(7.) Nothing in this section shall authorize--

(a) the imposition of any form of compulsory naval, military or air-force service, or any form of industrial conscription, or the extension of any existing obligation to render compulsory naval, military or air-force service; or

(b) the making of provision for trial by courts-martial of persons not subject to naval, military or air-force law under the Naval Defence Act 1910-1934, the Defence Act 1903-1939 or the Air Force Act 1923.

(Extra-territorial operation of regulations.)

6. Unless the contrary intention appears, any provisions contained in, or having effect under, any regulation made under this Act shall--

(a) in so far as they specifically impose prohibitions, restrictions or obligations in relation to ships, vessels or aircraft, or specifically authorize the doing of anything in relation to ships, vessels or aircraft, apply in relation to all ships, vessels or aircraft in or over Australia,

and

and in relation to all ships, vessels or aircraft registered in Australia, wherever they may be; and

(b) in so far as they impose prohibitions, restrictions or obligations on persons, apply to and in relation to all persons in Australia, and to and in relation to all persons on board any ship, vessel or aircraft registered in Australia, wherever it may be.

(Indemnity in respect of things done before passing of Act, and validation of regulations, &c.)

7.--(1.) A person shall not, by reason of anything done by him on behalf of the Commonwealth during the period commencing on the twenty-fifth day of August, One thousand nine hundred and thirty-nine, and ending on the date of the commencement of this Act, be liable to any proceedings if the doing of that thing could validly have been authorized had this Act been in force throughout that period.

(2.) Where during the period specified in sub-section (1.) of this section the Governor-General or any Minister or officer has purported to make any regulation or order, or to do any act or thing which could have been validly

made

made or done if this Act had been in force throughout that period, that regulation, order, act or thing shall be deemed to be as valid and effectual, and shall, at all times, as on and from the date of the making or doing of the regulation, order, act or thing, be deemed to have been as valid and effectual, as if this Act had been in force on that date, and the regulation, order, act or thing had been made or done under or in pursuance of this Act.

(Hearing of proceedings in camera.)

8.--(1.) If, with respect to any proceedings (whether instituted before or after the commencement of this Act), the court (not being a court of summary jurisdiction) before which the proceedings are taken is satisfied that it is necessary in the interests of the public safety or the defence of the Commonwealth or any Territory of the Commonwealth so to do, the court--

(a) may give directions that throughout or during any part of the proceedings such persons or classes of persons as the court determines shall be excluded; and

(b) may give directions prohibiting or restricting

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the disclosure of information with respect to the proceedings.

(2.) The powers conferred by sub-section (1.) of this section shall be in addition to and not in derogation of any other powers of the court.

(3.) If any person contravenes any directions given by a court under sub-section (1.) of this section, then, without prejudice to the law relating to contempt of court, he shall be guilty of an offence against this Act.

(Proof of instruments.)

9.--(1.) Every document purporting to be an instrument made or issued by the Minister or any other authority or person in pursuance of any provision contained in, or having effect under, the regulations, and to be signed by or on behalf of the Minister, authority or person, shall be received in evidence, and shall, until the contrary is proved, be deemed to be an instrument made or issued by the Minister, authority or person.

(2.) Prima facie evidence of any such instrument may, in any legal proceedings (including arbitrations), be given by the production of a document purporting to be certified to be a true copy of the instrument by, or on

behalf

behalf of, the Minister or other authority or person having power to make or issue the instrument.

(Trial of offences.) 10.--(1.) Any person who contravenes, or fails to comply with, any provision of any regulation made in pursuance of this Act, or with any order, rule or by-law made in pursuance of any such regulation, shall be guilty of an offence against this Act.

(2.) An offence against this Act may be prosecuted either summarily or upon indictment, but an offender shall not be liable to be punished more than once in respect of the same offence.

(3.) The punishment for an offence against this Act shall be--

(a) if the offence is prosecuted summarily--a fine not exceeding One hundred pounds or imprisonment for a term not exceeding six months, or both; or

(b) if the offence is prosecuted upon indictment--a fine of any amount or imprisonment for any term, or both.

(4.) An offence against this Act shall not be prosecuted

secuted summarily without the written consent of the Attorney-General, or the Minister of State for Defence, or a person thereto authorized in writing by the Attorney-General or the Minister of State for Defence, and an offence against this Act shall not be prosecuted upon indictment except in the name of the Attorney-General.

(5.) For the purpose of the trial of a person summarily or upon indictment for an offence against this Act, the offence shall be deemed to have been committed either at the place in which it was actually committed or (subject to the Constitution) at any place in which the person may be.

(6.) In addition to any other punishment, a court may, if it thinks fit, order the forfeiture of any money or goods in respect of which an offence against this Act has been committed.

(Acts preparatory to commission of offence.)

11. Any person who does any act preparatory to the doing of any act the doing of which would be an offence against this Act, shall be guilty of an offence against this Act and shall be punishable as if he had committed the first-mentioned offence.

12. Where

Offences by corporations.

12. Where a person convicted of an offence against this Act is a body corporate, every person who, at the time of the commission of the offence, was a director or officer of the body corporate shall be deemed to be guilty of the offence, unless he proves that the offence was committed without his knowledge, or that he used all due diligence to prevent the commission of the offence.

Arrest of offenders.

13.--(1.) Any person who is found committing an offence against this Act, or who is suspected of having committed, or of being about to commit, such an offence, may be arrested without warrant by any constable or Commonwealth officer acting in the course of his duty as such, or by any person thereto authorized by the Minister, in the same manner as a person who is found committing a breach of the peace may, at common law, be arrested by any constable or person.

(2.) If a person suspected of having committed, or of being about to commit, an offence against this Act, is arrested under the provisions of this section, a report of the fact and circumstances shall forthwith be made to the Attorney-General or to a person appointed in that behalf

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by the Attorney-General, and--

(a) if no charge is laid against the suspected person within ten days from the date of his arrest, he shall be released from detention; or

(b) if a charge is laid against the suspected person, he shall be dealt with according to law.

(3.) No action shall lie against the Commonwealth, any Commonwealth officer, any constable or any other person acting in pursuance of this section in respect of any arrest or detention in pursuance of this section, but if the Governor-General is satisfied that any arrest was made without any reasonable cause, he may award such compensation in respect thereof as he considers reasonable.

(Power to order recognizances.) 14.--(1.) When any person is convicted of an offence against this Act, the court before which he is convicted may, either in addition to or in lieu of any punishment provided for the offence, require him to enter into recognizances with or without sureties to comply with the provisions of the regulations, orders, rules or by-laws in relation to which the offence was committed.

(2.) If any person fails to comply with an order of

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the court requiring him to enter into recognizances, the court may order him to be imprisoned for any term not exceeding six months.

(Onus of proof.) 15. If any question arises in any proceedings under any regulation made in pursuance of this Act or to which sub-section (2.) of section seven of this Act applies, or under any order, rule or by-law made in pursuance of any such regulation, or with reference to anything done or proposed to be done under any such regulation, order, rule or by-law, whether any person is an alien or not, or is an alien of a particular class or not, the onus of proving that that person is not an alien or, as the case may be, is not an alien of that class, shall lie upon that person.

(Act not to derogat from other powers.) 16. All powers given by or in pursuance of this Act or the regulations, or by or in pursuance of any instrument made or issued in pursuance of this Act or the regulations, shall be in addition to and not in derogation of any other powers exercisable apart from this Act.

(Delegation of powers under regulations.) 17.--(1.) Any Minister of State may, in relation to any matters or class of

matters, or in relation to any particular State or part of Australia, by writing under his hand, delegate all or any of his powers and functions under the regulations (except this power of delegation) so that the delegated powers or functions may be exercised by the delegate with respect to the matters or class of matters, or the State or part of Australia, specified in the instrument of delegation.

(2.) Every delegation under this section shall be revocable at will, and no delegation shall prevent the exercise of any power or function by the Minister of State,

(Effect of regulations, &c.) 18. A regulation made under this Act shall, subject to the Acts Interpretation Act 1901-1937, 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.

(Duration.) 19. This Act shall continue in operation during the present state of war and for a period of six months thereafter, and no longer.

STATUTORY RULES.

1939. No. 87.

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REGULATIONS UNDER THE NATIONAL SECURITY ACT

1939. *

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the National Security Act 1939.

Dated this thirteenth day of September, 1939.

GOWRIE

Governor-General.

By His Excellency's Command,

G. A. STREET

Minister of State for Defence.

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NATIONAL SECURITY (GENERAL) REGULATIONS.

Part 1. - Preliminary.

(Citation.) 1. These Regulations may be cited as the National Security (General) Regulations.

(Parts.) 2. These Regulations are divided into Parts, as

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* Notified in the Commonwealth Gazette on 13th September, 1939.

as divided into Parts, as follows: -

Part I. - Preliminary.

Part II. - Espionage and Acts likely to assist an Enemy.

Part III.- Public Safety and Order.

Part IV. - Ships and Aircraft.

Part V. - Essential Supplies and Work.

Part VI. - Miscellaneous.

(Defi-nitions.) 3. - (1.) In these Regulations, unless the contrary intention appears. -

"aircraft" means any machine which can support itself in the atmosphere from the reactions of the air upon it, and includes balloons, whether fixed or free, airships, gyroplanes, aeroplanes, gliders and kites;

"ammunition" means ammunition for any firearm, and includes grenades, bombs and other like missiles, whether capable of use with a firearm or not;

"billeting" means the provision of accommodation by way of lodging, or food or both and either with or without attendance;

"Defence

"Defence Force" means the Defence Force of the Commonwealth;

"document" includes part of a document;

"enemy alien" means a person who, not being either a British subject or a person enjoying His Majesty's protection, possesses the nationality of a State at war with His Majesty;

"essential services" means such services as are declared by order of the Minister to be of public utility or to be essential for the prosecution of the war or essential to the life of the community;

"firearm" means any lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged, and includes any weapon whatsoever which the Minister by order declares to be a firearm;

"fire brigade" means a fire brigade maintained in accordance with law and includes any fire brigade maintained by a local governing authority or employed for the purposes of an undertaking engaged in the performance of essential services;

"information" means any information, whether true or false, and includes -

(a)

(a) any opinion relating to any person, place or thing; and

(b) the report of any conversation relating to any person, place or thing;

"land" includes, without prejudice to any of the provisions of section twenty-two of the Act Interpretation Act 1901-1937; land covered with water, and buildings or parts of buildings;

"law" means law of the Commonwealth or of any State or Territory of the Commonwealth;

"local governing authority" means a municipal council or like body;

"mayor" means the chairman of a local governing body, and includes any person presiding over a local governing body;

"member of a fire brigade" includes any auxiliary fireman attached to a fire brigade;

"munitions of war" includes the whole or any part of any ship, submarine, aircraft, tank or similar engine, arms, ammunition, bomb, torpedo, mine, or other article, material or device (whether actual or proposed), intended or adapted for use in war;

"police"

"police" means police of the Commonwealth or of a State or Territory of the Commonwealth;

"postal article" has the same meaning as in the Post and Telegraph Act 1901-1934;

"prisoner of war" means a prisoner of war in the power of His Majesty;

"prohibited place" means premises declared in pursuance of these Regulations to be a prohibited place for the purposes of these Regulations;

"protected area" means an area declared in pursuance of these Regulations to be a protected area for the purposes of these Regulations;

"public utility undertaking" means any of the following undertakings the carrying on of which is authorized by or under any law, that is to say: -

(a) any undertaking for the supply of electricity, gas or water;

(b) any transport, dock, harbour or pier undertaking;

(c) any sewerage or sewage disposal undertaking, or any undertaking for the collection or disposal of refuse; or

(d) any undertaking of a drainage authority,

and

and includes any such undertaking which is carried on by a local governing authority;

"quartering" has the same meaning as "billeting";

"requisitioned" means, in relation to any property, taken possession of or required to be placed at the disposal of the requisitioning authority and "requisitioning" has a corresponding meaning;

"seaplane" includes a flying boat and any other aircraft designed to manoeuvre on the water;

"submarine cable" means any submarine cable used or capable of being used for telegraphic or telephonic purposes, and includes all stations, instruments, land wires and appliances used in connexion with any submarine cable;

"the Act" means the National Security Act 1939;

"the war" means the present war;

"war offence" means -

(a) treason, in so far as it consists in adhering to the King's enemies, giving them aid and comfort; or

(b) an offence against the Act;

"wireless receiving apparatus" means apparatus for receiving communications or information made or given by wireless telegraphy, wireless telephony

or

or wireless television;

"wireless transmitting apparatus" means apparatus for making communications by means of wireless telegraphy, wireless telephony or wireless television.

(2.) For the purposes of these Regulations, the person for the time being in charge of any vessel or aircraft shall be deemed to be the master of the vessel or the pilot of the aircraft, as the case may be.

(3.) Any reference to the making, sending or receiving of communications which is made in any of the provisions of these Regulations relating to wireless telegraphy, wireless telephony or wireless television shall be construed as including a reference to the giving of warning or information or, as the case may be, to the receiving of warning or information.

PART II. - ESPIONAGE AND ACTS LIKELY TO ASSIST AN ENEMY.

Access to certain Premises and Areas.

(Prohibited places.) 4. - (1.) If it appears to the Minister to be necessary or expedient in the interests of the defence of the Commonwealth or the efficient prosecution of the war, or for maintaining supplies

and

and services essential to the life of the community, that special precautions should be taken for the security of any place, he may by order declare that place to be a prohibited place for the purpose of these Regulations.

(2.) A person shall not without lawful authority (proof whereof shall lie upon him) enter, approach, inspect, pass over or be in or in the neighbourhood of a prohibited place.

(3.) A person who, with lawful authority, enters, approaches, inspects, passes over, or is in or in the neighbourhood of any prohibited place shall comply with any directions for regulating his conduct which are iv given by the officer or other person in charge of the prohibited place.

(4.) If any person is in or in the neighbourhood of a prohibited place in contravention of this regulation, or, while in or in the neighbourhood of such a place, fails to comply with any direction given by the officer or other person in charge of the prohibited place, he may, without prejudice to any proceedings which may be taken against him, be removed therefrom by any constable or Commonwealth officer or any person

authorized

authorized in that behalf by the officer or other person in charge of the prohibited place.

(5.) A prohibited place within the meaning of section eighty of the Crimes Act 1914-1937 shall be deemed to be a prohibited place for the purposes of these Regulations.

(Protected areas.) 5. - (1.) Without prejudice to any other provision of these Regulations, the Minister, if satisfied with respect to any area that it is necessary or expedient in the interests of the defence of the Commonwealth or the efficient prosecution of the war, to regulate the entry of persons into that area, may by order declare that area to be a protected area for the purpose of these Regulations; and so long as the order is in force, then, on and after such day as is specified in the order, and subject to any exemptions for which provision is made by the order, no person who was not at the beginning of that day resident in the protected area shall be therein without the permission of such authority or person as is specified in the order.

(2.) If any person is in a protected area in contravention of this regulation, he may, without prejudice to any proceedings which may be taken against him, be removed from the area by or under the directions

tions of any constable or any Commonwealth officer on duty in the area.

(Controlled) (areas.)

6. Without prejudice to any provision of these Regulations, the Minister may, with respect to -

(a) any prohibited place or protected area; or

(b) any place in relation to which it appears to the Minister to be necessary to take special precautions owing to the presence in that place of members of the Defence Force or munitions of war,

make such by-laws for regulating the conduct of persons intthat place or area as the authority making the by-laws thinks necessary for the protection of persons and property in that place or area, for safeguarding the discipline and efficiency of members of the Defence Force therein, or for facilitating the enforcement therein of these Regulations; and by-laws made in relation to any place in pursuance of paragraph (b) of this regulation may make provision for restricting access to that place, and for removing therefrom any person who is therein in contravention of the by-laws.

(Trespass-
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7. - (1.) A person shall not -

(a) trespass, on, or on premises in the vicinity of, any premises to which this regulation primarily applies; or

(b) unlawfully enter or board any vehicle, vessel or aircraft used or appropriated for any of the purposes of any service of the King or the Commonwealth, or trespass on premises in the vicinity of any such vehicle, vessel or aircraft.

(2.) If any person is found trespassing on any premises in contravention of sub-regulation (1.) of this regulation, or is found on any vehicle, vessel or aircraft on any occasion on which he has entered or boarded it in contravention of that sub-regulation, he may, without prejudice to any proceedings which may be taken against him, be removed by the appropriate person from the premises or from the vehicle, vessel or aircraft, as the case may be.

(3.) A person shall not, for any purpose prejudicial to the public safety or the defence of the Commonwealth, be in, or in the vicinity of, any premises to which this regulation primarily applies or of any

such

such vehicle, vessel or aircraft.

(4.) Where, in any proceedings taken against a person in pursuance of sub-regulation (3.) of this regulation, it is proved that at the material time he was present, in, or in the vicinity of, the premises, vehicle, vessel or aircraft concerned, the prosecution may thereupon adduce such evidence of the character of that person (including evidence of his having been previously convicted of any offence) as tends to show that he was so present for a purpose prejudicial to the public safety or the defence of the Commonwealth.

(5.) A person loitering in the vicinity of any premises to which this regulation primarily applies or of any such vehicle, vessel or aircraft, shall not continue to loiter in that vicinity after being requested by the appropriate person to leave it.

(6.) The premises to which this regulation primarily applies are premises used or appropriated -

(a) for any of the purposes of the service of the Crown or for defence against, or protection from, an enemy; or

(b) for the performance of any essential services.

(7.) In this regulation, the expression "the appropriate person" means -

(a) any Commonwealth officer;

(b) any constable; or

(c) the person occupying the premises or being in charge of the vehicle, vessel or aircraft, as the case may be, or any person thereto authorized by him.

(Control of highways over or near defence works and prohibited places.)

8. The Minister may, if he considers it necessary in the interests of the defence of the Commonwealth so to do, by order provide for the stopping up or diversion of any road or pathway passing through any prohibited place or work of defence, or through any land adjoiningany such place or work, and for prohibiting or restricting the exercise of any right of way over, or the use of any waterway passing through, any such place, work or land.

Control of Means of Communication.

(Signalling to foreign vessels or aircraft.)

9. A person shall not, except with permission granted by or on behalf of a Minister, make any signal, either visually or by means of sound, to any foreign vessel or foreign aircraft:

Provided that nothing in this regulation shall restrict the making of any signal by any person

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in the service of the Crown acting in the course of his duty as such, or the making of any signal for the purpose only of saving life or fof regulating or aiding the navigation, on the water or in the air, of any vessel or aircraft other than a vessel or aircraft being used in the service of a Power at war with His Majesty.

(Signalling apparatus.) 10. Subject to any exemptions for which provision may be made by order of a Minister, a person shall not, except with permission granted by a person thereto authorized by a Minister, have in his possession or under his control any apparatus or contrivance for signalling, whether visually or otherwise, which is of such a nature that it could be used for a purpose prejudicial to the defence to of the Commonwealth:

Provided that nothing in this regulation shall restrict the doing of anything by any person in the service of the Crown or any constable acting in the course of his duty as such, or shall apply -

(a) in relation to any wireless transmitting apparatus; or

(b) in relation to any apparatus forming part of the equipment of a vessel or aircraft,

craft, being an apparatus which is required by law to be carried therein.

(Wireless telegraphy, submarine cables, &c.)

11. - (1.) The Postmaster-General may by order direct that, subject to any exemptions for which provision is made by the order, a person shall not, except under the authority of a written permit granted by such authority or person as is specified in the order, have in his possession or under his control -

(a) any article specified in the order, being an article which is designed for the purpose only of being used for the operation of wireless transmitting apparatus; or

(b) any wireless receiving apparatus specified in the order, being a type of apparatus which is designed to be used also as wireless transmitting apparatus or which appears to the Postmaster-General to be readily adaptable for the purpose of being so used:

Provided that nothing in any order shall restrict the doing of anything by any person in the service

of

of the Crown acting in the course of his duty as such, or apply in relation to any apparatus in respect of which there is in force a licence under the Wireless Telegraphy Act 1905-1936 authorizing the use of the apparatus for transmission or in relation to any article forming part of the apparatus; and in any proceedings taken in pursuance of this sub-regulation against any person by reason of his having in his possession or under his control any article not forming part of the apparatus, it shall be a defence for him to prove that at the material time he had the article in his possession or under his control for the purpose only of the operation of an apparatus in respect of which such a licence was then in force.

(2.) The Minister may, if, in his opinion it is desirable in the public interest so to do, take possession or control of any submarine cable or wireless ttransmitting or receiving apparatus.

(3.) The Minister may by order provide for prohibiting in certain circumstances, the use, and for regulating and controlling telegraphic or telephonic communication by means of submarine cables or wireless transmitting apparatus; and if any apparatus is used in contravention of an order made under this sub-regulation,

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the occupier of the premises on which the apparatus is situated, or, where the apparatus is on board any vessel or aircraft, the master of the vessel or the pilot of the aircraft, as the case may be, shall, without prejudice to any proceedings which may be taken against any other person, each be guilty of an offence against the Act:

Provided that, in any proceedings which are, in pursuance of this sub-regulation, taken against any person in respect of the use of any apparatus by some other person in contravention of such an order, it shall be a defence for the defendant to prove that the apparatus was so used without his permission and that he exercised all due diligence to prevent any contravention of the order.

(4.) Any constable or Commonwealth officer may, in relation to any ship or aircraft, take such steps, and use such force, as appear to him to be reasonably necessary for securing compliance with any order made under sub-regulation (3.) of this regulation relating to the ship or aircraft, or, where a contravention of such an order has occurred in the case of the ship or aircraft, for enabling proceedings in respect of the contravention effectually to be taken.

(5.) Notwithstanding anything in the Wireless Telegraphy Act 1905-1936 or the regulations made under that Act, the Postmaster-General in his discretion may refuse to grant a licence, and may revoke at any time a licence granted, under that Act or those regulations.

(6.) In this regulation, the term "apparatus" includes submarine cable.

(Pigeons.) 12. - (1.) A person shall not import any pigeon into Australia except under the authority of a licence granted by, or on behalf of, the Minister:

Provided that this sub-regulation shall not apply to anything done by any person in the service of the Crown acting in the course of his duty as such.

(2.) A person shall not -

(a) have in his possession or under his control, or liberate, any carrier pigeon or homing pigeon except under the authority of a written permit granted by or on behalf of a person thereto authorized by the Minister;

(b) knowingly kill, wound or take any such pigeon; or

(c) remove or tamper with any article attached to any such pigeon, being an article which he has reasonable cause to believe to be a

means

means of identifying the pigeon or of communicating information:

Provided that -

(i) this sub-regulation shall not apply to anyting done by, or with the permission or under the direction of, any constable or Commonwealth officer acting in the course of his duty as such; and

(ii) nothing in paragraph (b) or (c) of this sub-regulation shall apply to anyting done in relation to a pigeon by the person entitled to possession thereof or by any person acting on his behalf.

(3.) With a view to the enforcement of this regulation, any constable may liberate any pigeons found by him at any place, and may enter any premises for the purpose of exercising his powers under this sub-regulation.

(4.) Any person who finds dead or unable to fly a carrier pigeon or homing pigeon to which there is attached any article which he has reasonable cause to believe to be a means of identifying the pigeon or of communicating information, shall forthwith cause the pigeon to be delivered to some member of the Defence Force on duty in the neighbourhood or to the officer in charge of a police station

in the neighbourhood:

Provided that nothing in this sub-regulation shall impose, in respect of a pigeon, any obligation upon any person, or the servant or agent of any person, who is entitled to have the pigeon in his possession or under his control by virtue of a permit granted under sub-regulation (2.) of this regulation.

(Means of secret communication.) 13. (1.) Subject to the provisions of this regulation, a person shall not, except with permission granted by or on behalf of the Minister, knowingly have in his possession, or knowingly send by post or otherwise to any destination, whether within or outside Australia -

(a) any instructions for utilizing any means of secretly conveying, receiving or recording information;

(b) any substance or article manufactured or designed for the purpose of secretly conveying, receiving or recording information; or

(c) any document or other article secretly conveying or recording any information.

(2.) Any person who has in his possession any instructions specified in paragraph (a) of sub-regulation

(1.)

(1.) of this regulation shall, if requested by or on behalf of the Minister so to do, deliver up those instructions to the authority or person specified in the request.

(3.) Any person who has in his possession, in contravention of this regulation, any substance or article manufactured or designed for the purpose of secretly conveying, receiving or recording information, shall, if requested by or on behalf of the Minister so to do, deliver up that substance or article to the authority or person specified in the request.

(4.) Nothing in sub-regulations (2.) and (3.) of this regulation shall prevent the prosecution of any person in respect of a contravention of sub-regulation (1.) of this regulation.

(5.) In this regulation, the expression "instructions" for utilizing any means of secretly conveying, receiving or recording information" includes any code or cipher, but sub-regulation (1.) of this regulation shall not apply -

(a) to the possession of -

(i) any code or cipher the use of which is approved by the Minister; or

(ii) any document conveying or recording information by means of such a code or cipher,

cipher, being a document which specifies in clear the code or cipher used; or

(b) to the use, in accordance with conditions imposed by or on behalf of the Minister, of any such code or cipher as is mentioned in paragraph (a) of this sub-regulation,

and shall not restrict the doing of anyting by any person in the service of the Crown or any constable acting in the course of his duty as such.

(Postal communications.)

14. - (1.) The Minister may make provision by order for securing that postal articles of any description specified in the order shall not be despatched by post from a place in Australia to another place in Australia, or from Australia to destinations outside Australia, except in accordance with the order.

(2.) The Minister may make provision by order for securing that, subject to any exemptions for which provision is made in the order, and except in accordance with the conditions contained therein, no document, pictorial representation or photograph or other article whatsoever recording information shall be sent or conveyed from Australia to any destination outside Australia

otherwise

otherwise than by post, or conveyed into Australia otherwise than by post.

(3.) A person shall not have any article in his possession for the purpose of sending or conveying it in contravention of an order made under sub-regulation (2.) of this regulation.

(4.) Any person who is about to embark on any vessel or aircraft at any place in Australia for the purpose of leaving Australia, or lands from any vessel or aircraft at any place on coming to Australia, which person is in this paragraph referred to as "the traveller", shall, if requested sot to do by the appropriate officer -

(a) declare whether or not the traveller has with him any article mentioned in sub-regulation (2.) of this regulation; and

(b) produce any such article which he has with him,

and the appropriate officer, and any person acting under his directions, may examine or search any article which the traveller has with him, for the purpose of ascertaining whether he is conveying or has in his possession any article in contravention of this regulation, and, if the appropriate officer has reasonable ground

for

the purpose of leaving Australia.

(6.) In this regulation -

(a) the expression "photographs" includes any photographic plates, photographic films or other sensitized articles which have been exposed in a camera, whether they have been developed or not; and

(b) the expression "the appropriate officer" means an officer of Customs, an immigration officer, a constable or any person authorized in that behalf by the Minister,

and where there is declared or produced to the appropriate officer in compliance with this regulation, or discovered by the appropriate officer in circumstances in which it is required to have been so declared or produced, any such plate, film or other article which he suspects to have been exposed in a camera but not developed, he may cause to be taken, or require the person by whom it is declared or produced or in whose possession it is discovered to take such steps, including subjection of the article to the process of development, as are reasonably necessary for enabling the appropriate officer to ascertain

whether

whether or not it has been so exposed.

(Registration and regulation of persons carrying on the business of receiving postal articles.)

15.-- (1.) A person shall not, without the permission in writing of the Minister, carry on, whether alone or in conjunction with any other business, the business of receiving for reward letters, telegrams, or other postal articles, for delivery or forwarding to the persons for whom they are intended.

(2.) A person who is permitted to carry on a business of the kind specified in sub-regulation (1.) of this regulation shall, from time to time, furnish to the Minister notice of any change of address or new address at which the business is carried on, and such other information as the Minister requires.

(3.) A person who carries on a business of the kind specified in sub-regulation (1.) of this regulation--

(a) shall cause to be entered in a book kept for the purpose--

(i) the name and address of every person for whom any postal article is received, or who has requested that postal articles received may

be

be delivered or forwarded to him:

(ii) any instructions which have been received as to the delivery or forwarding of postal articles:

(iii) in the case of every postal article received, the place from which the postal article comes the date of posting (as shown by the post-mark), the date of receipt, and the name and address of the sender if shown on the outside of the postal article, and, in the case of a registered postal article, the office of registration and the number of the registered article;

(iv) in the case of every postal article delivered, the date of delivery and the name and address of the person to whom it is delivered: and

(v) in the case of every postal article forwarded, the name and address to which, and the date on which, it is forwarded;

(b) shall not deliver a postal article to any person until that person has signed a receipt for the same in that book, or,,if that person is not the person to whom the postal article is

addressed

addressed, unless there is left with him instructions signed by the last-mentioned person as to the delivery thereof; and

(c) shall not forward any postal article to another address unless there is left with him written instructions to that effect signed by the addressee.

(4.) The books so kept and all postal articles received by a person carrying on any such business, and any instruction as to the delivery or forwarding of postal articles received by any such person, shall be kept at all reasonable times open to inspection by any constable.

(5.) Nothing in this regulation shall--

(a) apply to postal articles addressed to any office where any newspaper or periodical is published, being postal articled in reply to advertisement appearing in that newspaper or periodical; or

(b) affect the exclusive privilege of the Postmaster General under the Post and Telegraph Act 1901-1934.

Censorship.

(Censorship.) 16.-- 1.) If it appears to the Minister to be necessary or expedient so to do in the interest of the public safety, the defence of the Commonwealth or the efficient prosecution of the war, or for maintaining supplies and services essential to the life of the community, he may by order provide for the censorship of--

(a) communications by telegraph, telephone or submarine cable or by wireless transmitting apparatus or wireless receiving apparatus:

(b) postal articles:

(c) newspapers or other publications:

(d) broadcasting by wireless transmitting apparatus or

(e) cinematograph films.

(2.) Any order under this regulation may contain such incidental and supplementary provisions as appear to the Minister to be necessary or expedient for the purposes of the order.

(3.) In this regulation--

(a) the expression "newspapers" includes any periodical publication; and

(b)

(b) the expression "cinematograph films" includes a sound track and any other article on which sounds have been recorded for the purpose of their being reproduced in connexion with the exhibition of such a film.

Safeguarding Information Useful to Enemy.

(General provisions for safe-guarding information.)

17. Subject to these Regulation, a person shall not :in any manner likely to prejudice the defence of the Commonwealth or the efficient procecution of the war -

(a) obtain;

(b) record, communicate to any other person or publish: or

(c) have in hispossession any document containing, or other record whatsoever of,

any information being, or purporting to be, information with respect to--

(i) the number, description, armament, equipment, disposition, movement or condition of any of the forces, vessels or aircraft of the King or the Commonwealth;

(ii)

(ii) any operations or projected operation of any of those forces vessels or aircraft;

(iii) any measures for the defence or fortification of any place on behalf of the King or the Commonwealth;

(iv) the number, description or location of any prisoners of war;

(v) munitions of war; or

(vi) any other matter whatsoever information as to which would or might be directly or indirectly useful to an enemy.

(Communication with enemy agents.)

18. A person, having reasonable cause to believe that any other person is engaged in assisting an enemy, shall not communicate or associate with that other person:

Provided that, in any proceedings taken in pursuance of this regulation in respect of any particular communication or association, it shall be a defence to prove that the purpose of the communication or association was not prejudicial to the public safety or the defence of the Commonwealth.

(Photography, &c.)

19. - (1.) Subject to any exemptions for which provision is made by order of the Minister,

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a person shall not, except under the authority of a written permit granted by or on behalf of the Minister--

(a) have a camera with him in any place or in any ship or aircraft or class of ship or aircraft specified in any order made by the Minister; or

(b) make any photograph, sketch, plan or other representation--

(i) of a prohibited place, or of any part of or object in a prohibited place, or of an object of any description specified by order of the Minister: or

(ii) of, or of any part of or object in, any area specified by order of the Minister, being an area in relation to which the restriction of photography appears to the Minister to be expedient in the interests of the defence of the Commonwealth.

(2.) The Minister may make such orders, and any person acting on his behalf may give such special directions, as the Minister or person thinks necessary, for securing that photographs, sketches, plans and other representations made under the authority of a permit

granted

granted in pursuance of paragraph (b) of sub regulation (1.) of this regulation, shall not be published unless and until they have been submitted to, and approved by, the authority or person specified in the order or directions, as the case may be; and the Minister or any person acting on his behalf, may, if the Minister or person thinks it necessary in the interests of the defence of the Commonwealth so to do, retain, or destroy or otherwise dispose of, anything so submitted.

(3.) The preceding provisions of this regulation shall not apply to anything done by any person in the service of the Crown acting in the course of his duty as such or by any constable so acting.

(Meteorological observation for a prejudicial purpose)

20.--(1.) A person, shall not, for any purpose prejudicial to the safety or interests of the Commonwealth or of any other part of the King's dominions--

(a) make any meteorological observation which, is, or is likely to be, directly or indirectly useful to a foreign power or to an enemy; or

(b) obtain, collect, record, use, publish, or communicate to any other person any meteorological

data

data which are, or are likely to be, directly or indirectly useful to a foreign power or to an enemy.

(2.) In any prosecution in respect of any act done in contravention of this regulation, it shall not be necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudicial to the safety or interests of the Commonwealth or of some other part of the King's dominions, and, although no such act is proved against him, he may be convicted if, from the circumstances of the case, or his conduct, or his known character as proved, it appears that his purpose was a purpose prejudicial to the safety or interests of the Commonwealth or of some other part of the King's dominions.

(3.) The Minister may, by order, make such further provision as to the making of meteorological observations and the publication or communication of meteorological information as he thinks necessary in the interests of the defence of the Commonwealth.

(Inventions and designs.) 21. - (1.) Subject to the directions of the Attorney-General, the Commissioner of Patents or the Registrar of Designs may,

may, notwithstanding anything contained in any Act, if it appears to him to be necessary or expedient so to do in the interest of the public safety, the defence of the Commonwealth or the efficient prosecution of the war-

(a) omit or delay the doing of anything which he would otherwise be required to do in relation to any application made (whether before or after the coming into force of this regulation) for the grant of a patent or the registration of a design;

(b) give directions for prohibiting or restricting the publication of information with respect to the subject matter of any such application or the communication of such information to particular persons or classes of persons; and

(c) refuse to furnish to any person any information or copies of any entry in the Register of Patents or copies of, or extracts from any patents, specifications, disclaimers, affidavits or other public documents, in the Patent Office or of or from registers or other books kept in the Patent Office.

(2.) A person shall not, except under the authority

of

of a written permit granted by, or on behalf of, the Commissioner of Patents or the Registrar of Designs, make any application for the grant of a patent, or the registration of a design, in any foreign country.

(3.) The Attorney-General may, by order, direct that a permit granted by such authority or person in any part of His Majesty's dominions (other than the Commonwealth), or in any foreign country or territory in which His Majesty has jurisdiction, as is specified in the order, shall be treated for the purpose of sub-regulation (2.) of this regulation as if it were a permit granted by the Commissioner of Patents or the Registrar of Designs.

(4.) The Attorney-General may, if it appears to him to be necessary or expedient in the interests of the defence of the Commonwealth or the efficient prosecution of the war so to do, give directions to any person requiring him to furnish to the authority or person specified in the directions any information in his possession relating to any invention, design or process specified in the directions, or demanded of him by the authority or person.

(5.) The right of a person to apply for, or obtain,

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a patent in respect of an invention or registration in respect of a design shall not be prejudiced by reason only of the fact that the invention or design has previously been communicated to a person in compliance with subregulation (4.) of this regulation, or used by a person in consequence of such communication, and a patent in respect of an invention, or the registration of a design, shall not be held to be invalid by reason only that the invention or design has been so communicated or used.

(6.) In connexion with the making, use or exercise of any invention or design on behalf of, or for the services of, the Crown, whether in pursuance of the Patents Act 1903-1935 or otherwise, the Attorney-General may authorize the use of any drawing, model, plan or other document or information in such manner as appears to him to be expedient in the interests of the defence of the Commonwealth or the efficient prosecution of the war, notwithstanding anything to the contrary contained in any licence or agreement.

(7.) In respect of any drawing, model, plan or other document or information so used, the Common-

wealth

wealth shall pay to the person entitled to the benefit of the patent or design such reasonable compensation as is agreed upon, or as is, in default of agreement, settled by arbitration.

Restrictions on Movements and Activities of Persons.

(Enter-)
(ing)
(enemy territory) 22. (1.) Except in due course of operations of war, a person, being either a British subject or a person enjoying His Majesty's protection, shall not, without the permission of the Minister or of a person thereto authorized by the Minister, voluntarily enter any enemy territory or voluntarily go on board any vessel or aircraft being used in the service of a Power at war with His Majesty:

Provided that this sub-regulation shall not apply to anything done by any person in the service of the Crown acting in the course of his duty as such.

(2.) The Minister may by order direct that the permission of such authority or person in any part of His Majesty's dominions, other than the Commonwealth, or in any foreign country or territory in which His Majesty has jurisdiction, as is specified in the order, shall

be

be treated, for the purpose of sub-regulation (1.) of this regulation, as if it were the permission of the Minister under that sub-regulation.

(3.) In this regulation, the expression "enemy territory" means any area which is under the sovereignty of, or administered by, or for the time being in the occupation of, a Power at war with His Majesty, but does not include any area in the occupation of His Majesty or of a Power allied with His Majesty.

(Embarking and) (leaving Com-) (monwealth.) 23. The Minister of State for the Interior may make an order for securing that, subject to any exemptions for which provision is made by the order, a British subject to whom the order applies shall not -

(a) on coming by sea or by air from a place outside Australia, disembark in Australia from any vessel or aircraft elsewhere than at a place specified in the order;

(b) for the purpose of proceeding by sea or by air to a destination outside Australia, embark in Australia on any vessel or aircraft elsewhere than at a place so specified; or

(c) proceed by sea or by air from Australia to a [illegible] destination

destination outside it, except under the authority of a written permit granted by the authority or person specified in the order.

(Stopping of ships) (and aircraft.) 24. - (1.) Any person authorized by the Minister to act under this regulation may, if it appears to that person to be necessary in the interests of the defence of the Commonwealth so to do, give, with respect to any particular ship or aircraft at a port or place in Australia, directions that the ship or aircraft shall not leave the port or place until permitted to do so by the authority or person specified in the directions; and if any ship or aircraft leaves or attempts to leave any port of place in contravention of those [illegible] directions, the master of the ship or the pilot of the aircraft, as the case may be, shall be guilty of anioffence against the Act.

(2.) Any Commonwealth officer may, in relation to any ship or aircraft, take such steps, and employ such force, as appear to that person to be reasonably necessary to secure compliance with any directions given

under

under this regulation with respect to the ship or aircraft or, where an offence against this regulation has occurred in the case of the ship or aircraft, for enabling proceedings in respect of the offence effectually to be taken.

(Restriction of movements of suspected persons.)

25. - (1.) The Minister, if satisfied with respect to any particular person, that with a view to prevent that person acting in any manner prejudicial to the public safety or the defence of the Commonwealth it is necessary so to do, may make an order for either or both of the following purposes, that is to say:-

(a) for securing that, except in so far as he is permitted by the order, or by the authority or person specified in the order, that person shall not be in any area so specified; and

(b) for requiring him to notify his movements, in such manner, at such times and to such authority or person as are specified in the order.

(2.) If any person is in any place or area in contravention of an order made under this regulation, or fails to leave any place or area in accordance with the

the requirements of the order, he may, without prejudice to any proceedings which may be taken against him, be removed from that place or area by any constable or by any Commonwealth officer.

(Restriction orders and detention orders.)

26. - (1.) The Minister may, if satisfied with respect to any particular person, that with a view to prevent that person acting in any manner prejudicial to the public safety or the defence of the Commonwealth it is necessary so to do, make an order -

(a) prohibiting or restricting the possession or use by that person of any articles specified in the order;

(b) imposing upon him any restrictions specified in the order in respect of his employment or business, in respect of his association or communication with other persons and in respect of his activities in relation to the dissemination of news or the propagation of opinions; or

(c) directing that he be detained in such place, and under such conditions, as the Minister from time to time determines,

and

and any person shall, while detained in pursuance of an order made under this sub-regulation, be deemed to be in legal custody.

(2.) For the purposes of this regulation, there shall be one or more advisory committees consisting of persons appointed by the Minister, and the chairman of any such committee shall be a person who holds or has held the office of Justice or Judge of a Federal Court or of a Court of a State or Territory of the Commonwealth.

(3.) The functions of any such committee shall be to consider, and make recommendations to the Minister with respect to, any objections against an order under this regulation which are duly made to the committee by the person to whom the order relates.

(4.) The Minister may make rules as to the conduct of the proceedings of such committees and, in particular, as to the manner in which objections against any such order may be made to such an advisory committee, and the rules shall contain provisions for enabling any person in respect of whom an order is made under this regulation to make objections against the order

either

either in person or by counsel, solicitor or agent; and a person in respect of whom an order is made shall be informed of his right to make objections under this regulation.

(Prisoners of war, & c.)

27. - (1.) A person shall not -

(a) knowingly assist a prisoner of war to escape from custody, or knowingly harbour an escaped prisoner of war; or

(b) give an escaped prisoner of war any assistance with intent thereby to prevent, hinder or interfere with the apprehension of the prisoner.

(2.) The Minister may by order provide -

(a) for regulating access to, and the conduct of persons in, places where prisoners of war are detained, and for prohibiting or regulating the dispatch or conveyance, from outside those places, to or for prisoners of war therein, of any articles as are specified in the order; and

(b) for prescribing conditions to be observed in connexion with the employment of, or the provision of board or lodging for, prisoners of

war

war while elsewhere than in places
detention of prisoners of war.

(3.) The preceding provisions of this r
shall apply in relation to any person in res
there is in force an order for his detention
under this Part of these Regulations, under
the National Security (Aliens Control) Regul
exercise of the prerogative of the Crown, as
apply in relation to a prisoner of war.

(4.) No proceddings shall be takne, in
this regulation, against a person in respect
done by him when he is himself a prisoner of

A Sabotage and Misrep

(Sabotage)

28. - (1) A person shall not do any ac
intent to destroy or damage or to impair the
or impede the working of any building, vessel
vehicle, machinery, apparatus or other thing
intended to be used for the purposes of any
of the King or the Commonwealth, or for the
any undertaking engaged in the performance o
services.

war while elsewhere than in places for the detention of prisoners of war.

(3.) The preceding provisions of this regulation shall apply in relation to any person in respect of whom there is in force an order for his detention made, either under this Part of these Regulations, under Part V. of the National Security (Aliens Control) Regulations or in exercise of the prerogative of the Crown, as those provisions apply in relation to a prisoner of war.

(4.) No proceddings shall be takne, in pursuance of this regulation, against a person in respect of any act done by him when he is himself a prisoner of war.

(Sabotage) Sabotage and Misrepresentation.

28. - (1) A person shall not do any act with intent to destroy or damage or to impair the efficiency or impede the working of any building, vessel, aircraft, vehicle, machinery, apparatus or other thing used or intended to be used for the purposes of any of the forces of the King or the Commonwealth, or for the purposes of any undertaking engaged in the performance of essential services.

(2.)

(2.) The provisions of sub-regulation (1.) of this regulation shall apply in relation to any omission on the part of a person to do anything which he is under a duty, either to the public or to any person, to do, as they apply in relation to the doing of any act by a person.

(Interference with telegraphic communications.)

29. A person shall not knowingly -

(a) cause interference with the seinding or receiving of communications by means of wireless telegraphy, wireless telephony or wireless television; or

(b) cause interference with, or intercept, telegraphic or telephonic communications made otherwise than by those means:

Provided that this regulation shall not apply to anything done by, or with the permission or under the direction of, any commonwealth officer or any constable acting in the course of his duty as such.

(Interference with forces, &c.)

30. A person shall not -

(a) do any act having reasonalbe because to believe that it will be likely to prevent or interfere with the performance of their duties by members of the forces of the King or the Commonwealth or the carrying on of their work by persons engaged in the performance of es-

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sential services; or

(b) do, in relation to any person whom he knows to be a member of the forces of the King or the Commonwealth or to be a person so engaged, any act with intent thereby to render him incapable of efficiently performing his duties as such or, as the case may be, of efficiently carrying on his work as a person so engaged.

(Misleading) (acts and ) (misrepre-) (sentation.)

31. - (1.) A person shall not -

(a) do any act calculated falsely to suggest that he or any other person is or is not acting (either generally or in a particular capacity) in the service, or on behalf, of the King or the Commonwealth or a foreign Government, or as a member of a police force of fire brigade, or in the service, or on behalf, of an undertaking engaged in the performance of essential services;

(b) for the purpose of gaining admission, or of assisting any other person to gain admission, to a prohibited place, or for any purpose prejudicial to the safety or interests of the Commonwealth or of any other part of the King's

dominions

dominions -

(i) make use of any disguise or false name,

(ii) knowingly) or knowingly conceal his identity or
make or connive)
at the making) nationality;
of any false)
statement) (iii) knowingly produce or present to any
or any omission;)
person any document containing any false statement or from which any material omission has been made;

(iv) forge, alter, tamper with or destroy any official permit or have in his possession any forged, altered or irregular official permit;

(v) personate, or falsely represent himself to be or not to be, a person to whom an official permit or secret official code-word or pass-word has been duly issued or communicated;

(vi) retain any official permit, whether it is or is not completed or issued for use, when he has no right to retain it, or when it is contrary to his duty to retain it, or fail to comply with any direction given by any Government Department

or

or by any person thereto authorized in writing by any such Department with respect to the return or disposal thereof;

(vii) have in his possession or under his control any official die, key, badge, device, seal or stamp, any impression of such a die, key, badge, device, seal or stamp, or any official paper; or

(viii) counterfeit any official die, key, badge, device, seal or stamp, or have in his possession or under his control any counterfeited official die, key, badge, device, seal or stamp, or anything so closely resembling an official die, key, badge, device, seal or stamp as to be likely to deceive, or any paper so closely resembling official paper as to be likely to deceive;

(c) do, in relation to any property, any act calculated falsely to suggest that the property does or does not belong to, or is or is not in the possession or under the control of, the King or the Commonwealth, or has or has not been classified, selected or appropriated on

behalf

behalf of the King or the Commonwealth for any particular purpose;

(d) do any act whereby there are communicated, or likely to be communicated, to the public or to any section thereof any directions, instructions or information falsely purporting to be duly issued or given for purposes connected with the defence of the Commonwealth or the securing of the public safety;

(e) make any defence signal otherwise than for the purpose for which or othersise than in the circumstances in which, the making of that signal is authorized by or on behalf of the Minister, or do any act, or make any statement, having reasonable cause to believe that the act or statement is likely to result in the signal being made otherwise than for that purpose or otherwise than in those circumstances, or do any act having reasonable cause to believe that the act is likely to be mistaken for the making of the signal; or

(f) do any act, or make any statement, having

reasonable cause to believe that the act or statement is likely to mislead any person in the deischarge of any lawful functions in connexion with the defence of the Commonwealth or the securing of the public safety:

Provided that the provisions of paragraph (a) of this sub-regulation shall not apply to anything done by any person in the service of the Crown acting in the course of his duty as such or by any constable so acting.

(2.) A person shall not, without lawful authority or excause -

(a) allow any other person to have possession of an official permit issued for his use alone;

(b) fail to comply with any direction or condition appearing on, or given by the authority which issued, such an official permit;

(c) have in his possession any official permit issued for the use of some person other than himself;

(d) on obtaining possession of any official permit by finding or otherwise, neglect or fail to restore it to the person or authority by whom or for whose use it was issued, or to a constable; or

(e) manufacture, sell or have in his possession any official die, key, badge, device, seal, stamp or any official paper.

(3.) In any prosecution in respect of any contravention of paragraph (b) of sub-regulation (1.) of this regulation it shall not be necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudical to the safety or interests of the Commonwealth or of some other part of the King's dominions, and, although no such act is proved against him, he may be convicted if, from the circumstances of the case, or his conduct, or his known character as proved, it appears that his purpose was a purpose prejudicial to the safety or interests of the Commonwealth or of some other part of the King's dominions.

(4.) For the purposes of this regulation, any die, key, badge, device, seal, stamp or paper shall be deemed to be an official die, key, badge, device, seal or stamp, or official paper, as the case may be, if it is specially designed for use in the service of the King, the Commonwealth a State or a foreign government, or for the purposes of a police force.

(5.) In this regulation -

(a) The expression "defence signal" means any signal authorized by or on behalf of the Minister to be used for any purpose connected with the defence of the Commonwealth or the securing of the public safety; and

(b) the expression "official permit" means any naval, military, air force, police or official passport, pass, permit, badge, certificate, licence or document which purports to identify the holder or authorize him to do any act or thing.

Part III - Public Safety.

(Evacuation of areas.) 32. - (1.) The Minister, or any person authorized by the Minister to act under this regulation, may, if it appears to him to be necessary or expedient so to do for the purpose of meeting any actual or apprehended attack by an enemy or of protecting persons and property from the dangers involved in such attack, make, with respect to any area, either or both of the following orders, that is to say: -

(a) an order directing that after the time specified in the order, a person other than a person of

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a class so specified shall not be in that area without the permission of the authority or person so specified;

(b) an order directing that any animals or things in that area specified in the order shall, by the time so specified, be removed from that area or, if they cannot reasonably be so removed before that time, be destroyed or rendered useless so far as practicable, and that after that time no such things or animals shall be brought into the area except with the permission of the authority or person so specified.

(2.) An order made under sub-regulation (1.) of this regulation for the removal of persons or property from any area -

(a) may prescribe the routes by which persons or property, or any particular classes of persons or property, are to leave or be removed from the area;

(b) may prescribe different times as the times by or at which different classes of persons or property in the area are to leave or be removed therefrom;

(c) may prescribe the places to which persons are to proceed on leaving that area in compliance with the order; and

(d) may make different provision in relation to different parts of the area,

and may contain such other incidental and supplementary provisions as appear to the authority or person making the order to be necessary or expedient for the purposes of the order.

(3.) If the Minister is satisfied with respect to any area, that it is necessary that special steps should be taken to provide in that area accomodation for abnormal numbers of persons who have come or are likely to come into the area in consequence of, or in apprehension of, attacks by an enemy, he may, by order, designate that area as an area in which persons may be billeted and, without prejudice to the following provisions of this regulation, provide for the billeting of persons in that area; and so long as the order is in force with respect to any area, any person thereto authorized by the Minister may give directions with respect to any premises in the area requiring the occupier of the premises to furnish lodging therein for such number of persons, and during such period, as is specified in the directions, and the

occupier

occupier of the premises shall furnish lodging accordingly.

(4.) Where lodging is furnished by any person in accordance with sub-regulation (3.) of this regulation payment in respect thereof shall be made to him by such person, and at such rate, as are prescribed by an order made by the Minister.

(5.) Where an order is made under this regulation requiring the removal of any animals or things from any area by a specified time, the authority by whom the order was made may, while the order is in force, cause those animals or things, or any of them, to be removed from the area, if that authority is satisfied that such action is the most effectual means of securing compliance with the order; and if any person or any animal or thing is in any area in contravention of an order made under this regulation, he or it may, without prejudice to any proceedings which may be taken in respect of the offence, be removed from that area by, or under the direction of, any constable or any Commonwealth officer.

(6.) If any order made under this regulation is contravened or is not complied with in the case of any animal or thing, the person in charge thereof shall be guilty of an offence against the Act.

(Precautions against hostile attacks.)

33. (1.) The Minister may by order prescribe the steps which are to be taken by persons to protect themselves against the dangers involved in an attack by an enemy, and any such order may provide that, upon the giving of any notice or signal specified in the order, any persons or classes of persons may, in such circumstances and subject to such conditions, if any, as are specified in the order, enter and remain in any such premises or parts of premises as are designated in such manner, and by such authority or person, as is specified.

2.) A person shall not--

(a) wilfully obstruct any person entering or seeking to enter any premises or part of any premises in accordance with an order made under sub-regulation (1.) of this regulation; or

(b) eject from any premises or part of any premise any person who is entitled to be therein by virtue of such an order.

(3.) The Minister may by order prohibit or restrict, or enable any person to prohibit or restrict, assemblies of persons in any area, either generally or for particular purposes, in so far as the prohibition or restriction appears to the Minister or person, as the case may be, to be necessary in order to minimize the risk of loss of life or personal injuries being caused in that area in consequence of any attack by an enemy; and any constable may take such steps, and use such force, as are reasonably necessary to secure compliance with any order under this sub-regulation.

(Damage to premises, and contamination by gas.)

34. - (1.) Where, with respect to any premises, it appears to any officer of police of a rank not lower than that of inspector, or to any person authorized by the Minister to act under this sub-regulation, that by reason of the fact--

(a) that substantial damage has occurred in those premises;

(b) that works of demolition or construction are being, or are about to be, executed in the premises; or

(c)

(c) that, in consequence of hostile action, the premises are contaminated by any lethal gas or other noxious substance,

it is expedient in the interests of the public safety, the defence of the Commonwealth or the maintenance of public order so to do, the officer or person may take, or authorize the taking of, such steps, and give such directions, as he thinks necessary for the purpose of the protection of persons and property in, or in the vicinity of, those premises; and for the avoidance of doubt it is hereby declared that the powers conferred in relation to any premises by the preceding provisions of this regulation include powers to stop up, and to prohibit or restrict the use of, and road or pathway, and to prohibit or restrict the occupation of premises, so far as is necessary for that purpose.

(2.) Any person authorized by the Minister or by a local governing authority to act under this sub-regulation may, if satisfied with respect to any chattel that, in consequence of hostile action, the chattel is contaminated by any lethal gas or other noxious substance, and that in order to prevent danger to life or health

being

being occasioned thereby it is necessary so to do--

(a) cause to be taken in relation to the chattel all steps reasonably necessary to render it free from the contamination; or

(b) if it is not reasonably practicable so to render the chattel free from the contamination, cause the chattel to be destroyed.

(Control of) (lights and) (sounds.)

35. - (1.) The Minister may by order provide--

(a) for prohibiting or regulating the display of lights of any description specified in the order;

(b) for securing that, in such circumstances as are specified in the order, indication of the position of such premises and places, and warning of the presence of such vehicles or vessels, as are specified in the order, shall be given by means of lights prescribed by the order, and for prescribing the manner in which any apparatus used for the purpose of exhibiting the lights is to be constructed, installed and used;

(c) for prohibiting or regulating the use of roads by any particular class of traffic, so far as appears to the Minister to be necessary for avoiding danger consequent on compliance with any provisions of an order under this regulation which relate to the lighting of roads or of vehicles on roads; or

(d) for prohibiting or regulating any activities specified in the order, being activities which, by reason of their involving the emission of flames, sparks or glare or the making of noise, might, in the opinion of the Minister, serve to convey information useful to the enemy or otherwise interfere with measures taken for the defence of the Commonwealth.

(2.) Any such order may be made so as to apply either throughout Australia or to any area or premises therein, may make different provision with respect to different classes of premises, vehicles, vessels or aircraft, may provide for exempting any premises, vehicles vessels or aircraft (either absolutely or conditionally)

from

from the operation of any of the provisions of the order, and may contain such incidental and supplementary provisions as appear to the Minister to be necessary or expedient for the purposes of the order.

(3.) If any order made under this regulation is contravened or not complied with in the case of any premises, vehicle, vessel or aircraft, any constable and any member of the Defence Force may enter the premises or board the vehicle, vessel or aircraft and taken in relation thereto all steps reasonably necessary for the enforcement of the order, and (without prejudice to any proceedings which may be taken against any other person) the occupier of the premises, the person in charge of the vehicle, or the master of the vessel or pilot of the aircraft, as the case may be, shall be guilty of an offence against the Act:

Provided that, in any proceedings which, in pursuance of this subregulation, are taken against any person in respect of a contravention of, or non-compliance with, such an order on the part of another person, it shall be defence for the defendant to prove that the contravention occurred without his knowledge and that he exercised

all

all due diligence to secure compliance with the order.

(Co-ordination of fire brigades.)

36. The Minister, if it appears to him to be necessary or expedient in the interests of the public safet or the defence of the Commonwealth so to do, may by order-

(a) constitute as a special fire brigades area any area specified in the order;

(b) make provision for securing that fire brigades specified in the order are made available so as to deal as effectively as possible with outbreaks of fire in any part of the area;

(c) provide for enabling persons specified in the order to enter premises, and give directions and take steps for the vacation or destruction of premises and the removal or destruction of property, so far as is reasonably necessary in order to deal with, or prevent the spread of, any outbreak of fire occurring in the area or to protect or save persons or property from the dangers involved in the outbreak; and

(d)

(d) provide for imposing duties, in connexion with the administration of the order, on local governing authorities by whom fire brigades are maintained in the area, and for securing that, in the circumstances specified in the order, there shall be made to any local authority, in respect of services which in pursuance of the order are rendered by the fire brigade of that local authority outside its area, payments of such amounts, and by such persons, as are so specified,

and any order may contain such incidental and supplementary provisions as appear to the Minister to be necessary or expedient for the purpose of the order.

isposal) 37. - (1.) If, with respect to any dead body, any
f dead)
o-) officer of police in charge of a police station or any
ies.)
commissioned officer in the Defence Force has reasonable cause to believe that it is the body of a person who has died in consequence of war operations, that officer may, subject to such restrictions and conditions as are impos by order of a Minister, give such directions for the

disposal

disposal of the body as the officer thinks fit, and any person to whom the directions are given shall comply accordingly.

(2.) Except in any particular case in which a Minister otherwise directs, nothing in any law relating to coroners or the registration of deaths shall apply in relation to any body with respect to which directions are given under sub-regulation (1.) of this regulation, or in relation to the death of any person with respect to whose body directions are given under that sub-regulation; but a Minister may by order make provision for securing that particulars of the identity of any person with respect to whose body directions are so given shall, so far as they are known or can reasonably be ascertained, be furnished to the appropriate authority in the State or Territory of the Commonwealth concerned within such time after the giving of the directions as is prescribed by the order.

(3.) In this regulation, the expression "body" includes any part of a body, and the expression "war operations" means operations of the armed forces of an enemy,

enemy, or operations of any of the forces of the King or the Commonwealth while in action against an enemy or while acting in the course of their duty upon any warning of the imminence of an attack by an enemy.

(Curfew.) 38. The Minister may, with respect to any area, by order direct that, subject to any exemptions for which provision may be made by the order, no person in that area shall, between the hours specified in the order, be out of doors except under the authority of a written permit granted by the authority or person specified in the order.

(Explosives, ammunition and firearms.) 39. - (1.) The Minister may by an order made with respect to any specified area provide, subject to any exemptions for which provision is made by the order, for prohibiting, either absolutely or conditionally, the possession in that area of any explosive, any ammunition or any firearm or component part of a firearm; and such an order may be made either with respect to all explosives, ammunition, firearms or component parts of firearms, or with respect to any class of explosives, ammunition, firearms or

component

component parts of firearms.

(2.) Any person, who, in any area specified by order of the Minister, not being an area in relation to which an order made under sub-regulation (1.) of this regulation is in force, has in his possession or under his control any explosive, any ammunition or any firearms or component parts of firearms, shall comply with the directions for securing the safe custody thereof given by a person thereto authorized by the Minister, and any such directions may require the removal of the explosive, ammunition, firearms or component parts to the place in the first-mentione area specified in the directions.

(3.) If any directions given under sub-regulation (2.) of this regulation are not complied with, the person who gave the directions may (without prejudice to any proceedings which may be taken in respect of the offence) cause the articles to which the directions relate to be dealt with in such manner as is necessary for securing compliance with the directions.

Manufacture

(Manufacture and transport of dangerous articles.)

40. - (1.) If, with respect to any premises used for producing, treating, handling or keeping any articles or substances, a Minister is satisfied that precautions should be taken against special risks arising from the nature of the articles or substances, he may by order make such provision as appears to him to be necessary or expedient for protecting persons and property in, or in the vicinity of, the premises against any such risks; and the order may authorize the searching of persons entering, or seeking to enter, or being within, any premises to which the order applies.

(2.) A Minister may by order make, in relation to the conveyance on vehicles or vessels of any descriptio of articles or substances specified in the order, such provision as appears to him to be necessary or expedien for protecting persons and property against any special risks arising, in connexion with the conveyance, by reason of the nature of those articles or substances.

## Public Order.

(Causing disaffection.)

41. - (1.) A person shall not--

(a) endeavour to cause disaffection among any per engaged (where in Australia or elsewhere) i th

the service of the King or the Commonwealth, or in the performance of essential services, to induce any person to do or omit to do anything in breach of his duty as a person so engaged; or

(b) with intent to contravene, or to aid, abet, counsel or procure a contravention of, paragraph (a) of this sub-regulation, have in his possession or under his control any document of such a nature that the dissemination of copies thereof among any such person would constitute such a contravention.

(2.) A prosecution in respect of a contravention of this regulation shall not be instituted except with the consent of the Attorney-General.

(Propaganda.) 42. - (1.) A person shall not--

(a) endeavour, whether orally or otherwise, to influence public opinion (whether in Australia or elsewhere) in a manner likely to be prejudicial to the defence of the Commonwealth or the efficient prosecution of the war; or

(b)

(b) do any act, or have any article in his possession with a view to making, or facilitating the making of, any such endeavour.

(2.) A prosecution in respect of a contravention of this regulation shall not be instituted except with the consent of the Attorney-General.

(3.) Where any person is convicted on indictment in respect of a contravention of this regulation by reason of his having published a newspaper, the Court may by order direct that, during the period specified in the order, that person shall not publish any newspaper in Australia.

(4.) In this regulation--

(a) the expression "public opinion" includes the opinion of any section of the public and

(b) the expression "newspaper" includes any journal, magazine or other periodical publication.

Unofficial uniforms, &c.) 43. - (1.) The Minister may by order prohibit the wearing or display by any person in public of any distinctive dress or article of appare

or

or any emblem, being a dress, article or emblem as to which the Minister is satisfied that any such wearing or display thereof would be likely to cause a disturbance of public order or to promote disaffection, and any such order may be made so as to apply either generally or to a specified area.

(2.) For the purposes of this regulation, a dress, an article of apparel or an emblem shall be deemed to be worn or displayed in public if it is worn or displayed so as to be visible to a person in any place to which the public have access.

(Processions and meetings.)

44. - (1.) A Minister, if satisfied, with respect to any area, that the holding of public processions or of any class of public processions in that area would be likely to cause a disturbance of public order or to promote disaffection, may by order prohibit, for the period specified in the order, the holding in that area of processions or processions of that class, as the case may be.

(2.) A Minister may give directions prohibiting the holding of any meeting as to which he is satisfied that the holding thereof would be likely to cause a disturbance of public order or to promote disaffection.

(3.) Any constable or Commonwealth officer may take such steps, and use such force, as are reasonably necessary for securing compliance with any order or directions made or given under this regulation.

(4.) In this regulation, the expression "public procession" means a procession in a public place.

## PART IV. - SHIPS AND AIRCRAFT.

(General control)
(of navigation. )

45. - (1.) The Minister may by order make provision as to the place in or to which vessels may be or go, and generally for regulating the movements, navigation, pilotage, anchorage mooring, berthing and lighting of vessels, and any order made under this regulation is in these Regulations referred to as"a navigation order".

(2.) If, in the case of any vessel, a navigation order is contravened or not complied with, the master of the vessel shall be guilty of an offence against the Act.

(3.) Any Commonwealth officer may, in relation to any vessel, take such steps, and use such force, as appear to him to be reasonably necessary for securing compliance with any order under this regulation relating to the vessel, or, where any contravention in respect of this regulation has occurred in the case of the vessel, for enabling proceedings in respect of the offence effectually to be taken.

(4.) The preceding provisions of this regulation shall apply in relation to seaplanes on the surface of the water as those provisions apply in relation to vessels, and seaplanes taking off from, or alighting on, the water shall be deemed, for the purposes of this regulation, to be on the surface of the water while in contact therewith.

(General control of civil aviation.)

45A. - (1.) The Minister may, by order, make provision as to any matters relating to civil aircraft and civil aviation which may be necessary or desirable in the interests of the defence of the Commonwealth or the efficient prosecution of the war.

(2.) If, in the case of any aircraft, any order under this regulation is contravened or not complied

with,

with, the commander or other person in charge of the aircraft shall be guilty of an offence against the Act.

(3.) Any Commonwealth officer may, in relation to any aircraft, take such steps, and use such force, as appear to him to be reasonably necessary for securing compliance with any order under this regulation.

(Control of lighthouses, &c.)

46. - (1.) Except under permission granted by or on behalf of the Minister -

(a) no light, buoy, beacon, marine mark or other apparatus used for the purpose of aiding navigation in or on the water shall be discontinued, altered or removed; and

(b) no variation shall be made in the mode of exhibiting or operating any such light, buoy, beacon, marine mark or other apparatus.

(2.) The Minister or any person thereto authorized by him, may, if it appears to him to be necessary in the interests of the public safety or the defence of the Commonwealth so to do, give directions for prohibiting or restricting the exhibition or operation of,

or

or requiring the removal, alteration or concealment of, or the making of any variation in the mode of exhibiting or operating, any such light, buoy, beacon, marine mark or other apparatus.

(3.) If this regulation, or any direction given under this regulation, is contravened or not complied with in the case of any light, buoy, beacon, marine mark or other apparatus, the person responsible for the maintenance of the light, buoy, beacon, marine mark or apparatus, as the case may be, shall be guilty of an offence against the Act; and, in the case of a failure to comply with any direction requiring the removal, alteration or concealment of any light, buoy, beacon, marine mark or other apparatus, the Minister may, without prejudice to any proceedings which may be taken in respect of the offence, cause to be done all work necessary for securing compliance with the direction.

(Measures for) (safety of) (Australian) (ships.)

47. - (1.) Subject to these Regulations, the Minister may, if it appears to him to be necessary or expedient for the safety of ships registered in Australia and of persons on board such ships sotto do, make provision by order -

(a)

(a) for securing that any ship to which the order applies shall not, except under permission granted by the Minister or any person thereto authorized by him, proceed to sea from any port (whether within or outside the Commonwealth) unless such requirements in respect of the alteration of the structure or external appearance of the ship, and in respect of the equipping of the ship with any particular apparatus, contrivance or appliance, as are contained in the order have been complied with;

(b) for securing the proper maintenance and efficient use of any apparatus, contrivance or appliance with which any ship is equipped in pursuance of the order; and

(c) for any incidental and supplementary matters for which it appears to the Minister to be necessary or expedient for the purposes of the order to provide.

(2.) An order under this regulation may be made so

as

as to apply either to a particular ship or to ships of a particular class, and so as to apply to any such ship or ships either wherever it or they may be or while in such waters, or engaged on such voyages, as are specified in the order.

(3.) If any ship proceeds or attempts to proceed to sea in contravention of an order made under this regulation, the master of the ship and the person having the management thereof shall each be guilty of an offence against the Act.

(4.) Any Commonwealth officer may in relation to any ship, take such steps, and use such force, as appear to him to be reasonably necessary for securing compliance with any order under this regulation relating to the ship, or, where any contravention in respect of this regulation has occurred in the case of the ship, for enabling proceedings in respect of the offence effectually to be taken.

(Employment in Australian ships and aircraft.)

48. - (1.) The Minister of State for Commerce, if it appears to him to be necessary or expedient in the interests of the defence of the Commonwealth or the efficient prosecution of the war so to do, may, in

respect

respect of any class of ships registered in Australia, make provision by order -

(a) for securing that, subject to any exemptions for which provision is made by the order, any class of persons specified in the order shall not be employed on board ships to which the order applies; or

(b) for prohibiting the employment of any persons or class of persons on board those ships unless they are holders of certificates of identity issued in accordance with the form and manner specified by the order.

(2.) An order under this regulation may be made so as to restrict the employment of persons either in any capacity or in the capacity specified in the order, and so as to restrict the employment of persons in ships to which the order applies either wherever they may be or while in the waters, or engaged in the trades or on the voyages, so specified.

(3.) This regulation shall apply in relation to aircraft as it applies in relation to ships, and in such application the reference to the Minister of State for Commerce shall be read as s reference to the Minister

(Employment )
(abroad of )
(agents for ships)
(and aircraft. )

49. - (1.) The Minister of State for Commerce with a view to preventing the employment abroad, in connexion with the management of ships registered in Australia, of enemy aliens or persons connected with an enemy, may by order direct that, as from the date specified in the order, the owner, manager or charterer of any ship, being a person resident in the Commonwealth or a corporation incorporated under the law of the Commonwealth or of any part of the Commonwealth, shall not employ in any foreign country or territory, in connexion with the management of the ship, any person other than a person approved for the purpose in accordance with the order; and an order under this regulation may be made so as to apply either generally to employment in all foreign countries or territories or to employment in the foreign countries or territories, or any class of foreign countries or territories, specified in the order.

(2.) This regulation shall apply in relation to aircraft as it applies in relation to ships, and in such application the reference to the Minister of State for Commerce shall be read as a reference to the Minister.

(Control of trade by sea.)

50. - (1.) Without prejudice to any navigation order and subject to any Imperial Act and to this regulation, the Minister may, in relation to any ship to which the order applies, by order make provision in relation to -

(a) the trades in which the ship may be engaged, and the voyages which may be undertaken by the ship;

(b) the cargoes or passengers or classes of cargo or passengers which may be carried in the ship; and

(c) the hiring of the ship,

and, in particular, for the regulation, restriction or prohibition of any engagement or undertaking by, any carriage in, or any hiring of, the ship.

(2.) Any order under this regulation may contain such incidental and supplementary provisions as appear to the Minister to be necessary or expedient for the purposes of the order, including provisions for securing that any ship to which the order applies shall not proceed to sea from any port (including, in the case of a ship registered in Australia, any port outside Australia) except under the authority of a licence

granted

granted by the Minister or a person thereto authorized by him, and for requiring any such ship to comply with any directions given in pursuance of the order as to the ports to which the ship is to proceed for any particular purpose.

(3.) Any provisions of an order under this regulation may be framed so as to apply either in relation to all ships in Australia or in relation to any class of ships or to any particular ship, and so as to apply in relation to ships registered in Australia wherever they may be or in relation to any ships whatever while in the waters, or engaged in the trades or on the voyages specified in the order.

(4.) If any ship proceeds or attempts to proceed to sea in contravention of an order made under this regulation, or if otherwise there is any contravention of such an order in the case of a ship, the master of the ship and the person having the management thereof shall each be guilty of an offence against the Act.

(5.) Any constable or Commonwealth officer may, in relation to any ship, take such steps, and use such force, as appear to him to be reasonably necessary for securing compliance with any order under this regulation

relating

relating to the ship, or, where a contravention in respect of this regulation has occurred in the case of the ship, for enabling proceedings in respect of the offence effectually to be taken.

(6.) In this regulation, the expression "the Minister" means the Minister of State for Commerce.

(Deserters from ships.)

51. Any person lawfully engaged to serve on board any ship belonging to, or chartered or requisitioned by, or on behalf of, the King or the Commonwealth, who in the Commonwealth is, by virtue of the Navigation Act 1912-1935, guilty of the offence of desertion or of absence without leave, may, notwithstanding anything contained in that Act, be conveyed on board his ship by, or under the direction of, any one or more of the following persons, that is to say, the master of the ship, a mate of the ship, the person having the management of the ship, any constable, any commissioned officer in the Defence Force and any superintendent within the meaning of the Navigation Act 1912-1935.

(Extension of application of Air Navigation Regulations.)

52. The powers contained in the Air Navigation Regulations made under the Air Navigation Act 1920

1920-1936 shall be exercisable in relation to the navigation of aircraft registered in Australia, over any area outside Australia, as they are exercisable in relation to the navigation of aircraft over Australia.

PART V. - ESSENTIAL SUPPLIES AND WORK.

General Provisions.

(Power to do work on land.)

53. - (1.) Any member of the Defence Force acting in the course of his duty as such, and any person thereto authorized by a Minister, may, for any purpose connected with the defence of the Commonwealth, the prosecution of the war, the securing of the public safety or the maintenance of supplies and services essential to the life of the community, do any work on any land, or place anything in, on or over any land.

(2.) If it appears to a Minister to be necessary or expedient so to do in the interests of the public safety, the defence of the Commonwealth, the efficient prosecution of the war or the maintenance of supplies and services essential to the life of the community, he may by order provide for prohibiting or restricting the doing on any particular land of any work specified in the order.

(3.)

(3.) A person (other than a person in the service of the Crown or constable acting in the course of his duty as such) shall not, except with permission granted by or on behalf of a Minister, remove, alter or tamper with any work done, or thing placed, in, on or over any land in pursuance of this regulation.

(4.) For the purpose of this regulation, the doing of work shall, in relation to any land, be deemed to include the demolition, pulling down, destruction or rendering useless of anything placed in, on or over the land, the maintenance of any work or thing in, on or over the land, and the removal from the land of anything so placed, demolished or pulled down in pursuance of this regulation.

(Taking possession of land.)

54. - (1.) If it appears to a Minister to be necessary or expedient so to do in the interests of the public safety, the defence of the Commonwealth or the efficient prosecution of the war or for maintaining supplies and services essential to the life of the community, he may take possession of any land, and may give such directions as appear to him to be necessary or expedient in connexion with the taking of possession of the land.

(2.) While any land is in the possession of a Minister in pursuance of a direction given under this regulation, the land may, notwithstanding any restriction imposed on the use thereof (whether by law or otherwise), be used by, or under the authority of, that Minister for such purpose, and in such manner, as he thinks expedient in the interests of the public safety or the defence of the Commonwealth, or for maintaining supplies and services essential to the life of the community; and that Minister, so far as appears to him to be necessary or expedient in connexion with the taking of possession or use of the land in pursuance of this sub-regulation -

(a) may do, or authorize persons so using the land to do, in relation to the land, anything which any person having an interest in the land would be entitled to do by virtue of that interest; and

(b) may by order provide for prohibiting or restricting the exercise of rights of way over the land, and of other rights relating thereto which are enjoyed by any person, whether by virtue of an

interest

interest in land or otherwise.

(3.) The owner or occupier of any land shall, if requested by a Minister or a person thereto authorized by him so to do, furnish to that Minister or such person as is specified in the request such information in his possession relating to the land (being information which reasonably may be demanded in connexion with the execution of this regulation) as is so specified.

(4.) Such compensation shall be payable for any damage or loss sustained by the owner or occupier of the land by reason of the taking of possession of the land, or of anything done in relation to the land in pursuance of this regulation, as is determined by agreement, or in the absence of agreement, by action by the claimant against the Minister in any court of competent jurisdiction.

(Use of land.) 55. Without prejudice to any other of these Regulations, a Minister may by order authorize, subject to any restrictions and conditions imposed by the order, the use of any land specified therein for naval, military or air force purposes, during the period specified in the order; and any such order may, so far as appears to that Minister to be

necessary

necessary or expedient for the purposes thereof, provide -

(a) for entitling persons using any land in pursuance of the order to do such acts in relation to that land as are specified in the order; and

(b) for prohibiting or restricting the exercise of rights of way over that land, and of other rights relating thereto which are enjoyed by any person, whether by virtue of an interest in that land or otherwise.

(Entry and inspection of land.)

56. Any member of the Defence Force acting in the course of his duty as such, and any person thereto authorized by a Minister

(a) may enter on any land for the purpose of exercising any of the powers conferred in relation to that land by regulations 53, 54 and 55 of these Regulations;

(b) may enter and inspect any land for the purpose of determining whether, and, if so, in what manner, any of those powers are to be exercised in relation to the land; and

(c) may, for any purpose connected with the defence of the Commonwealth, the prosecution of the war, the securing of the public safety or the maintenance of supplies and services essential to the life of the community, pass (with or without animals or vehicles) over any land.

(Requisitioning of property other than land.)

57. - (1.) Subject to these Regulations, if it appears to a Minister to be necessary or expedient so to do in the interests of the public safety, the defence of the Commonwealth or the efficient prosecution of the war, or for maintaining supplies and services essential to the life of the community, he may by order provide for the requisitioning of -

(a) any property (other than land), including any vessel or aircraft and any article on board a vessel or aircraft; and

(b) any ship or aircraft registered in Australia or any article on board any such ship or aircraft, wherever the ship or aircraft may be.

(2.) Where any property is requisitioned in pursuance of an order made under this regulation, a Minister may use or deal with, or authorize the use of or dealing with, the property for such purpose and in such manner as he thinks expedient in the interests of the public safety, the defence of the Commonwealth or the efficient prosecution of the war, or for maintaining supplies and services essential to the life of the community, and may hold, or sell or otherwise dispose of, the property as if he were the owner thereof.

(3.) If it appears to a Minister to be necessary for the effectual operation of any order made under sub-regulation (1.) of this regulation, he may, by order made with respect to the whole of Australia or any part thereof -

(a) direct that no person who, at the time while the order is in force, has in his possession or under his control, at any premises in the area to which the order relates, any articles described in the order, shall remove the articles, or cause or permit them to be removed, from the premises until the removal of the articles therefrom

is

is permitted by the authority or person specified in the order; and

(b) require the owner or occupier of any premises in the area to send to the person specified in the order a written declaration stating or estimating whether or not, on the date specified in the order, any such articles were or will be on the premises, and, if so, the number or quantity of those articles which was or will be on the premises on that date, according as the order directs.

(4.) Such compensation shall be payable in respect of property requisitioned in pursuance of an order made under this regulation as is determined in pursuance of an order [illegible] under this regulation [illegible] by agreement, or, in the absence of agreement, by action by the claimant against the Minister who made the order in any court of competent jurisdiction or otherwise as specified in the order.

(Special powers as to ships and aircraft.)

58. - (1.) Subject to these Regulations, the Minister may require

any