

Hon. Mr. Nordmeyer

SUPPLY REGULATIONS

ANALYSIS

Title.	
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3. Supply regulations.	8. Liability for breach of supply regulations.
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A BILL INTITULED

AN ACT to authorize the Making of Regulations for Title.
Purposes connected with the Maintenance, Control,
and Regulation of Supplies and Services.

5 BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Supply Regulations Short Title.
Act, 1947.

10 2. In this Act, unless the context otherwise requires, Interpretation.
the expression "supply regulations" means regulations made under this Act; and includes the regulations referred to in section *four* of this Act.

Supply
regulations.

3. (1) The Governor-General may from time to time, by Order in Council, make such regulations (in this Act referred to as supply regulations) as appear to him to be necessary or expedient for maintaining, controlling, and regulating supplies and services essential to the well-being of the community, and for contributing to the equitable distribution of goods in short supply throughout the world. 5

(2) Without limiting the general power hereinbefore conferred, it is hereby declared that supply regulations may be made under this section for all or any of the following purposes:— 10

- ✓ (a) Authorizing the taking of possession or control, on behalf of His Majesty, of any property or undertaking: 15
- (b) Authorizing the acquisition, on behalf of His Majesty, of any property:
- ✓ (c) Authorizing the entering and search of any premises:
- (d) Providing, so far as appears to be necessary for the purposes of the regulations, for modifying any enactment, either generally or in its application to any specified case or class of cases, for suspending the operation of any enactment, and for applying any enactment, with or without modification: 20 25
- (e) Prescribing matters in respect of which fees are to be payable under the regulations, the amount of the fees, and the persons liable to pay them; and authorizing the refund or remission of any such fees: 30
- (f) Creating corporate bodies, and prescribing their powers and functions:
- (g) Prescribing the manner in which notices may be given under any supply regulations, whether by publication in the *Gazette* or otherwise: 35
- (h) Promoting the development of standardization, simplification, and certification in relation to commodities, processes, and practices. 40

(3) Supply regulations may empower or provide for empowering such authorities, persons, or classes of persons as may be specified in the regulations to make orders, rules, or by-laws for any of the purposes for which supply regulations are authorized by this 45

Act to be made, and may contain such incidental and supplementary provisions as appear to the Governor-General in Council to be necessary or expedient for the purposes of the regulations.

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

(5) All regulations made under this Act shall be laid before Parliament within twenty-eight days after the making thereof if Parliament is then in session, and, if not, shall be laid before Parliament within
15 twenty-eight days after the commencement of the next ensuing session.

4. The regulations specified in the Schedule to this Act (being emergency regulations within the meaning of the Emergency Regulations Act, 1939) shall continue
20 in force as if they had been made under this Act.

Certain emergency regulations to continue in force as supply regulations. 1939, No. 8

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

Validation of acts done in anticipation of supply regulations. ✓

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

Protection of persons acting under authority of this Act or of supply regulations.

Publication
in *Gazette*,
&c., to
be notice to
all persons
concerned.
1936, No. 17

7. The publication in the *Gazette* or in accordance with the Regulations Act, 1936, whether before or after the passing of this Act, of any supply regulations, or of any Order in Council, Proclamation, order, rule, by-law, notice, warrant, licence, or other act of authority under this Act or under any supply regulations shall for all purposes be deemed to be notice thereof to all persons concerned, and in any prosecution under this Act the liability of the accused shall be determined accordingly. 5-10

Liability for
breach of
supply
regulations.

8. (1) Every person who commits, or attempts to commit, or does any act with intent to commit, or counsels, procures, aids, abets, or incites any other person to commit, or conspires with any other person (whether in New Zealand or elsewhere) to commit, any offence against any supply regulations shall be liable to such punishment as is prescribed in that behalf by the regulations or, where no punishment is so provided, shall be liable on summary conviction to imprisonment for a term not exceeding *twelve* months or to a fine not exceeding *one hundred* pounds. 15-20

(2) Nothing in this Act or in any supply regulations shall be so construed or shall so operate as to take away or restrict the liability of any person for any offence punishable independently of this Act, but no person shall be punished twice for the same offence. 25

Duration of
Act.

9. (1) This Act shall continue in force until the thirty-first day of December, nineteen hundred and fifty, and shall then expire. 30

(2) The expiry of this Act shall not affect the operation thereof in respect of things previously done or omitted to be done.

SCHEDULE

Schedule.

EMERGENCY REGULATIONS CONTINUED IN FORCE AS SUPPLY REGULATIONS

Title.	Serial Number.
The Building Emergency Regulations 1939 ..	1939/155
Amendment No. 1	1940/323
Amendment No. 2	1942/64
Amendment No. 3	1942/279
Amendment No. 5	1945/98
Amendment No. 6	1947/128
The Electricity Emergency Regulations 1939 ..	1939/146
Amendment No. 1	1945/99
The Export Prohibition Emergency Regulations 1939 ..	1939/151
Amendment No. 1	1941/111
The Factory Emergency Regulations 1939 ..	1939/143
The Foodstuffs Emergency Regulations 1939 ..	1939/145
The Mining Emergency Regulations 1939 ..	1939/147
Amendment No. 1	1945/101
The Oil Fuel Emergency Regulations 1939 ..	1939/133
Amendment No. 1	1939/170
Amendment No. 2	1939/251
Amendment No. 3	1940/34
Amendment No. 4	1940/71
Amendment No. 5	1942/163
Amendment No. 7	1944/63
Amendment No. 8	1944/153
Amendment No. 9	1944/170
Amendment No. 10	1945/108
The Primary Industries Emergency Regulations 1939 ..	1939/164
Amendment No. 1	1939/265
Amendment No. 2	1940/120
Amendment No. 3	1942/180
The Rationing Emergency Regulations 1942 ..	1942/111
Amendment No. 1	1943/35
Amendment No. 2	1943/165
Amendment No. 3	1944/119
Amendment No. 4	1946/43
The Shipping Supply Emergency Regulations 1942 ..	1942/122
The Sugar Emergency Regulations 1939 ..	1939/141
The Supply Control Emergency Regulations 1939 ..	1939/131
Amendment No. 1	1940/121
Amendment No. 2	1943/66
The Timber Emergency Regulations 1939 ..	1939/148
Amendment No. 1	1943/106
Amendment No. 2	1945/100
The Wheat and Flour Emergency Regulations 1939 ..	1939/142