should enter the examination anchorage, whence they will be directed by the pilot to the large explosives anchorage.

(2) Vessels are not to anchor in the outer dredged channel above Ripa Island.

(3) Vessels from overseas requiring medical examination will enter examination anchorage, and then proceed to gazetted anchorage in Inner Harbour for medical inspection.

37. *Routes to be followed* are as laid down in the New Zealand Pilot.

38. *Speed limits.*—Vessels are not to exceed a maximum speed of 10 knots.

39. Anchorages are as laid down in the New Zealand Pilot and on Admiralty Charts.

40. *Lights to be shown or obscured at Night in the Port and in the Examination Anchorage*—By all Merchant Vessel:

(a) When under way—The regulation lights are to be displayed.

(b) When at anchor or secured—Normally, no light are to be visible from outboard (but see paragraph 41).

41. When a merchant vessel is under way, merchant vessels at anchor or secured are to show anchor lights (see paragraph 45) until such vessel is anchored or secured, or, in the case of a merchant vessel leaving, until such vessel is clear of the port. Vessels at anchor in the examination anchorage are to obscure their lights when the vessel under way is clear of the examination anchorage.

42. *Steaming Lights and Bow Lights.*—Merchant vessels permitted to navigate within the port and in the examination anchorage in the dark hours are not to employ electrically-lit lanterns as steaming or bow lights.

43. *Anchor Lights.*—Electrically-lit lanterns are not to be used. Normal brilliancy of all lanterns used is to be reduced by one-half. All lanterns used are to be fitted with overhead screens arranged so as to cut off the light at an angle of between 20° and 25° above the horizontal.

44. *Other Lights.*—No lights aloft, on deck, or below (except those mentioned in paragraphs 40 and 43 above, and such as are necessary for authorized signalling purposes), shall be permitted to be visible from outboard. This applies to all merchant vessels whether under way, at anchor, or secured.

(2) It is imperative that masters and others in charge of merchant vessels should see that this order, which is for their own protection, is carried out.

45. *Fog and Thick-weather Regulations.*—Vessels other than ferry-steamers and

small craft should anchor during fog and thick weather.

46. *Approach to Government Vessel and Establishments.*— No vessel is to approach any Government vessel, ship, lighter, or other Government craft, or any Government dockyard or establishment without a written permit from the Naval Officer-in-Charge to be obtained through the Collector of Customs.

(2) The Examining Officer will inform merchant vessels that vessels flying certain distinguishing signals are Government vessels and are not to be approached.

47. *Merchant Vessels to keep clear of H. M. Ships.*—All merchant vessels are to keep clear of any of H.M. ships being navigated in the port.

48. *Patrol of Internal Waterways and Approaches to the Port.* — The internal waterways of the port and the approaches thereto may be patrolled by Naval patrol craft and/or other Government vessels. Captains, masters, and others in charge of merchant vessels are hereby warned to observe any orders given by the patrols. All merchant vessels are subject to inspection and search by these patrols. Disobedience of orders given by these patrols renders a merchant vessel liable to be fired on.

PART III.—DEPARTURE FROM THE PORT.

54. *Steps necessary on the part of Masters and/or Agents before a Vessel may leave the Port.* — Permission to leave must be obtained from the Collector of Customs, and masters are to inquire from that officer as to the source from which mine warnings, sailing orders, and clearance papers are issued.

55. *Fog and Thick-weather Restrictions.*—Vessels other than ferry-steamers and small craft shouldd anchor during fog or thick weather.

56. *Signal Prohibiting Sailing.*—A blue flag, hoisted at the Time Ball Signal-station, indicates that no merchant vessel is to leave the port while that signal is flying.

57. *Routes to be followed* are as laid down in the New Zealand Pilot.

PART. IV.—PILOTAGE.

62. *Pilotage is comulsory* when entering and leaving, and the arrangements detailed in the New Zealand Pilot will continue in force.

63. *Exemptions.*—The following are exempt from pilotage provided that the master or mate has obtained a pilotage-exemption certificate for the port of Lyttelton:—

(a) This actually training, and which have made in the course of trading at least one round trip between New Zealand, and any port within the Commonwealth of Australia, or between New Zealand and any of the islands lying between the parallels of thirty degrees north and thirty degrees

south latitude and the meridians of one hundred and fifty-five degrees east, and one hundred and thirty degrees west longitude.

(b) Ships actually trading between any ports or places in New Zealand including the Chatham, Antipodes, Bounty, Campbell, and Auckland Islands.

PART V.—AUTHORITIES.

68. *List of Authorities concerned with these Regulations from whom Permission to do certain Acts is to be obtained:*

Nature of Permission Granted by Authority Concerned.	Authority Concerned.	Paragraphs in Regulations.
To enter the port (merchant vessels)	Examining Officer	16, 17.
To enter the port (small craft)	Examining Officer	30.
To leave the port	Collector of Customs	54.
To move in or leave the examination anchorge	Examining Officer	19, 27, 28.
For internal movement	Harbourmaster	35.
To open wireless offices	Collector of Customs	5.
To approach Government vessels or establishments	Naval Officer-in-Charge, through Collector of Customs	46.
To communicate or lower boats in the examination anchorage.	Examining Officer	28.

OVERSEA PASSENGERS EMERGENCY REGULATIONS.

2nd September, 1939.

1. These regulations may be cited as the Oversea Passengers Emergency Regulations 1939.

2. In these regulations, where not inconsistent with the context,—

"Minister" means the Minister of Internal Affairs:

"Under-Secretary" means the Under-Secretary for Internal Affairs:

"Officer of police" means a member of the Police Force of any rank:

"Ship" has the meaning assigned to it by the Customs Act, 1913—that is to say, it means any kind of vessel used in navigation, not propelled by oars only:

"Aircraft" has the meaning assigned to it by the Air Navigation Act, 1931—that is to say, it includes all balloons (as therein defined), whether fixed or free, kites, gliders (as therein defined), airships (as therein defined), and flying-machines (as therein defined):

"Port" has the meaning assigned to it by the Customs Act, 1913—that is to say, it means a port of entry declared as such by the Governor-General in Council under the Customs Act, 1913:

"Aerodrome" has the meaning assigned to it by the Customs (Aircraft) Regulations 1935—that is to say, it means any definite and limited ground or water area intended to be ussed and capable of being used either wholly or in part for the landing or departure of aircraft.

3. No person of the age of sixteen years or over shall leave New Zealand for any place beyond the seas unless he is in possession of a written permit issued to him by the Minister or the Under-Secretary and still in force.

4. Every such permit shall cease to be in force on the expiration of one calendar month after the date thereof, and shall be returned to the Minister or the Under-Secretary upon expiration, revocation, or other determination thereof.

5. Every such permit may be at any time revoked by the said Minister or Under-Secretary by notice in writing to the person to whom it was issued.

6. Before the issue of any permit to leave New Zealand under these regulations, the Minister may require such security as he thinks fit by way of bond or otherwise to be given for the due return to New Zealand of the person in whose favour such permit is proposed to be issued.

7. (1) No such permit shall be required in the case of any person—

(a) Who leaves New Zealand in His Majesty's service; or

(b) Who leaves New Zealand as a *bona fide* member of the crew of any ship or aircraft; or

(c) Who arrives in and leaves New Zealand in the course of one continuous voyage of any ship or aircraft.

(2) No person shall be deemed to be a *bona fide* member of the crew of a ship or aircraft within the meaning of this regulation unless he has been engaged at the full current rate of pay and in the ordinary course of the shipowner's or aircraft owner's or charterer's business.

8. No owner, charterer, representative of the owner or charterer, or master of any ship or aircraft shall take out of or carry out of New Zealand, or cause, permit, suffer, or assist to be taken out of New Zealand, any person for whose departure from New Zealand a permit is required by these regulations and who is not in the possession of a permit issued and in force under these regulations.

9. Every person found on board any ship which is about to leave any port in New Zealand or on board any aircraft which is about to leave any aerodrome in New Zealand shall, on being questioned by any officer of police or Customs officer, or by the master or any officer of the ship or aircraft, state whether he is in possession of a permit under these regulations to leave New Zealand, and produce for inspection by such officer or master any permit received by him.

10. No person who has received a permit under these regulations shall go or be on board any ship or aircraft which is about to leave a port or aerodrome in New Zealand without having such permit in his immediate personal custody and possession.

11. Every person who assists any person to leave or to attempt to leave New Zealand in breach of these regulations commits an offence against these regulations.

12. Every applicant for a permit to leave New Zealand shall make application to the Minister or Under-Secretary at Wellington, and shall furnish such particulars concerning himself as the Minister or Under-Secretary may deem necessary.

13. Any person who, upon making an application for a permit to leave New Zealand, or at any time in connection with such application or any intended application, makes to the Minister or Under-Secretary a statement that is false or misleading in any material particular commits an offence against these regulations.

PASSPORT EMERGENCY REGULATIONS.

2nd September, 1939.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Passport Emergency Regulations, 1939.

(2) In these regulations, where not inconsistent with the context, "passport" means a passport or other like document of identity—

(a) Which establishes to the satisfaction of the Collector of Customs the nationality and identity of the person to whom it relates; and

(b) Which has been issued by the Government of the country of which the person to whom it relates is a subject or citizen or protected person, and which is still in force, and to which there is attached a photograph of the person to whom it relates; and

(c) Which relates to the person in whose possession it is; and

(d) Which, in the case of an alien landing in New Zealand (other than the master or a member of the crew of any vessel) has been marked with a visa which is still in force, by a British Diplomatic or Consular Officer or

some British public official duly authorized in that behalf:

Provided that such visa shall not be required in respect of nationals of any country between the Government of which and His Majesty's Government in New Zealand there is for the time being in force an agreement to dispense with the requirement of passport visas, the existence of which agreement is notified from time to time in the *Gazette*.

(3) The Passport Regulations 1929 and clause 2 of the regulations comprised in that part of the Second Schedule to the War Regulations Continuance Act, 1920, which is numbered (16) are hereby revoked.

(4) Nothing in these regulations shall in any way limit the scope or operation of the Alien Control Emergency Regulations 1939.

REGULATION 2.—REQUIREMENT OF PASSPORT.

Except as hereinafter provided, no person to whom these regulations apply shall land in New Zealand from overseas unless he produces to the Collector of Customs a valid passport which complies with the requirements of these regulations.

REGULATION 3.—EXEMPTIONS.

(1) No passport will be required in the case of—

(a) Any person under the age of sixteen years accompanied by a parent—

(i) If the name of such person is included in a family passport; or

(ii) If such parent is exempted from the requirement of a passport under any of the following paragraphs of this clause:

(b) Any person arriving in New Zealand from the Commonwealth of Australia if such person is—

(i) A natural-born British subject; or

(ii) A British subject naturalized in New Zealand or elsewhere if in possession of naturalization papers sufficient in the opinion of the Collector of Customs to establish the fact of his naturalization; or

(iii) The wife of any person referred to in paragraphs (i) and (ii) of this subclause, or the child under the age of sixteen years of such person:

(c) Any resident of the Cook Islands or of Western Samoa arriving in New Zealand who produces to the Collector of Customs a permit to travel to New Zealand issued by the competent authority of the Cook Islands or of Western Samoa, as the case may be:

(d) Any person resident in New Zealand returning to New Zealand on a return ticket issued to him in New Zealand:

(e) Any member of the naval or military or air forces of any part of the British dominions arriving in New Zealand on duty:

(f) Any person whose homes in New Zealand being the master or a member of the crew of any vessel arriving in New Zealand.

(2) The Minister of Internal Affairs, or any person authorized by him in that behalf, may by writing under his hand grant to any person or class of persons permission to land in New Zealand without being in possession of a passport or without being in possession of a passport which complies with all the requirements of these regulations, either at any place or at some defined place, and subject to such conditions as he thinks fit to impose.

(3) Where any person, being the master or a member of the crew of a vessel arriving in New Zealand, is under the provisions of these regulations prohibited from landing in New Zealand without producing a passport, the Collector of Customs may nevertheless, by writing under his hand, grant him temporary permission to land at any port, subject to such conditions as the Collector thinks fit to impose.

REGULATION 4.—SEAMEN WITHOUT PASSPORTS.

Where any person, being the master or a member of the crew of a vessel arriving in New Zealand, is under the provisions of these regulations prohibited from landing in New Zealand by reason of his not being able to produce a passport, the master of such vessel shall, as soon as may be after the arrival of the vessel at any port, give written notice of the presence of that person on board the vessel to the Collector of Customs, and that person shall leave New Zealand with that vessel.

REGULATION 5.—POWER TO SEIZE PASSPORTS.

Any officer of Customs, constable, or other person authorized by the Minister of Internal Affairs in that behalf may take possession of any passport in the possession of any person arriving in New Zealand or recently arrived in New Zealand, and may, if considered necessary, retain the same until the said Minister authorizes its return.

REGULATION 6.—RECALL OF PASSPORTS ISSUED IN NEW ZEALAND.

(1) The Governor-General may at any time direct that a passport issued on behalf of His Majesty in New Zealand be recalled.

(2) The recall of a passport may be effected by notice in writing to that effect signed by the Minister of Internal Affairs or any person acting under the authority of the Minister.

(3) Immediately upon the receipt of such notice the holder of any such pass-

port shall, if such notice be served on him personally, deliver the passport to the person by whom the notice is served, or if the notice be served on him in any other manner, deliver the passport by forwarding it by registered post to the Minister.

(4) Notice of the recall of a passport may, if the Minister thinks fit, be published in the *Gazette* or elsewhere or communicated to any person (whether in New Zealand or elsewhere).

REGULATION 7.—RECALL IN NEW ZEALAND OF PASSPORTS ISSUED ELSEWHERE.

(1) The Gnveroor-General, on the application of the Government of any British jurisdiction, may at any time direct that a passport issued on behalf of His Majesty in that jurisdiction be recalled .

(2) In such a case the provisions of the last preceding regulation shall apply.

SHIPPING CONTROL EMERGENCY REGULATIONS.

1st September, 1939.

REGULATION 1.—PRELIMINARY.

1:1. These regulations may be cited as the Shipping Control Emergency Regulations 1939.

1:2. In these regulations, unless inconsistent with the context,—
"Admiralty" means the Commissioners for the time being for executing the office of Lord High Admiral of the United Kingdom:
"Naval Board" means the Naval Board of New Zealand established by the Naval Defence Amendment Act, 1936:
"Ship" includes every description of vessel used in navigation not propelled by oars.

1:3. For the purposes of general interpretation hereof these regulations shall be deemed to be made under the Public Safety Conservation Act, 1932.

1:4. These regulations shall apply to all British ships whether registered in a port of registry in New Zealand or elsewhere; and the term "ship" is restricted to British ships accordingly.

1:5. These regulations and all notifications given hereunder shall have effect notwithstanding the provisions of any regulations for preventing collissions at sea and rules as to signals of distress made under the Merchant Shipping Act, 1894 (Imperial), and every person complying with these regulations and with any notification hereunder shall be deemed to be taking measures to meet special circumstances necessitating a departure from the Collision Regulations made on the 13th day of October, 1910, under the Merchant Shipping Act, 1894 (Imperial), within the meaning of Article 27 of the said regulations.

1:6. These regulations and all notifications given hereunder shall have effect notwithstanding the provisions of the Shipping and Seamen Act Wireless Regulations 1925, and it shall be a defence to any person charged with a failure to establish communication as required by those regulations that to have done so would be a breach of a notification under these regulations binding on such person.

REGULATION 2.—NAVIGATION ORDERS.

2:1. A notification under these regulations may be given by the Naval Board to—

(a) The master of any ship approaching New Zealand either before calling at, or whlist lying at, or after having called at, any oversea port; or

(b) The master of any ship lying at any port in New Zealand or navigating from one New Zealand port to another, whether or not navigating in New Zealand territorial waters; or

(c) The master of any ship that has left New Zealand and has not thereafter put in at any oversea port in British territory, whether or not navigating in New Zealand territorial waters.

2:2. Any such notification may require the master

(a) To take his ship to any port in New Zealand or elsewhere specified therein; or

(b) To take such route as may therein be specified; or

(c) To remain in any port or other place or to reduce or increase speed; or

(d) To keep his ship unlit during hours of darkness or unlit except for navigating lights, or to screen or dim navigating or other lights, or to display any specified lights or other signals for navigation by day or by night; or

(e) To give or refrain from giving signals or communications of any kind; or

(f) To join any convoy or proposed convoy or sail in convoy; or

(g) To comply with any other directions relating to the navigation of his ship.

2:3. It shall be the duty of every master to whom such notification has been given to comply therewith with all reasonable speed, perils of the sea and restrain of princes alone excepted.

REGULATION 3.—EQUIPMENT ORDERS.

3:1. A notification under these regulations may require the master of a ship at any port in New Zealand where the ship is lying or to which the master may

by notification be directed to take his ship—

(a) To install to the satisfaction of the Naval Board any defensive armament supplied by the Naval Board; or

(b) To procure and install to the satisfaction of the Naval Board any convoy equipment specified by the Naval Board; or

(c) To make any modification in or addition to the painted colour superstructure or equipment of the ship; or

(d) To receive and adequately accommodate any naval officers or ratings for purposes of defence observation, communication, or navigation.

3:2. The master, owner, and agent of any ship shall be jointly and severally liable to comply with any notification requiring the installation of defensive armament or convoy equipment or the doing of any other thing except so far as such cost is met out of public moneys, and the owner and the agent shall supply the master with all moneys necessary to enable such notification to be complied with, and the master and the agent shall be entitled to recover from the owner all costs incurred by them respectively in the premises.

3:3. A naval officer for the time being received on any ship pursuant to these regulations, or, as the case may be, the senior for the time being of such naval officers, shall from time to time when he so elects be entitled to exercise over the management of the ship all duties and powers that a pilot may exercise, and the master of the ship shall conduct himself accordingly as towards a pilot.

3:4. The master of the ship in which any equipment is installed shall cause the crew to be properly instructed in the use thereof.

REGULATION 4.—ISSUE OF NOTIFICATIONS.

4:1. Any notification under these regulations which is of general application as applying to ships in general or to masters, owners, or agents of any class of ship, shall be sufficient if it purports to be given by the Naval Board and is authenticated by the signature or name of any person purporting to act by authority of the Naval Board and published in the *New Zealand Gazette*, and if so issued shall be binding on the masters, owners, and agents of all ships.

4:2. Any notification under these regulations not published in the *Gazette* shall be sufficient—

(a) If it purports to be given by the Naval Board and is authenticated by the signature or name of any person whether in New Zealand or elsewhere purporting to act by authority of the Naval Board:

(b) If given in writing or by telegraphy, radio-telegraphy, or any other means of communication:

(c) If addressed to the person to be bound thereby by his description (as master, owner, or agent, or as the case requires) and the name of the

ship to be affected, notwithstanding that such person be not named in the notification.

4:3. Any notification to the master, owner, or agent of a ship shall be binding on every person subsequently acting as master, owner, or agent of that ship respectively to whom such notification is known or according to the regular routine of command, management, or agency ought to be known.

REGULATION 5.—OWNERS AND AGENTS.

5:1. In any case where the owner or agent of a ship is a body corporate, every duty imposed under these regulations upon such owner or agent shall also be imposed on every managing director, general manager, and marine superintendent from time to time for the time being of such owner or agent, and on every person discharging as officer or servant of such owner or agent from time to time for the time being the duties generally attaching to the office of managing director, general manager, or marine superintendent.

5:2. A notification intended for the master of any ship may be transmitted to the owner or agent of that ship, and it shall be the duty of such owner or agent immediately to use all possible lawful means of communicating the notification to the master of the ship, and thereupon to furnish the Naval Board with evidence that the notification has been so communicated or with an explanation of the circumstances by reason of which it has not been so communicated.

5:3. It shall be the duty of the owner and agent of every ship to furnish to the master thereof all plant and equipment necessary for compliance with any notification given under these regulations and to provide for the installation thereof, and the agent shall be entitled to recover from the owner all costs incurred by him in furnishing and installing such plant or equipment.

REGULATION 6.—CONVOY.

6:1. If the master of any ship under convoy wilfully disobeys and lawful signal, instruction, or command of the commander of the convoy, or without leave deserts the convoy, then, without prejudice to his liability under any other enactment, he commits an offence against these regulations.

6:2. The master of any vessel not sailing in convoy shall keep his vessel clear of any convoy that he may meet or overtake.

REGULATION 7.—CLEARANCES.

7:1. Nothing in these regulations shall be deemed to authorize the master of a ship to depart with his ship from any port without receiving from the Collector of Customs a certificate of clearance in the prescribed form.

7:2. On receiving any notification requiring him to depart with his ship from any port, the master thereof shall forthwith make application for any clearance

that may be necessary to enable him to comply with the notification.

7:3. It shall be a defence to any person charged with failing to comply with any direction given under the authority of these regulations and requiring the departure of a ship from any port in so far only as the offence alleged amounts to failure so to depart if he proves that for such departure a clearance was necessary and that he made application for a clearance with all due promptitude and that he was unable to obtain the necessary clearance.

REGULATION 8.—OFFENCES.

8:1. Any person who fails to carry out any duty imposed on him by these regulations or fails to comply with any notification under these regulations given to him or binding upon him commits an offence against these regulations.

8:2. It shall be a defence to any person charged with an offence against these regulations if he proves that in complying therewith he would have committed a breach of any direction or order given by the Admiralty and binding upon him in the particular circumstances.

SHIPPING REQUISITIONING EMERGENCY REGULATIONS.

2nd September, 1939.

1. These regulations may be cited as the Shipping Requisitioning Emergency Regulations 1939.

2. The Minister of Marine shall have power to requisition and take up for the service of the Navy, Army, or Air Force or for any other service of State any British ship or British vessel registered in New Zealand.

3. The Minister of Marine may delegate the above powers to an officer of the Marine Department, to be designated the Director of Sea Transport.

4. Any act of requisitioning shall be effected by notice in writing signed by the Minister or Director of Sea Transport, as the case may be, and stating that it is given under the authority of these regulations, and shall be sufficient if served upon the owner, agent, or master of the vessel.

5. Any such notice may from time to time be withdrawn, modified, or superseded, wholly or in part, by any subsequent notice.

6. Every notice under these regulations shall take effect according to the tenor thereof but subject to any arrangement that may at any time be made between the Minister or the Director of Sea Transport of the one part and the owner of the other part, and, except in so far as express provision to the contrary is made therein, such notice shall have the effect set out in the succeeding clauses of these regulations.

7. Unless otherwise provided, upon service of a notice that purports to requisition any vessel, the vessel shall forthwith be deemed to be the subject of a charter-party from the owner to His Majesty the King for the hire of the vessel, together with the services of the master and crew thereof, the master and crew remaining the servants of the owner, the vessel to be available for carriage of goods and passengers or goods only or passengers only, and the period of hire to be during the pleasure of His Majesty the King.

8. When any notice takes effect as a charter-party for the hire of a vessel for the carriage of goods with or without passengers, or takes effect as a requisition of cargo-space in any vessel, such goods or cargo may be goods or cargo of His Majesty the King or of any other person, and the master may be required to give bills of lading to His Majesty the King or any shipper of freight for goods or cargo shipped.

9. Unless otherwise provided by a requisitioning notice or agreed with the owner, agent, or master, all express or implied charter-parties, bills of lading, and contracts for the carriage of passengers shall be or be deemed to be in the same terms as these usual in the trade in which the ship is for the time being engaged or was last engaged at the time when the notice was served.

10. The owner of every vessel in respect of which a requisitioning notice has been served under these regulations shall, subject to appropriation by the Legislature of moneys for that purpose, receive payment for the use of the vessel and his services rendered during its employment in the Government service and compensation for loss or damage thereby occasioned.

11. Unless a complete agreement as to use of any vessel has been arrived at between the Crown and the owner covering all matters which are usually included in a charter-party, bill of lading, contract for carriage of passengers, or other like document, or which the Minister or Director of Sea Transport at any time may, and as soon as reasonably possible shall, by notice in writing served on the owner, agent, or master of the vessel, require a complete agreement to be framed touching the matters aforesaid by the award of two arbitrators, one to be appointed by the Minister and the other by the owner or his agent in New Zealand, or if there be no such owner or agent, then by the master of the vessel, and of an umpire to be appointed by the said arbitrators according to the provisions of the Arbitration Act, 1908; and any such notice given as provided in this clause shall be deemed to be a submission for the purposes of that Act, and the award shall make such provision, whether retrospective or prospective, as the persons or person making the award shall in their or his discretion deem to be just and reasonable in the circumstances.

12. Any claim for payment or compensation under clause 10 hereof arising prior to the making of a complete agreement as mentioned in clause 11 hereof, or, ass the case may be, prior to the issue of an award framed as provided in clause 11 hereof shall, if the parties are unable to agree on the amount of the claim, be settled by a reference to arbitration in the manner provided by clause 11 hereof.

13. All rights of property or contractual or other rights accruing to or vest-

ed in His Majesty the King by the operation of any notice under these regulations, and any power, authority, or discretion so accruing or vested, including the institution of arbitral and legal proceedings, may be enforced or exercised by the Minister or the Direrton of Sea Transport either in his own respective name or in the name of His Majesty the King.

SHIPPING TRANSFER EMERGENCY REGULATIONS.

2nd September, 1939.

PRELIMINARY.

1. These regulations may be cited as the Shipping Transfer Emergency Regulations 1939.

INTERPRETATION.

2. In these regulations, unless inconsistent with the context,—

"Minister" means the Minister of Marine:

"New Zealand ship" means any British ship having its port of registry in New Zealand:

"Ship" has the meaning assigned to it by the Merchant Shipping Act, 1894 (Imperial)—that is to say, "ship" includes every description of vessel used in navigation not propelled by oars:

"Foreign-controlled company" means any corporation—

(a) Where the majority of the directors, or persons occupying the position of directors, by whatever name called, are not British subjects; or

(b) Where the majority of the voting-power is in the hands of persons who are not British subjects, or who exercise their voting-powers directly or indirectly on behalf of persons who are not British subjects; or

(c) Where the control is by any other means whatever in the hands of persons who are not British subjects; or

(d) Where the executive is a foreign-controlled company, or where the majority of the executive are appointed by a foreign-controlled company.

A corporation shall not be deemed to be a British subject for the purpose of this section unless it is established in and subject to the laws of some part of His Majesty's dominions or of some British Protectorate or mandated territory, and has its principal place of business therein.

3. In these regulations, unless the context otherwise requires, any reference to a ship shall include a reference to a share in a ship.

RESTRICTIONS ON THE TRANSFER OF A NEW ZEALAND SHIP.

4. (1) No person shall sell, or agree to sell, or offer for sale (whether as owner or as mortgagee or otherwise), or transfer or agree to transfer or mortgage, or agree to mortgage, a New Zealand ship, or transfer, or agree to transfer, a mortgage over a New Zealand ship except with the previous written consent of the Minister to the particular proposed transaction.

(2) Any person who enters into a transaction or purported transaction in breach of this regulation shall be guilty of an offence against these regulations.

(3) Any transaction or purported transaction entered into the breach of this regulation shall be void.

(4) Any ship which has been the subject of a transaction or purported transaction in breach of this regulation shall be subject to forefeiture within the meaning of Part I of the Merchant Shipping Act, 1894 (Imperial), and proceedings for forfeiture may be taken in manner set out in section 76 of that Act so far as applicable.

5. The Minister may require any person who is the owner or mortgage of a New Zealand ship, or who applies to be registered as the owner or mortgage of a New Zealand ship, to furnish to the Minister such particulars as appear necessary to him for the purpose of ascertaining whether or not that person is, or is a trustee for, or otherwise represents a foreign-controlled company, and, in the case of a corporation, may also require the secretary, or any other officer of the corporation performing the duties of secretary, to furnish those particulars.

If any person fails to supply such particulars as it is in his power to give when required, or furnishes particulars which are false in any material particular, he shall be guilty of an offence against these regulations, and shall be liable accordingly.

6. Except with the previous written consent of the Minister, no person shall procure, or attempt to procure, or be knowingly concerned in procuring or attempting to procure, the transfer of the registry of a New Zealand ship to a port of registry out of New Zealand or the removal of a New Zealand ship from the Register of British Ships.

7. Where after the date of these regulations any person who is the owner or mortgage of a New Zealand ship cases to be a British subject or becomes a foreign-controlled company, that ship or, in the case of a mortgagee of a ship, the interest of the mortgagee, shall be subject to forfeiture within the meaning of Part I of the Merchant Shipping Act, 1894 (Imperial), and proceedings for forfeiture may be taken in manner set out in section 76 of that Act so far as applicable.

8. Except with the previous written consent of the Minister, no person shall grant, or agree to grant, or offer to grant, or accept or agree to accept or offer to accept, a charter of a New Zealand ship, or be knowingly concerned in the grant or acceptance, whether in New Zealand or elsewhere, of a charter of a New Zealand ship.

9. Any consent given under these regulations may be given subject to such conditions as the Minister thinks fit to impose, and in particular to conditions requiring payment to the Public Account of any sum of money approved by the Minister of Finance and providing for the time or times and manner at and in which such money shall be paid and for the manner of disposition by a transferor, mortgagor, or charterer of any moneys received by him as consideration for the transfer, mortgage, or charter party, and requiring security to be given to the satisfaction of the Minister for compliance with any condition as to payment or disposition of moneys or any other condition:

Provided, first, that every minute of approval by the Minister of Finance to a condition requiring a payment to be made to the Public Account shall be laid before the House of Representatives as soon as may be after it is signed, and shall cease to have effect on the expiration of a period of twenty-eight days beginning with the date on which the minute of approval is signed, unless at some time before the expiration of that period it has been approved by a resolution of the House of Representatives, without prejudice, however, to the validity of anything previously done under the minute or to the issue of a new minute:

Provided, secondly, that in reckoning any period of twenty-eight days for the purposes of this regulation on account shall be taken of any time during which the General Assembly is dissolved or prorogued or during which the House of Representatives is adjourned for more than four days.

RESTRICTIONS ON TRADE OF NEW ZEALAND SHIPS.

10. (1) Without the previous written consent of the Minister, it shall not be lawful for any New Zealand ship which at the date of these regulations is engaged in trading in or with New Zealand to be diverted from that trade, whether permanently or temporarily; and every person who in New Zealand is knowingly concerned in any such diversion, whether it takes place in New Zealand or elsewhere, shall be guilty of an offence against these regulations, and shall be liable accordingly.

(2) Such consent may be granted subject to such terms as to the employment of the ship as the Minister thinks fit, andif the ship is employed otherwise than in accordance wth those terms, whether in New Zealand or elsewhere, every person who in New Zealand is knowingly concerned in such employment shall be guilty of an offence against these regulations, and shall be liable accordingly.

11. It shall be the duty of every owner or charterer of a New Zealand ship, and of every servant or agent of any such owner or charterer, to afford at all times to the Minister such information as he may demand as to the voyages, employment, or whereabouts of that ship, or otherwise with respect to that ship; and every person who fails or refuses to give such information, or who wilfully gives any false information as to the matters aforesaid, shall be guilty of an offence against these regulations, and shall be liable accordingly.

GENERAL PROVISIONS.

12. Every application for the consent of the Minister under these regulations

shall be made in writing signed by the applicant and addressed to the Minister, and shall be accompanied by an application fee of two pounds two shillings (£22s.), and a separate application shall be made in respect of every matter of transaction for which consent is sought.

13. Every person who deceives or attempts to deceive the Minister in the exercise of the authority conferred upon him by these regulations shall be guilty of an offence against these regulations, and shall be liable accordingly.

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NOTICE.

2nd September, 1939.

In terms of Regulation 92 of the Radio Regulations 1932, made under the authority of the Post and Telegraph Act, 1928, notice is hereby given that the use of radio by ship-stations in harbour is prohibited and that the provisions of Radio Regulaton 92 shall be in force until further notification.

The words "in harbour" mean within any harbour or roadstead in New Zealand or within three miles of any such harbour or roadstead.

Any owner or master who fails to observe the provisions of Radio Regulation 92 is liable to a fine not exceeding £1,000.

NOTIFICATION.

1st September, 1939.

WHEREAS an emergency has arisen in which it is expedient, in the public interest, that His Majesty's Government shall have control over the transmission or reception of messages by the apparatus of any licensed radio-station:

Now, therefor, I, Frederick Jones, the Minister of Telegraphs of New Zealand, in pursuance of Regulation 26 of the Radio Regulations 1932, made under the authority of the Post and Telegraph Act, 1928, do hereby notify that it shall be lawful for any officer of His Majesty's Navy or Army, or any other person authorized in that behalf by the Admiralty or by the Minister of Telegraphs, to take possession of or to cause the apparatus or any part thereof of any licensed radio-station to be taken possession of and/or to take in respect of any such station any or all of the actions prescribed in the said regulation.

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NATIONAL EMERGENCY REGULATIONS.

No. 201, 14th September, 1939.

DEFINITIONS.

1. In these regulations, unless inconsistent with the context—

"Board" means the National Supplies Control Board mentioned in regulation 2;

"chief control officer" or "control officer" means respectively the chief control officer or a control officer appointed under regulation 9;

"emergency court" means a court mentiond in regulation 19;

"forces" means the Union Defence Forces, the South African Police (including special constables), the Railway Police and other persons engaged under the authority of the Government for military purposes or for the prevention or suppression of disorders or for the enforcement of these regulations;

"Union" includes the mandated territory of South West Africa.

NATIONAL SUPPLIES CONTROL BOARD.

2. (1) The Minister of Commerce and Industries shall establish a board to be known as the National Supplies Control Board, which shall consist of—

(a) the chairman of the Board of Trade and Industries or his deputy;

(b) the Secretary for Commerce and Industries or his deputy;

(c) the chairman of the Union Tender and Supplies Board or his deputy;

(d) the Secretary for Defence or his deputy;

(e) the Secretary for Agriculture and Forestry or his deputy;

(f) any other person whom the said Minister may have appointed as member of the Board.

(2) The said Minister shall appoint one member of the Board as chairman thereof who shall convene and preside at meetings of the Board provided that in his absence the members of the Board who are present at any meeting thereof, shall elect a chairman.

(3) Four members of the Board shall form a quorum at a meeting of the Board and a decision of a majority of the members of the Board or a decision of the majority of the members of the Board who are present at a meeting thereof, shall be deemed to be a decision of the Board; provided that in the event of an equality of votes at a meeting of the Board, the member of the Board who presides at that meeting, shall have a casting vote.

(4) The said Minister may appoint two or more persons to act temporarily as a committee under the control of the Board, for the purpose of assisting the Board in the performance of its functions.

(5) The Board may order any person who manufactures or deals in any goods or handles any goods in the course of his business or trade, to furnish the Board from time to time with any information whatsoever available to him relating to any such goods which he or his servant or agent has or had in his possession or custody of over which he has or had any control or which he is capable of manufacturing.

(6) Any such person as aforesaid shall, at the request of any person (herein-

after referred to as an inspector) who produces a document which purports to have been issued by or on behalf of the Board and which authorizes him to act on behalf of the Board, produce to the inspector any book or document at his disposal which relates to any such goods as aforesaid and permit the inspector to make a copy thereof or to take an extract therefrom, and shall furnish the inspector with such other information (whether written or oral) relating to such goods as the inspector may demand from him.

(7) Any person who, having received an order mentioned in sub-regulation (5) fails to comply therewith within a reasonable time or fails to comply with a request or demand mentioned in sub-regulation (6) or who knowingly furnishes the Board or an inspector with any incorrect information or who hinders an inspector in the performance of his duties shall be guilty of an offence.

REGULATION OF DEALINGS IN CERTAIN GOODS.

3. (1) The Minister of Commerce and Industries may on the recommendation of the Board by means of a notice published or conveyed in any manner which he deems most suitable to inform those for whom the notice is intended, either throughout the Union or in any defined area or throughout the Union with the exception of any defined area—

(a) fix the maximum price at which certain specified goods may be sold (and in doing so he may fix different maximum sale prices for such goods in different areas);

(b) prohibit the purchase, sale or exchange of certain specified goods, unless the person acquiring those goods is authorized by a permit issued by a person mentioned in that notice, to acquire those goods;

(c) prohibit the supply, during any specified period, to any one person or for the use or benefit of any one person, of any specified goods in excess of a stated quantity or number;

(d) prohibit any one person from acquiring, during a specified period, any specified goods in excess of a stated quantity or number;

(e) prohibit the importation or export of any specified goods except on a permit issued by the Board or any person or authority mentioned in the notice;

(f) control and regulate, in such a manner as he may think necessary in the interests of the public, the supply to the public or to any particular place or area, of any goods mentioned in the notice.

(2) Any person who sells or offers for sale any goods at a price in excess of the price fixed as aforesaid for those goods or who contravenes a prohibition under paragraph (b), (c), (d) or (e) of sub-regulation (1) or who acts contrary to any measures taken by the said Minister under paragraph (f) of sub-regulation (1) shall be guilty of an offence.

PREVENTION OF HOARDING OF GOODS.

4. (1) If an inspector mentioned in sub-regulation (6) of regulation 2 has

reason to believe that any person has acquired more goods than he would have acquired if no state of national emergency had arisen, the inspector may call upon the person in question to furnish him with all particulars at his disposal relating to those goods and may enter any place where such goods are or are suspected, upon reasonable grounds, to be kept.

(2) If any person who has under sub-regulation (1) been called upon to furnish any information fails to furnish that information or knowingly furnishes incorrect information or hinders an inspector in the exercise of his powers under sub-regulation (1), he shall be guilty of an offence.

(3) Upon the recommendation of the Board the Minister of Commerce and Industries may order any person who has in his possession more goods than he will, in the opinion of the said Minister, need for his own use or in connection of his business during a reasonable period, to deliver a stated quantity or number of such goods to a person mentioned in the order, upon payment of the amount which the first-mentioned person proves to have paid for those goods.

(4) If a person who has received an order under sub-regulation (3) fails to comply therewith he shall be guilty of an offence and the said Minister may cause any goods mentioned in the order to be attached and delivered to any other person, on payment of a sum which in the opinion of the Board, the first-mentioned person paid therefor, after deduction therefrom of a sum fixed by the Board, to cover the cost of the attachment and removal of the goods.

(5) Any person who hinders any person attaching or removing goods under sub-regulation (4) shall be guilty of an offence.

PROFITEERING.

5. (1) For the purposes of this regulation:—

(a) a person shall be deemed to sell or to have sold any goods if he disposes or disposed of them for any valuable consideration;

(b) a person who sold any goods shall be deemed to have done so in the course of his business or trade, unless he proves the contrary.

(2) If a person sold any goods after the 31st day of August, 1939, at any place at a price in excess of the highest market price of like goods at that place at any time during the month of August, 1939, that excess shall for the purposes of these regulations be deemed to constitute an unjust profit, unless he proves that he acquired the said goods (or the material from which they were mainly made) after the said date and that the profit which accrued to him from the said sale, in proportion to the cost, to him, of the said goods, did not exceed the profit in proportion to cost, which was ordinarily included in the highest market price of like goods which prevailed at that place during the said month.

(3) A statement purporting to have been issued by or on behalf of the Board, that a specified price was the highest market price of any specified goods at a specified place in the month of August, 1939, shall for the purposes of this re-

gulation be deemed to constitute *prima facie* proof of the averments made in that statement.

(4) Any person who, after the promulgation of these regulations, sells any goods at an unjust profit shall be guilty of an offence and liable to a fine not exceeding five hundred pounds or to imprisonment for a period not exceeding two years or to both such fine and imprisonment.

(5) Whenever a person has received the purchase price of any goods which he sold (whether before or after the promulgation of these regulations) at an unjust profit, he shall, irrespective of any action which may have been taken under sub-regulation (4), refund to the purchaser on the latter's demand, a sum equal to twice the amount of the unjust profit, and if he fails to satisfy that demand, he shall be guilty of an offence and shall be imprisoned until the demand has been satisfied.

(6) The preceding provisions of this regulation shall not apply in connection with—

(a) any sale of any goods—

(i) for which, at the time of the sale, a price had been fixed under regulation 3; or

(ii) which were produced in the Union and which consisted wholly of material produced in the Union; or

(b) any sale otherwise than in the course of the business or trade of the seller; or

(c) any sale of any security which is ordinarily sold through the medium of a stock broker.

REQUISITIONING OF GOODS OR LAND NEEDED FOR PUBLIC PURPOSES.

6. (1) If any person has in his possession or under his control any goods which are or any land which is needed for use in the public interest and the owner refuses to sell or let such goods or land to the Government at a price or rental which the Board considers reasonable, and no other suitable goods or land can be conveniently bought or hired at a reasonable purchase price or rental, any Minister of State in whose department such goods are or such land is needed may authorize any officer under his control to take and appropriate or use such goods or take any occupy such land on behalf of the State, on payment to the owner of the goods of a reasonable purchase price or rental or to the owner or lessee of the land, of a reasonable rental, to be determined by the Board; provided that no vessel which is registered at a place outside the Union shall be taken under this regulation; and provided, further, that if any goods taken and appropriated as aforesaid are hypothecated, the amount of the debt due thereon shall be deducted from the purchase price and paid to the creditor concerned and only the balance (if any) shall be paid to the owner.

(2) The owner of any goods which have been taken as aforesaid, shall be entitled to compensation for any damage which has been caused in any manner whatsoever to such goods while in the use of the Government; and the owner of any land which has been taken as aforesaid, shall be entitled to compensation for any damage caused to that land by any person in the service of the State or which could have been prevented by reasonable precaution, while the land was in the Government's occupation.

(3) Any person who hinders any officer in taking any goods or land under sub-regulation (1) or who destroys or damages any goods which an officer desires so to take **or which he has so** taken, shall be guilty of an offence.

MANUFACTURE OF GOODS NEEDED FOR PUBLIC PURPOSES.

7. (1) If any person is capable of manufacturing, processing or treating any goods which are needed in the public interest for use in any department of State, the Minister at the head of that department may order that person to manufacture, process or treat a specified quantity or number of such goods and to deliver them within a specified period at a specified place on payment of a price fixed or to be fixed by the Board.

(2) Any person who has received an order under sub-regulation (1) and who fails to comply therewith in a satisfactory manner, shall be guilty of an offence unless he proves that he could not, by the exercise of reasonable diligence or foresight, have avoided such failure.

(3) For the purposes of sub-regulations (1) and (2) any person who has received an order mentioned in sub-regulation (1) shall be deemed to be capable of performing the act which he is ordered to perform, unless he proves that he is not so capable.

TRADING WITH THE ENEMY AND SETTING OFF CERTAIN DEBTS AGAINST CERTAIN CLAIMS.

8. (1) Any person who, without proper authority sends, directly or indirectly, any money or goods to any person in a country with which the Union is at war, or carries on any business transactions with such a person, shall be guilty of an offence.

(2) If a person resident in the Union at any time while these regulations are in force, owes any money to any person in a country with which the Union is at war or to any authority or institution in such a country, or if a person has in his possession or under his control in the Union any money on behalf of any person in such a country or on behalf of any such authority or institution as aforesaid, he shall forthwith give notice in writing to the Secretary for Finance at Pretoria, that he owes such money or has such money in his possession or control as aforesaid.

(3) The Minister of Finance may order any such person as aforesaid to furnish him with further information in regard to the aforesaid debt or money, and may order the said person to deposit a sum equal to the amount of the debt or the said money to the credit of the Treasury at such place as may be specified in the order, and may use any such money to pay any claim which any person resident in the Union has against any person in a country with which the Union is at war.

(4) If a debt mentioned in sub-regulation (2) was contracted in a foreign currency the amount of the debt shall be deposited in terms of sub-regulation (3) in the currency of the Union at the rate of exchange which applied on the date when the debt became due.

(5) When any person has deposited any money in terms of sub-regulation (3) he shall be deemed to have discharged his liability towards the person to whom the money was due, as if he had paid it to that person.

(6) Any person mentioned in sub-regulation (2) who fails to comply with the requirements of that sub-regulation and any person who has received an order under sub-regulation (3) who fails to comply with that order, shall be guilty of an offence.

CONTROL OFFICERS.

9. (1) For the purposes of these regulations the Minister of Justice may, in consultation with the Minister of Defence, appoint, on such conditions as he may think fit to impose—

(a) a Chief Control Officer for the Union; and

(b) a control officer for any defined area.

Any public officer whose appointment as control officer for any area has been notified in the *Gazette*, shall be deemed to have been appointed under this sub-regulation.

(2) If a person so appointed is not already in the service of the State, he shall be entitled to such remuneration from public funds as the Minister of Justice may determine.

(3) A control officer shall, as such control officer, have jurisdiction only in the area for which he was appointed and be subject to the direction of the Chief Control Officer.

(4) The Chief Control Officer and every control officer shall be subject to the direction of the Minister of Justice.

PROHIBITION OF CERTAIN GATHERINGS OR PROCESSIONS.

10. (1) The Chief Control Officer or the control officer for any area may by means of a notice published or conveyed in any manner which the Chief Control Officer or the control officer concerned deems most suitable to inform the public in that area, prohibit the holding, in that area, of any particular gather-

ing or procession of more than twenty persons, or all gatherings or processions of more than twenty persons (except such gatherings or processions as the control officer concerned may have specially authorised); provided that the preceding provisions of this sub-regulation shall not apply in connection with—

(a) a gathering held exclusively for the purpose of divine worship in a building ordinarily used for such worship, or for the purpose of instruction imparted under any law; or

(b) a funeral or the cremation of the body of a decreased person; or

(c) a meeting of the members of a statutory body of persons, held exclusively for the purpose of transacting any business of that body; or

(d) a gathering held exclusively for the purpose of a public auction sale or a game or a race or an athletic competition or a theatrical or cinematographic entertainment or a concert; or

(e) a gathering held exclusively for the purpose of a wedding.

(2) Any person who is present at a gathering or who takes part in a procession which has been prohibited under sub-regulation (1) shall be guilty of an offence, unless it is proved that he did not know and could not reasonably be expected to know that the gathering or procession was prohibited, or that he did not voluntarily take part in the said gathering or procession.

RESTRICTION OF SALE OF LIQUOR.

11. (1) The Chief Control Officer or the control officer for any area may by means of a notice published or conveyed in a manner which the Chief Control Officer or the control officer concerned deems most suitable to inform those for whom the notice is intended, prohibit the sale or supply of any intoxicating liquor or any specified kind of intoxicating liquor in a defined area or in certain defined premises or class of premises to any person or to any specified class of persons during any specified period or during a specified period in every day of twenty-four hours.

(2) Any person who contravenes any prohibition under sub-regulation (1) shall be guilty of an offence.

INCITEMENT TO RESIST LAWFUL AUTHORITY OR TO DISTURB THE PEACE.

12. (1) No person shall publish in print or make, at a gathering held at any place to which the public has access or at any gathering at which more than twenty persons are present, any statement which is calculated—

(a) to subvert the authority of the Government or of the legislature; or

(b) to incite the public or any section of the public or any person or class of persons to resist or oppose the Government or any Minister, official, or

member of the forces in connection with any measure adopted in pursuance of these regulations or with any other measure relating to the state of emergency which gave rise to these regulations; or

(c) to engender or aggravate feelings of hostility in the public or any section of the public or any person or class of persons towards any other section of the public or any person or class of persons in the Union; or

(d) to cause panic or alarm among the public or a section of the public; provided that this paragraph shall not prohibit the publication of any narrative which is proved to be true and complete in every respect.

(2) Any person who contravenes any provision of sub-regulation (1) shall be guilty of an offence.

PROHIBITED AREAS.

13. (1) The Minister of Defence or the Minister of Justice or the Chief Control Officer or a control officer may by means of a notice displayed in a conspicuous manner at any entrance to, on or near any area defined in that notice, prohibit any unauthorised person from entering upon that area.

(2) Any unauthorized person who enters upon any such area, knowing that entry thereupon has been prohibited as aforesaid, shall be guilty of an offence.

CONTROL OF PERSONS LEAVING UNION.

14. (1) The Minister of Defence may by means of a notice published in a manner which he deems most suitable to inform those for whom the notice is intended, prohibit any person whatsoever or any person belonging to a specified class from leaving the Union (except on official business) unless he has been authorized to do so by the said Minister or by a person mentioned in the notice.

(2) Any person who contravenes a prohibition under sub-regulation (1) shall be guilty of an offence.

ARREST AND DETENTION OF DANGEROUS PERSONS.

15. (1) The Minister of Defence or the Minister of Justice or the Chief Control Officer or a control officer or a commisioned officer in one of the forces may cause to be arrested or himself arrest with or without warrant or other order of arrest any person whose detention is, in the opinion of either of the said Minister or of the Chief Control Officer or of the control officer or commissioned officer concerned, desirable in the interest of the State or in that person's own interest.

(2) The person who has arrested a person under sub-regulation (1) shall as soon as may be bring the arrested person to a place of detention designated under sub-regulation (3).

(3) The Minister of Justice or the Chief Control Officer may designate any

place as a place where persons arrested under sub-regulation (1) shall be detained and may cause any person arrested as aforesaid to be detained at such place during such period as the Minister of Justice or the Chief Control Officer may determine, and may release him at any time either unconditionally or upon any condition which the Minister of Justice or the Chief Control Officer may think fit to impose.

(4) The Minister of Justice or the Chief Control Officer may make rules for the administration, good government of, and maintenance of order at any place designated under sub-regulation (3).

(5) Such rules may provide for sanctions for the enforcement or such rules, by way of the imposition of the duty to perform certain specified work in the said place of detention and in connection therewith during a specified period not exceeding fourteen days, or by way of a fine not exceeding ten pounds or in default of payment of such fine, confinement in a specified room, building or locality for a period not exceeding ten days, or confinement in such a room, building or locality in company with others or apart from any other person for a period not exceeding twenty-one days.

SAFEGUARDING OF EMPLOYEES WHO VOLUNTEER FOR MILITARY SERVICE.

16. (1) If any person, liable to render service under section one of the South Africa Defence Act, 1912, who is in any employment, has volunteered and has been accepted by the competent authority or military service in any one of the Defence Forces, the employer of that member shall grant him leave of absence during the period of such military service and shall take him back into his service on the same conditions as if he had not been absent from his employment.

(2) If an employer whose employee has performed any military service in terms of sub-regulation (1) fails to comply with the requirements of that sub-regulation, he shall be guilty of an offence.

OFFENCES AND PENALTIES.

17. (1) Any person who—

(a) falsifies any notice or other document which was issued or which purports to have been issued under these regulations, or without proper authority destroys, removes, obliterates, or alters such a notice; or

(b) obstructs or hinders a control officer or any member of the forces in the performance of his duty;

shall be guilty of an offence under these regulations.

(2) Any person convicted of an offence under these regulations [other than an offence mentioned in sub-regulation (4) of regulation 5] shall be liable to a fine not exceeding two hundred pounds or to imprisonment during a period not exceeding one year or to both such fine and imprisonment.

ARREST OF OFFENDERS.

18. (1) The Chief Control Officer or a control officer or a commissioned officer in any one of the forces may cause to be arrested or himself arrest any person who has committed an offence under these regulations or who is suspected, upon reasonable grounds, of having committed such an offence.

(2) Any member of any one of the forces may arrest any person whom he sees or has seen committing any offence under these regulations.

POWERS OF SEARCH.

19. The Chief Control Officer or a control officer or a commissioned officer in any one of the forces may cause to be searched or himself search any person arrested under these regulations or any person who is suspected, upon reasonable grounds, of being in possession of any object which may afford evidence of the commission of any offence under these regulations, or cause to be searched or himself search any place or receptacle whereat or wherein any such object is believed, upon reasonable grounds, to be. Any person who finds any such object shall submit it to the competent prosecutor mentioned in sub-regulation (3) of regulation 20.

EMERGENCY COURTS.

20. (1) Any offence under these regulations which was committed in any magisterial district, shall be triable in that district by any magistrate, additional magistrate or assistant magistrate who has authority to preside over ordinary criminal proceedings in that district; provided that when a magistrate, additional magistrate or assistant magistrate deals with any proceedings under these regulations, he shall be deemed to constitute a national emergency court.

(2) In any proceedings before an emergency court the rules of procedure and evidence relating to criminal trials in magistrates' courts and the ordinary rules of interpreting laws shall apply; provided that an emergency court shall have jurisdiction to impose the maximum penalties prescribed in these regulations.

(3) The Minister of Justice may appoint, to an emergency court, a prosecutor or two or more prosecutors who shall, in connection with any case triable by that court, perform functions similar to the functions of a public prosecutor in connection with a case triable by a magistrate's court.

(4) In connection with emergency courts the law relating to contempt of court shall apply as if those courts were magistrates' courts and any such contempt shall be punishable by an emergency court.

OUSTING OF ORDINARY COURTS.

21. No court of law shall have power to interfere in any way with any action taken under these regulations or take cognisance of any such action.

JUDGMENTS OF EMERGENCY COURTS CARRIED OUT LIKE ORDINARY JUDGMENTS.

22. A person convicted under these regulations shall be dealt with as if he had been convicted by a court of law and all officers whose duty it is to give effect to any judgment, sentence or order of a court of law shall give effect to a judgment, sentence or order of an emergency court.

REVIEW.

23. (1) The Minister of Justice may appoint, for any area, a person who was, or two or more persons who were, not less than ten years before the appointment, admitted as an advocate or as advocates in any court in any territory which forms part of the Union, to review the proceedings of emergency courts. A person so appointed shall be styled are viewing officer.

(2) When in any area from which a viewing officer has been appointed, a person has been convicted by a national emergency court and has been sentenced to imprisonment, or to a fine exceeding thirty pounds, the officer who imposed the sentence shall, as soon as practicable after the imposition of the sentence, submit the record of the proceedings or a certified copy thereof to the reviewing officer, who may affirm, after or quash the conviction or affirm, reduce, alter or set aside the sentence imposed by the emergency court (and if the accused person was convicted on one of two or more alternative counts, the reviewing officer may, when quashing that conviction, convict the accused on the other alternative count or on one or other of the other alternative counts) or he may set aside or correct the proceedings of the emergency court or generally give such judgment or impose such sentence or make such order as the national emergency court ought to have given, imposed or made on any matter which was before it at the trial of the case in question, or he may remit the case to the emergency court with instructions to deal with any such matter in such manner as he may think fit, and he may, if he think fit, suspend the execution of any sentence imposed upon the convicted person or admit him to bail pending the termination of the case.

PROCLAMATION OF WAR.

No. 197, 6th September, 1939.

WHEREAS it is in the interest of the Union that the peaceful relations with the German Reich be severed and that it be at war with the German Reich:

NOW, THEREFORE, under and by virtue of the powers in me vested under section SIX of the Royal Executive Functions and Seals Act, 1934 (Act No. 70 of 1934), I do by this my Proclamation in the name and on behalf of His Majesty the King declare and make known that from this sixth day of September, 1939, the peaceful relations between the Union and the German Reich are sev-

ered and that the Union is, for the purposes of all laws, at war with the German Reich as from the aforementioned date.

Patrick Duncan,
Governor General.

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EMERGENCY FINANCE REGULATIONS.

No. 1386, 9th September, 1939.

His Excellency the Gevornor-General, under the powers conferred upon him by section *nine* of the Currency and Exchanges Act, 1933, has made the following regulations:—

REGULATIONS.

DEFINITION OF TERMS.

1. In these regulations, unless the context otherwise indicates—

"authorized dealer" means in relation to any transaction in respect of gold, a person authorized by the Treasury to deal in gold, and in relation to any transaction in respect of foreign currency, a person authorized by the Treasury to deal in foreign currency;

"bank notes" means bank notes which are legal tender in the Union;

"foreign currency" means any currency other than currency which is legal tender in the Union;

"gold" means gold in any form, except in regulations 2 and 3, in which "gold" means any gold other than wrought gold;

"owner", in relation to any security, includes any person who has the right to sell or transfer that security, or who has the custody thereof, or who receives or has the right to receive, whether on his own behalf or on behalf of any other person, dividends or interest thereon, or who has any other interest therein;

"security" includess shares, stock, bonds, debentures, debenture stock and Treasury bills, but does not include a bill of exchange or promissory note;

"the appropriate officer" means any officer of customs or excise, any immigration officer, any member of the South African Police or any person authorized by the Treasury to act as such;

"the Treasury" means the Minister of Finance or any other Minister of State acting in his stead, and in relation to any power or function assigned to the Treasury by these regulations which any person has by such Minister been authorized to exercise or to perform, includes that person;