

657

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives.

31st August, 1920.

[AS REPORTED FROM THE STATUTES REVISION COMMITTEE.]

Legislative Council, 15th September, 1920.

Right Hon. Mr. Massey.

WAR REGULATIONS CONTINUANCE.

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Repeals. 3. Certain War Regulations continued in force until revoked pursuant to this Act. 4. Certain regulations to continue in force as Board of Trade Regulations.</p>	<p>5. Powers of Governor-General to amend regulations specified in Second Schedule hereto. 6. Validation of regulations heretofore passed. 7. Revocation of all War Regulations other than the regulations referred to in the Second and Third Schedules hereto.</p>
--	--

A BILL INTITULED

AN ACT to continue in Force certain Provisions of the War Regulations Act, 1914, and its Amendments, and certain Regulations made thereunder. Title.

5 WHEREAS, pursuant to the War Regulations Act, 1914, and its amendments, the Governor-General has from time to time made certain regulations (herein referred to as War Regulations): And whereas, owing to the continuance of conditions created by or arising out of the late war with Germany, it is deemed expedient that

10 certain provisions of the said Act and its amendments and certain regulations made thereunder should be continued in force notwithstanding the termination of the war: And whereas certain other regulations (relating to the regulation and control of industries) have been made under the authority of the said Act, either alone

15 or jointly with the Regulation of Trade and Commerce Act, 1914, and other Acts: And whereas it is expedient that such last-mentioned regulations should hereafter be deemed to have been made under the Board of Trade Act, 1919, and should continue in force as Board of Trade Regulations under that Act accordingly:

20 BE IT THEREFORE 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 War Regulations Continuance Act, 1920, and shall be read together with and deemed part of the

25 War Regulations Act, 1914 (hereinafter referred to as the principal Act). Short Title.

Repeals.

2. The enactments mentioned in the *First* Schedule hereto are hereby repealed, to the extent indicated in that Schedule :

Provided that the repeal of the said enactments or of any of them shall not affect the validity of any of the regulations referred to in the *Second* Schedule or the *Third* Schedule hereto, or the power or authority of the Governor-General in Council to amend or extend those regulations under this Act. 5

New.

Certain regulations (making provision for safety of ships and cargoes) revived.

2A. The War Regulations of the tenth day of October, nineteen hundred and seventeen (making provision for the safety of ships and cargoes), which were revoked by the Governor-General by Order in Council on the third day of November, nineteen hundred and nineteen, are hereby revived as from the commencement of this Act. 10

Certain War Regulations continued in force until revoked pursuant to this Act.

3. The War Regulations specified in the *Second* Schedule hereto shall, as adapted for the purposes of this Act, and as set out in that Schedule, continue in force until revoked by the Governor-General in Council. 15

Certain regulations to continue in force as Board of Trade Regulations.

4. (1.) The regulations referred to in the *Third* Schedule hereto shall hereafter be deemed to be Board of Trade Regulations under the Board of Trade Act, 1919, and shall continue in force and shall operate as if they were Board of Trade Regulations made under the authority of that Act. 20

(2.) In so far as any regulations to which this section relates are *ultra vires* of the Governor-General in Council under the Board of Trade Act, 1919, or any Act other than the principal Act, they shall, on the commencement of this Act, be deemed to be revoked. 25

Powers of Governor-General to amend regulations specified in *Second* Schedule hereto.

5. The Governor-General in Council may from time to time amend or extend any of the regulations set out in the *Second* Schedule hereto, for the purpose of giving full effect to the intent and purpose *purport* of those regulations, but not further or otherwise, and the principal Act shall apply to any amendment or extension in the same manner as it applies to the said regulations. 30

Validation of regulations heretofore passed.

6. All regulations heretofore made under the principal Act and its amendments shall for all purposes whatever be deemed, as from the making thereof, to have been made with full power and authority and to be and to have been valid and of full effect ; and the powers, rights, duties, and liabilities of all persons in respect of all things done or suffered, whether before or after the passing of this Act, shall be determined accordingly. 35

Revocation of all War Regulations other than the regulations referred to in the *Second* and *Third* Schedules hereto.

7. All regulations heretofore made under the principal Act and its amendments, and in force immediately prior to the commencement of this Act, other than the regulations set out in the *Second* Schedule hereto or referred to in the *Third* Schedule hereto, shall be deemed to be revoked as from the commencement of this Act. 40

659

SCHEDULES.

Schedules.

FIRST SCHEDULE.

ENACTMENTS REPEALED.

Title of Act.	Extent of Repeal.
1914, No. 38.—The War Regulations Act, 1914	Title: The words "during the present war." Sections 2 and 3, and paragraphs (a), (b), and (d) of section 6. Sections 2 and 3.
1915, No. 5.—The War Regulations Amendment Act, 1915	Sections 2 to 11, and section 13.
1915, No. 66.—The War Regulations Amendment Act, 1915 (No. 2)	Sections 2, 4, and 7; and section 3, except paragraphs (a) and (b) of subsection (1) and subsections (4) and (5). Sections 34 and 35.
1916, No. 9.—The War Regulations Amendment Act, 1916	
1917, No. 21.—The War Legislation Act, 1917	Section 25.
1918, No. 2.—The Finance Act, 1918	Sections 29 and 30.
1918, No. 10.—The War Legislation and Statute Law Amendment Act, 1918	

SECOND SCHEDULE.

WAR REGULATIONS CONTINUED IN FORCE UNDER THIS ACT.

- (1.) Regulations dated 10th November, 1914, as amended on 19th July, 1915; 22nd February, 1916; 2nd May, 1916; and 24th July, 1916; and as adapted for purposes of this Act.

In these regulations, unless a different intention appears, "alien enemy" means for the purposes of the War Regulations every person who is or has at any time been a subject of any State with which His Majesty was at war immediately prior to the 10th day of January, 1920, notwithstanding the fact that such person may be also by birth, naturalization, or otherwise a British subject, or may have in any manner ceased to be a subject of any such State, and also includes the wife of an alien enemy.

- (2.) Regulations dated 20th September, 1915, as amended on 29th November, 1915; 24th July, 1916; and 2nd April, 1918.

4. No person shall print, publish, sell, distribute, have in his possession for sale or distribution, or bring or cause to be brought or sent into New Zealand any document which incites, encourages, advises, or advocates violence, lawlessness, or disorder, or expresses any seditious intention.

5. (a.) No person shall, whether as principal or agent, sell, transfer, or supply to or procure for any other person any firearm or ammunition or explosive save in pursuance of a permit issued under this regulation.

(b.) No person shall, whether as principal or agent, purchase or otherwise procure any firearm or ammunition or explosive save in pursuance of a permit issued under this regulation.

(c.) Every such permit shall be signed and issued by a Superintendent or Inspector of Police or sergeant of police, or constable in charge of a country station, and shall specify the nature, number, or amount of the firearms or ammunition or explosive so authorized to be sold, purchased, transferred, supplied, or procured, and the names, residences, and occupations of the parties to the transaction so authorized, and shall be dated as of the day of the signature thereof.

(d.) Every such permit shall remain in force for six days after the day of the date thereof, and shall then become void.

6. (a.) No person shall bring or cause to be brought or sent into New Zealand any firearm or ammunition or explosive save in pursuance of a permit issued in that behalf under this regulation by a Superintendent or Inspector of Police.

(b.) Any such permit may be at any time revoked by a Superintendent or Inspector of Police.

7. (a.) The Minister of Defence may from time to time, by a notice signed by him and published in the *Gazette*, declare that any area specified in that notice is an area in which the possession of firearms or ammunition or explosives without a permit is prohibited, and may, by a similar notice published in the *Gazette*, cancel any such notice with respect to the whole or any part or parts of the area so specified.

(b.) Any area so specified shall, while and so far as the notice specifying the same remains in force, be deemed to be a prescribed area within the meaning and for the purposes of this regulation.

(c.) No person resident or being in any prescribed area shall, save in pursuance of a permit issued to him by a Superintendent or Inspector of Police, have in his possession or custody in that area any firearm or ammunition or explosive at any time later than two clear days after the date of the gazetting of the notice by which such area has been prescribed.

(d.) No person shall bring or send, or cause to be brought or sent, into a prescribed area any firearm or ammunition or explosive save in pursuance of a permit issued to him by a Superintendent or Inspector of Police.

(e.) Any such permit as is referred to in this regulation may be at any time revoked by any Superintendent or Inspector of Police by notice in writing delivered to or otherwise brought to the knowledge of the person to whom it was issued.

8. No person shall carry a firearm or other dangerous weapon except for some lawful, proper, and sufficient purpose, and the burden of proving the existence of such purpose shall lie upon the accused.

9. No person shall by the discharge of firearms or in any other manner whatever endanger the safety of any member of the Police Force or of the Defence Forces, or of any person acting in aid of the Police Force or of the Defence Forces.

10. No person without the written permission of a Superintendent or Inspector of Police shall on or in the vicinity of any railway, dock, wharf, harbour, or ship have in his possession or custody any explosive substance or highly inflammable liquid in quantities exceeding the immediate requirements of his business or occupation.

11. Any constable may search any person for any firearms, ammunition, explosives, or dangerous weapons which may be carried by him, and may detain him for the purposes of such search.

12. In these regulations the terms "firearms" and "ammunition" shall not include—

- (a.) Shot-guns of a kind ordinarily used in New Zealand for sporting purposes ;
- (b.) Ammunition of a kind ordinarily used for such shot-guns ;
- (c.) Firearms or ammunition belonging to or supplied by any Department of the Executive Government, and lawfully in the possession or custody of any member of the Defence Forces or of the Police Force or any other person.

12A. In these regulations the word "explosive" shall, without restricting the generality of its meaning, include all detonating substances or appliances, and all articles, appliances, and substances of which an explosive forms part ; but does not include—

- (a.) "Ammunition" within the meaning of these regulations ;
- (b.) Cartridges for shot-guns of a kind ordinarily used in New Zealand for sporting purposes ;
- (c.) Explosives belonging to or supplied by any Department of the Executive Government, and lawfully in the possession or custody of any member of the Defence Forces or the Police Force, or of any other person ;
- (d.) Fireworks, as defined in Class 7 of the regulations under the Explosives and Dangerous Goods Act, 1908, dated the 27th day of July, 1914.

12B. Every person who manufactures or keeps an explosive in breach of the provisions of the Explosive and Dangerous Goods Act, 1908, or of any regulation made thereunder, or who does any act with intent so to manufacture or keep an explosive, shall be guilty of an offence against the War Regulations Act, 1914, and shall be liable accordingly.

(3.) Regulations dated 15th November, 1915, as amended on 29th November, 1915 ; 13th December, 1915 ; and 21st August, 1916.

2. No person over the age of fifteen years shall leave New Zealand for any place beyond the seas save in pursuance of a written permit issued to him by the Minister or Under-Secretary of Internal Affairs, or by any person authorized in that behalf by the Minister of Internal Affairs, whether generally or with respect to any particular persons or classes of persons, and still in force.

3. Every such permit shall cease to be in force on the expiration of one calendar month after the date thereof.

4. Every such permit may be at any time revoked by the said Minister or Under-Secretary, or other person by whom it was issued, by notice in writing to the person to whom it was issued.

6. (1.) No such permit shall be required in the case of any person—

(a.) Who leaves New Zealand in the King's service ; or

(b.) Who leaves New Zealand as a *bona fide* member of the crew of any ship ;

or

(c.) Who arrives in and leaves New Zealand in the course of the same voyage of any ship other than a ship arriving from a port in the Commonwealth of Australia.

(2.) No person shall be deemed to be a *bona fide* member of the crew of a ship within the meaning of this regulation unless he has been engaged at the full current rate of pay and in the ordinary course of the shipowner's or charterer's business.

7. The owner, charterer, and master of every ship shall take all reasonable care not to carry out of New Zealand any person whose departure from New Zealand would be a breach of these regulations.

8. Every person found on board any ship which is about to leave any port in New Zealand shall, on being questioned by any officer of Police or Customs or by the master or any officer of the ship, state whether he has received a permit under the War Regulations to leave New Zealand, and produce for inspection by such officer or master any permit so received by him.

9. No person who has received a permit under these regulations shall go or be on board any ship which is about to leave a port in New Zealand without having such permit in his possession.

10. No person shall by any false statement or representation obtain or attempt to obtain a permit under these regulations either for himself or for any other person.

(4.) Regulations dated 22nd February, 1916.

2. Save with the consent of the Attorney-General, no person shall, whether on his own behalf or on behalf of any other person, make or be concerned in making any application to the Supreme Court for probate of the will or for letters of administration of the estate of any person who on his death was an alien enemy, wherever resident, or for the resealing in New Zealand of any such probate or letters of administration granted elsewhere.

3. Save with the consent of the Attorney-General, no alien enemy, wherever resident, and no person on behalf of an alien enemy, wherever resident, shall make or be concerned in making any application to the Supreme Court for probate of the will or for letters of administration of the estate of any person deceased, or for the resealing in New Zealand of any such probate or letters of administration granted elsewhere.

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

(5.) Regulations dated 3rd April, 1916, as amended by Regulations dated 11th May, 1916 ; 20th August, 1917 ; 30th April, 1918 ; 24th November, 1919.

1. In the following regulations—

“ Enemy ” means any person, firm, or company with whom or with which trading or correspondence is prohibited by or under the Trading with the Enemy Act, 1914, or its amendments, or the War Regulations ; and includes any person, firm, or company declared to be an enemy under these regulations :

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

"Enemy company" means a company which is incorporated in enemy territory, or in or over which any enemy or any other enemy company or any alien enemy (other than one who is also a natural-born British subject) possesses or exercises any substantial interest or control.

2. For the purposes of the following regulations, when any person, firm, or company by means of an agent or servant in New Zealand solicits or receives offers for the sale, purchase, or consignment of goods, such person, firm, or company shall be deemed to carry on business in New Zealand, whether such offers are received or accepted in New Zealand or elsewhere.

ENEMY PROPERTY.

3. The Public Trustee shall act as the Custodian of Enemy Property under these regulations.

4. On or before the 1st day of May, 1916, every person who on the coming into operation of these regulations holds, or has the possession, management, or control of, any enemy property shall by notice in writing communicate the fact, together with full particulars of such property, to the Custodian of Enemy Property at the Public Trust Office at Wellington, and every such person shall thereafter from time to time give to the Custodian such further information relative to that property as he may require.

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

6. All notifications of enemy property under the two last preceding regulations shall be made in accordance with the Schedule hereto and under the several headings specified in that Schedule.

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

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

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

10. No person shall by any false, misleading, or incomplete statement deceive or attempt to deceive the Custodian in any matter relative to enemy property.

11. (a.) All rents, dividends, interest, shares of profits, and other income owing or payable to an enemy or to any person on behalf of an enemy by any person in New Zealand shall be paid by such last-mentioned person to the Custodian of Enemy Property.

(b.) Every such payment shall be made on or before the 1st day of May, 1916, in the case of moneys already so due and payable at the date of the coming into operation of these regulations; and in all other cases such payment shall be made within fourteen days after the day on which such moneys become due and payable, or after any later day on which the person to or on behalf of whom they are due and payable becomes an enemy.

12. In the case of all moneys due and payable to an enemy or to any person on behalf of an enemy (other than rents, dividends, interest, shares of profits, and income as aforesaid) the Custodian of Enemy Property may, if he thinks it expedient in the public interest, demand payment of such moneys from the person by whom they are so payable; and the person on whom such demand is made shall forthwith, or so soon as may be reasonably practicable, pay such moneys to the Custodian accordingly.

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

14. All moneys received by the Public Trustee as the Custodian of Enemy Property shall be invested in accordance with the direction of the Minister of Finance, and, subject to or in default of such direction, shall form part of the common fund of the Public Trustee, but no interest shall be payable thereon.

15. When, by any assignment or transfer or otherwise howsoever, any property or any interest therein passes or at any time has passed from an enemy to any person who is not an enemy, such property shall nevertheless be deemed still to remain or to have remained enemy property, and the income or proceeds thereof shall be deemed to be payable to an enemy.

16. No person shall without the permission of the Attorney-General pay to the assignee of an enemy, or to any person claiming through an enemy, any money which he could not lawfully pay to the enemy himself, whether the title of such assignee or person claiming through an enemy has accrued before or after the coming into operation of these regulations.

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

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

TRADING WITH THE ENEMY.

24. It shall not be lawful for the Registrar of Companies or for any Assistant Registrar of Companies to issue a certificate of the incorporation of any company under the Companies Act, 1908, until and unless the Attorney-General, being satisfied that no enemy, and no enemy company, and no alien enemy (other than one who is also a natural-born British subject), possesses or is about to acquire any interest, whether legal or equitable, in that company, or being satisfied that, notwithstanding the existence of such an interest, the incorporation of the company is not contrary to the public interest, authorizes the issue of such certificate.

25. It shall not be lawful for any company incorporated elsewhere than in New Zealand, and not lawfully carrying on business in New Zealand at the date of the coming into operation of these regulations, to commence to carry on business in New Zealand until and unless the Attorney-General, being satisfied that no enemy, and no enemy company, and no alien enemy (other than one who is also a natural-born British subject), possesses or exercises, or is about to possess or exercise, any substantial interest or control in or over that company, issues to that company a license to carry on business in New Zealand.

26. (a.) Save with the permission of the Attorney-General, it shall not be lawful for any alien enemy (other than one who is also a natural-born British subject) to carry on business in New Zealand, unless he is already resident or carrying on business in New Zealand at the date of the coming into operation of these regulations (*i.e.*, on 16th April, 1916).

(b.) Save with the permission of the Attorney-General, it shall not be lawful for any person to act as the agent, servant, partner, or otherwise on behalf of an alien enemy (other than one who is also a natural-born British subject) in respect of any business carried on by him in New Zealand, unless that alien enemy was resident or carrying on business in New Zealand at the date of the coming into operation of these regulations.

27. Save with the permission of the Attorney-General, it shall not be lawful for any enemy or for any alien enemy (other than one who is also a natural-born British subject) to acquire, whether at law or in equity, any shares, debentures, or debenture stock in any company incorporated in New Zealand; nor shall it be lawful for any such company or for any officer thereof to register, record, recognize, or be otherwise concerned in the acquisition, whether in New Zealand or elsewhere, of any such shares, debentures, or debenture stock by any such enemy or alien enemy; provided that

nothing in this regulation shall extend to any acquisition by way of testamentary or intestate succession.

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

(b.) Any such restrictions may be in like manner removed or varied by the Attorney-General.

(c.) No person shall carry on, or be in any manner concerned in the carrying-on of, any such business in breach of the restrictions so imposed and for the time being in force.

MISCELLANEOUS.

30. In these regulations, and in all other War Regulations, the term "person" includes a body corporate so far as such regulations are capable of application to bodies corporate.

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

(b.) Such particulars shall be in writing verified by the statutory declaration of the alien enemy by whom the same are given.

(c.) The term "property" includes all money owing or payable to an alien enemy or to any person on his behalf.

32. No owner of a British ship registered in New Zealand, or of any share in such a ship, shall transfer the ship or any share therein to any person not qualified to own a British ship.

SCHEDULE.

A.

Returns of Property held, possessed, managed, or controlled on behalf of Enemies resident or carrying on Business in Enemy Territory.

Such returns shall be made under the following heads:—

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

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

(3.) Shares, stocks, debentures, debenture stock, and other obligations of companies incorporated in New Zealand, and interests held in partnerships carrying on business in New Zealand.

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

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

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

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

B.

Returns of Property held, possessed, managed, or controlled on behalf of Enemies resident or carrying on Business elsewhere than in Enemy Territory.

Such returns shall be made in the same manner as returns under Part A of this Schedule, but separately therefrom.

- (6.) Regulations dated 2nd May, 1916, as amended by Regulations dated 28th August, 1916.

ENEMY SHAREHOLDERS.

3. (1.) In this regulation—

“New Zealand company” means any body corporate which has a capital divided into shares and is incorporated in New Zealand :

“Enemy company” means a body corporate which is incorporated in enemy territory, or in or over which any enemy or any other enemy company or any alien enemy (other than one who is also a natural-born British subject) possesses or exercises any substantial interest or control :

“Enemy” means any person or body corporate with whom or with which trading is prohibited under the Trading with the Enemy Act, 1914, or its amendments, or the War Regulations.

(2.) If the Attorney-General is satisfied that any share in a New Zealand company belongs, or at any time since the commencement of the war with Germany has belonged, in law or in equity, to an enemy, or to an enemy company, or to an alien enemy other than a natural-born British subject, or that any enemy or any enemy company or any such alien enemy possesses, or at any time since the commencement of the war with Germany has possessed, any interest, whether legal or equitable, in any such share or in the income thereof or in the proceeds of the sale thereof, the Attorney-General may, by an order signed by him and published in the *Gazette*, order and declare that such share shall be vested in the Custodian of Enemy Property.

4. On the gazetting of any such order all shares to which it relates shall thereupon vest at law in the Public Trustee, as the Custodian of Enemy Property, in trust to sell the same and to hold the same and the income thereof and the proceeds of the sale thereof in trust for all persons having any interest in such shares, income, or proceeds in accordance with their respective interests ; save and except that where the shares were vested in any trustee with power of sale the Public Trustee shall hold the same, and the proceeds and income thereof, in trust for such trustee, without prejudice, however, to all trusts and equities affecting the same in the hands of the trustee.

5. (1.) Every such New Zealand company, any shares in which are so vested in the Custodian of Enemy Property, shall forthwith, on the request of the Custodian, register the Public Trustee, in his capacity as Custodian of Enemy Property, as the owner of those shares, whether they are registered in New Zealand or in any other register of the company elsewhere.

(2.) Nothing in the regulations or constitution of any such company shall in any manner take away or restrict the obligation of the company so to register the Public Trustee as the owner of the shares.

(3.) If any such New Zealand company makes default in so registering the Public Trustee as the owner of any shares, each director, manager, or secretary of that company shall be guilty of an offence against the War Regulations.

6. It shall be the duty of the Custodian of Enemy Property, as soon as reasonably practicable after the vesting in him of any such shares, to sell the same in such manner as he thinks fit ; and on his executing a transfer thereof, in such form and manner as he thinks fit, to the purchaser, and requesting registration of the transfer, it shall be the duty of the company, notwithstanding anything to the contrary in the regulations or constitution of the company, to register the purchaser as the owner of the shares so transferred :

Provided that no such sale shall take place without the consent of the Attorney-General.

7. (1.) The proceeds of any such sale of shares by the Custodian of Enemy Property shall be disposed of in accordance with the trusts affecting the same in his hands, save that no moneys shall be paid by him to an enemy.

(2.) All moneys for the time being unexpended by the Custodian shall be invested by him in accordance with the directions of the Minister of Finance : and in default of such directions, then in the common fund of the Public Trust Office, but so far as owing to an enemy such moneys shall bear no interest.

8. The Custodian of Enemy Property shall pay out of the proceeds or income of any shares so vested in him all calls becoming payable on those shares, but shall not be otherwise liable for such calls.

9. So long as the Custodian of Enemy Property acts in good faith in the execution of the powers, duties, and trusts conferred or imposed upon him under these regulations, or under any other War Regulations, he shall be under no civil liability to any person whatever for any error, act, or default.

14. In all prosecutions for any breach of the War Regulations in which the liability of the accused depends on his being an alien enemy he shall be presumed to be an alien enemy unless he produces sufficient evidence to the contrary.

(7.) Regulations dated 11th May, 1916.

1. When any company, firm, or person carrying on business in New Zealand is or has been declared to be an enemy by the Attorney-General in the exercise of the authority conferred upon him by the War Regulations, the Attorney-General may at the same time, or at any time thereafter while the declaration remains in force, by Warrant published in the *Gazette*, appoint the Public Trustee as the Controller of the business of the company, firm, or person so declared to be an enemy. Any such appointment may be at any time revoked in like manner.

2. The Controller so appointed shall have the following powers in respect of the business of the company, firm, or person so declared to be an enemy:—

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

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

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

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

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

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

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

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

(i.) To make application to the Supreme Court for an order for the winding-up of any company so declared to be an enemy and placed under his control:

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

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

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

5. No director, manager, agent, servant, partner, or other person who is for the time being engaged in the management or conduct of any business under the control of the Controller, or who has at any time during the war with Germany been so engaged, shall withhold from the Controller any information relating to such business on being required by the Controller to supply such information.

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

7. All expenses incurred by the Controller in the exercise of his powers in respect of any business shall be payable out of the moneys received by him as Controller of that business.

8. All moneys received by the Controller in respect of any business so under his control shall form part of the common fund of the Public Trust Office, and shall, subject to the powers of the Controller to pay debts, expenses, and other sums of money thereout, be held on account of the company, firm, or person entitled thereto, but shall bear no interest.

9. While the Controller remains in office in respect of the business of any company, firm, or person it shall not be lawful, without the consent of the Controller or the Attorney-General, to present any bankruptcy petition in respect of that firm or person or any petition for the winding-up of that company, or to pass any resolution for the winding-up of that company, or to take any steps for the enforcement of the rights of any creditors of that person, firm, or company, save that, on the application of the Controller, the Supreme Court may make an order for the winding-up of that company under the Companies Act, 1908, on the ground that it has been declared an enemy.

(8.) Regulations dated 24th July, 1916, as amended by Regulations dated 12th May, 1919.

17. (1.) When the Attorney-General is satisfied that any goods or merchandise are enemy property within the meaning of clause 1 of the War Regulations of the 3rd day of April, 1916, he may authorize the Public Trustee, as the Custodian of Enemy Property, to take possession of such goods or merchandise and to sell the same, and every such authority shall have effect according to the tenor thereof.

(2.) All moneys received by the Custodian of Enemy Property from the sale of any such goods and merchandise shall, after payment thereof of all sums lawfully payable in respect of such goods or merchandise to any person other than an enemy, be invested and dealt with in accordance with clause 14 of the War Regulations of the 3rd day of April, 1916.

PROPERTY OF PRISONERS OF WAR.

18. In the following regulations "prisoner of war" means any person detained in New Zealand under the order of a military authority, or otherwise detained as a prisoner of war.

19. (1.) The Public Trustee may be appointed as the custodian of the property of any prisoner of war—

(a.) By that prisoner of war; or

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

(2.) Any such appointment shall be in writing, and may be revoked at any time by the Attorney-General by notice in writing to the Public Trustee.

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

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

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

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

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

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

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

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

(h.) To exercise in respect of the property of the prisoner of war any other powers which may be expressly conferred upon the Public Trustee by that prisoner in the instrument of appointment executed by him.

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

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

23. The balance of the moneys received by the Custodian in respect of the property of any prisoner of war, after making all payments hereinbefore authorized, shall form part of the common fund of the Public Trust Office, and shall be held on account of that prisoner of war, and there may be paid thereout to the prisoner of war such reasonable sums as the Custodian thinks fit.

(9.) Amending Regulations as to Property of Prisoners of War, dated 12th May, 1919.

1. The appointment of the Public Trustee under the said regulations (*i.e.*, the regulations of the 24th July, 1916) as Custodian of the property of any person as a prisoner of war (whether such appointment is made by that person himself or by the Attorney-General, and whether it is made before or after the making of these regulations) shall continue in full force and effect until revoked by the Attorney-General, even though that person has ceased to be a prisoner of war or to be resident in New Zealand ; and all the provisions of the said regulations shall continue to apply to that appointment in the same manner as if that person remained a prisoner of war held in confinement in New Zealand.

2. For the purposes of the said regulations as amended by these present regulations the term "prisoner of war" shall include any alien enemy whose arrest has been authorized by a military authority under the War Regulations, although he has not yet been actually arrested.

3. Clause 20 of the said regulations as amended shall apply to all appointments, whether made before or after the making of these present regulations.

(10.) Regulations dated 21st August, 1916.

PERMITS AND PASSPORTS.

3. In the following regulations "passport" means a passport which has been issued by the Government of the country of which the person to whom it relates is a subject or citizen and which is still in force, or some other document satisfactorily establishing the nationality and identity of the person to whom it relates, to which passport or document there is attached a photograph of the person to whom it relates.

4. After the first day of October, 1916, no person whose age exceeds fifteen years shall land at any place in New Zealand from any place beyond the seas unless he has in his possession a passport which has been issued to him not more than two years before his arrival in New Zealand, and which, in the case of a person coming from a foreign country, has been issued or vised by the British Ambassador or a British Consul in that country, and in the case of a person coming from any part of the British dominions has been issued or vised by some public official thereof duly authorized in that behalf.

5. (1.) The last preceding regulation shall not apply to—

(a.) Any person returning from the Commonwealth of Australia, if he is in possession of a permit to visit the Commonwealth issued to him under the authority of the War Regulations relating to such permits :

- 669
- (b.) Any person visiting New Zealand from the Commonwealth of Australia, if he is in possession of a permit to visit New Zealand issued to him by or under the authority of the Department of External Affairs of the Commonwealth :
 - c.) Any person visiting New Zealand from the Cook Islands or Western Samoa, if he is in possession of a permit to visit New Zealand issued to him by a Resident Commissioner of the Cook Islands or by the Administrator of Samoa, as the case may be :
 - (d.) Any person resident in New Zealand returning to New Zealand on a return ticket issued to him in New Zealand :
 - (e.) Any member of the naval or military Forces of any part of the British dominions entering New Zealand on duty :
 - (f.) Any person arriving in New Zealand as the master or a member of the crew of the vessel in which he arrives.

(2.) The Minister of Internal Affairs, or any person authorized by him to grant exemptions, may exempt any person from any or all of the provisions of the last preceding regulation. If such exemption is granted subject to any condition, and the person to whom it is granted fails to comply with that condition, he shall be guilty of an offence against these regulations.

6. Any officer and any Collector of Customs may take possession of any passport in the possession of any person entering New Zealand.

7. (1.) An alien, being the master or a member of the crew of a vessel arriving at any port in New Zealand after the 1st day of October, 1916, shall not land at that port unless he has in his possession a passport issued to him not more than two years before his arrival.

(2.) Where an alien is under the provisions of this regulation prohibited from landing at any port the Collector of Customs may nevertheless grant him temporary permission to land for such purposes and subject to such conditions as the Collector thinks fit, and if he fails to comply with any of those conditions he shall be guilty of an offence against these regulations.

(3.) Where an alien who is not in possession of any such passport is a member of the crew of any such vessel the master shall, as soon as may be after the arrival of the vessel at any port, give written notice of the presence of that alien on board the vessel to the Collector of Customs, and that alien shall leave New Zealand with that vessel.

(4.) Nothing in subclause (1) of this regulation shall apply to any master or member of the crew whose home is in New Zealand.

(11.) Regulations dated 18th December, 1916.

1. No owner of a British ship registered in New Zealand, or of any share in such a ship, shall transfer the ship or any share therein to a foreign-controlled company.

2. No owner of a British ship registered in New Zealand, or of any share in such a ship, shall mortgage the ship or any share therein to any person not qualified to own a British ship or to a foreign-controlled company ; and no person, being the mortgagee of any such ship or of any share therein, shall transfer his mortgage to a person not qualified to own a British ship or to a foreign-controlled company.

3. For the purposes of these regulations the expression "foreign-controlled company" means any corporation—

- (a.) Where the majority of the directors, or persons occupying the position of directors, by whatever name called, are not British subjects ; or
- (b.) Where the majority of the voting-power is in the hands of persons who are not British subjects, or who exercise their voting-powers directly or indirectly on behalf of persons who are not British subjects ; or
- (c.) Where the control is by any other means whatever in the hands of persons who are not British subjects ; or
- (d.) Where the executive is a foreign-controlled company, or where the majority of the executive are appointed by a foreign-controlled company.

(12.) Regulations dated 21st December, 1916.

ENEMY PROPERTY.

1. Where any property is enemy property within the meaning of section 3 of the War Regulations Amendment Act, 1916, by reason of the fact that any interest in that property (whether such interest is that of ownership or any lesser interest) belongs or at any time since the commencement of the war with Germany has belonged to any person or company of enemy nationality, descent, origin, residence, connections or associations (other than a person resident in New Zealand or a company incorporated in New Zealand), the Attorney-General may, by order signed and gazetted by him, order and declare that such interest shall be vested in the Public Trustee as the Custodian of Enemy Property.

2. On the gazetting of any such order the interest to which it relates shall thereupon vest in the Public Trustee as the Custodian of Enemy Property in trust to sell the same, and to hold the same and the income thereof, and the proceeds of the sale thereof, in trust for all persons entitled thereto in accordance with their respective rights and titles.

3. When the interest so vested in the Public Trustee is a registered interest in land under the Land Transfer Act, 1915, the District Land Registrar shall, on the request of the Public Trustee, register him as the proprietor of that interest in the same manner as if that interest had been duly transferred to the Public Trustee by the registered proprietor thereof, and the order of the Attorney-General shall be a sufficient warrant for such registration accordingly.

4. The Public Trustee may in such manner and on such terms as he thinks fit sell and transfer any interest so vested in him.

5. The proceeds of any such sale, and all revenues derived by the Public Trustee from any interest so vested in him, shall be disposed of in accordance with the trusts affecting the same in his hands. All such moneys for the time being unexpended by the Public Trustee shall be invested by him in the common fund of the Public Trust Office. No moneys so invested shall, so far as payable to any person to whom payment is unlawful bear any interest.

(13.) Regulations dated 9th February, 1917.

1. The Governor may from time to time, by Order in Council published in the *Gazette*, declare any wharf or wharves to be a Government wharf within the meaning and for the purposes of these regulations, with the distinguishing name given thereto by such notice and with the boundaries defined by such notice. Any such notice may be in like manner revoked.

2. In these regulations the term "wharf" includes any wharf, quay, pier, jetty, or other place used or capable of being used for the lading or unloading of ships, and also includes any place belonging to or in the possession of or under the control of a Harbour Board; and also includes any public highway so far as it intersects or is contiguous to any such wharf, quay, pier, jetty, or other place as aforesaid.

3. By the same or any other Order in Council published in the *Gazette* the Governor may from time to time appoint any person to be the Controller of such Government wharf, and may also appoint such other persons (if any) as he thinks necessary to be the Assistant Controllers of that wharf. All persons so appointed shall hold office during the pleasure of the Governor.

4. Every such Assistant Controller shall, subject to the control and direction of the Controller, have the same powers, authorities, and functions as the Controller himself, and every reference in these regulations to the Controller of a Government wharf shall be read as including a reference to any Assistant Controller accordingly.

5. The Controller of a Government wharf may from time to time employ all such wharf labourers and other persons as he considers necessary for the loading, unloading, and despatch of vessels at that wharf, and for the performance of any other duties incidental to any such operations, and may enter into such contracts as he thinks reasonable on behalf of the Crown for the payment of such persons at such rates as may be agreed on.

6. When the Controller of a Government wharf is satisfied that the conduct or character of any person is such that his liberty of access to that wharf is prejudicial to

71

the effective use, control, or administration thereof, the Controller may, by order in writing (whether that person is then upon the wharf or not), warn him off that wharf. Every such order shall take effect as soon as the making thereof has been brought in any manner to the knowledge of the person against whom it is made. Every such order may be revoked by the Controller by order in writing.

7. If after any person has been so warned off a Government wharf, and while the order remains in force, such person enters or remains upon that wharf, or loiters in the vicinity of any entrance thereto, he shall be guilty of an offence against these regulations, and shall be liable accordingly.

8. The Controller of a Government wharf, if satisfied that such a course is advisable for the effective use, control, or administration thereof, may by order close that wharf or any part thereof specified in the order. Every such order shall take effect when a notification thereof has been published in a newspaper circulating in the district in which the wharf is situated, or has been publicly exhibited upon the wharf or upon the part of it so closed. Every such order may be revoked by the Controller in like manner.

9. (1.) So long as any such order closing a Government wharf or any part thereof remains in force, no person shall enter upon that wharf or upon that part thereof, as the case may be, except in pursuance of a permit issued by the Controller of the wharf or by his authority, and no person shall loiter in the vicinity of any entrance to the closed wharf or of the closed part thereof, as the case may be.

(2.) Nothing in this regulation shall apply so as to prohibit the entrance of—

(a.) Any person in the employment of the Crown;

(b.) Any person employed as a member of the permanent staff of a Harbour Board by which the wharf is owned;

(c.) Any seaman or passenger belonging to any ship lying at or in the vicinity of the closed wharf or the closed part thereof, as the case may be.

10. Every person who incites any other person to refuse or fail to offer or render service or effective service as a wharf labourer on any Government wharf, or who does any act, or publishes (whether to any person or persons or to the public at large) any utterance, intended or calculated to interfere with the effective use, control, or administration of a Government wharf, or with the proper loading, unloading, or despatch of any vessel lying at or in the vicinity of a Government wharf, or to obstruct the due administration of these regulations by the Controller of a Government wharf or by any person acting in aid of the Controller, shall be guilty of an offence against these regulations, and shall be liable accordingly.

11. The Controller of a Government wharf, and every person acting in aid of him, shall have at all times a right of access to that wharf and to every part thereof, and to every ship lying thereat.

12. Every person who does wilful damage to a Government wharf or to any building or structure situated thereon, or to any goods, machinery, plant, or other property being thereon or on any ship lying thereat, or in the vicinity thereof, shall be guilty of an offence against these regulations and shall be liable accordingly.

13. The Controller of a Government wharf may make thereon any structural or other alterations which he deems necessary for the effective enforcement of these regulations or the proper use, control, or administration of the wharf.

14. The Controller of a Government wharf may give such orders as he thinks necessary as to the berthing, lading, unloading, or despatch of any ship lying at or in the vicinity of that wharf. Disobedience to any such order shall be an offence against these regulations.

15. Every person who conspires with any other person to prevent, delay, or otherwise interfere with the proper loading, unloading, or despatch of any vessel, whether lying at a Government wharf or not, or who does any act or publishes (whether to any person or persons, or to the public at large) any utterance intended to prevent, delay, or otherwise interfere with the proper loading, unloading, or despatch of any vessel, whether lying at a Government wharf or not, shall be guilty of an offence against these regulations, and shall be liable accordingly.

(14.) Regulations dated 16th February, 1917.

1. The Governor, if satisfied that any industry is essential for the public welfare, may by Order in Council declare that industry to be an industry essential for the public welfare.

SEDITIONOUS STRIKES AND SEDITIONOUS LOCKOUTS.

2. No person shall be a party to a seditious strike or to a seditious lockout, or shall incite, encourage, or procure any such strike or lockout or the continuance thereof.

3. "Seditious strike" means any strike, or transaction in the nature of a strike, or combination, agreement, common understanding, or concerted action on the part of any workers, which is intended or has a tendency to interfere with the manufacture, production, output, supply, delivery, or carriage of goods or articles in or in connection with any industry declared by the Governor in Council, pursuant to the foregoing provisions of these regulations, to be essential for the public welfare, or otherwise to interfere with the effective conduct of any such industry.

4. "Seditious lockout" means any lockout, or transaction in the nature of a lockout, or combination, agreement, common understanding, or concerted action on the part of any employers which is intended or has a tendency to interfere with the manufacture, production, output, supply, delivery, or carriage of goods or articles in or in connection with any industry declared by the Governor in Council, pursuant to the foregoing provisions of these regulations, to be essential, for the public welfare, or otherwise to interfere with the effective conduct of any such industry.

5. Nothing in these regulations shall be deemed to revoke or affect any other War Regulations already in force, and all such other War Regulations shall remain in full force and effect according to their tenor concurrently with the present regulations, but so that no person shall be punished twice for the same offence.

(15.) Regulations dated 11th June, 1917, as amended by Regulations dated 24th November, 1919.

SHIPPING REGULATIONS.

1. These regulations may be cited as the Shipping Regulations, 1917.

2. In these regulations the term "New Zealand ship" means any British ship having its port of registry in New Zealand; and as used in clauses 6, 7, and 8 of these regulations shall extend and apply not only to any British ship having its port of registry in New Zealand, but also to any British ship owned by or chartered by any company incorporated in New Zealand, or any company, firm, or person the headquarters of whose business is in New Zealand.

3. Save with the consent of the Minister of Marine, it shall not be lawful to procure the transfer of the registry of a New Zealand ship to a port of registry out of New Zealand, or the removal of any such ship from the register of British shipping, and all persons who in New Zealand are knowingly concerned in any such transfer or removal, or attempted transfer or removal, shall be guilty of an offence against these regulations, and shall be liable accordingly.

4. Save with the consent of the Minister of Marine, it shall not be lawful to sell or transfer, or agree to sell or transfer, or to mortgage or agree to mortgage, any New Zealand ship or any share therein, and all persons who in New Zealand are knowingly concerned in any such sale, transfer, mortgage, or agreement, whether it takes place in New Zealand or elsewhere, shall be guilty of an offence against these regulations, and shall be liable accordingly.

5. Save with the consent of the Minister of Marine, it shall not be lawful to grant a charter of any New Zealand ship other than a ship which has not at any time within twelve months before the date of the charter been engaged in trading in or with New Zealand, and all persons who in New Zealand are knowingly concerned in the grant of any such charter, whether granted in New Zealand or elsewhere, shall be guilty of an offence against these regulations, and shall be liable accordingly.

6. (1.) It shall not be lawful for any New Zealand ship to leave New Zealand for any place beyond the seas, or to leave a proclaimed port (as hereinafter defined) for any other port or place in New Zealand, except in pursuance of a license issued in that behalf by the Minister of Marine, and every person who in New Zealand is knowingly concerned in any such departure of a New Zealand ship, save in pursuance of such a license, shall be guilty of an offence against these regulations, and shall be liable accordingly.

(2.) Any such license as aforesaid may be issued on such terms as to the voyage or employment of the ship as the Minister of Marine thinks fit, and may be granted either generally or in respect of any specified voyage or voyages, and every person who in New Zealand is knowingly concerned in any breach of the terms of such license, whether committed in New Zealand or elsewhere, shall be guilty of an offence against these regulations, and shall be liable accordingly.

(3.) Every such license shall be revocable at the will of the Minister of Marine.

(4.) No certificate of clearance shall be granted under the Customs Act, 1913, to any ship in respect of any voyage in breach of this regulation.

(5.) In this regulation the term "proclaimed port" means any port of entry in New Zealand under the Customs Act, 1913, to which this regulation has been applied by the Minister of Marine by notice published by him in the *Gazette*, and for the time being in force.

(6.) The Minister of Marine may accordingly, by notice in the *Gazette*, from time to time declare that this regulation shall apply to all or any of such ports of entry, and may at any time in like manner cancel or vary any such notice.

7. (1.) Without the consent of the Minister of Marine it shall not be lawful for any New Zealand ship which at the date of these regulations is engaged in trading in or with New Zealand to be withdrawn from that trade, whether permanently or temporarily; and every person who in New Zealand is knowingly concerned in any such withdrawal, whether it takes place in New Zealand or elsewhere, shall be guilty of an offence against these regulations, and shall be liable accordingly.

(2.) Such consent may be granted subject to such terms as to the employment of the ship as the Minister of Marine thinks fit, and if the ship is employed otherwise than in accordance with those terms, whether in New Zealand or elsewhere, every person who in New Zealand is knowingly concerned in such employment shall be guilty of an offence against these regulations, and shall be liable accordingly.

8. It shall be the duty of every owner or charterer of a New Zealand ship, and of every servant or agent of any such owner or charterer, to afford at all times to the Minister of Marine such information as he may demand as to the voyages, employment, or whereabouts of that ship, or otherwise with respect to that ship; and every person who fails or refuses to give such information, or who wilfully gives any false information as to the matters aforesaid, shall be guilty of an offence against these regulations, and shall be liable accordingly.

9. Every person who deceives or attempts to deceive the Minister of Marine in the exercise of the authority conferred upon him by these regulations shall be guilty of an offence against these regulations, and shall be liable accordingly.

10. Nothing in these regulations shall in any manner revoke or affect any other War Regulations heretofore made and now in force relative to shipping.

(16.) Regulations dated 1st October, 1917.

PERMITS AND PASSPORTS.

1. Every permit issued under the War Regulations made on the 15th day of November, 1915, shall upon the expiration, revocation, or other determination thereof be returned to the Minister or Under-Secretary of Internal Affairs.

2. Any passport issued by the Governor-General may at any time be recalled by the Minister or Under-Secretary of Internal Affairs by notice in writing to the person to whom it was issued, and immediately upon the receipt of such notice the holder of any such passport shall forward or deliver the same to the Under-Secretary of Internal Affairs.

New.

(16a.) Regulations dated 10th October, 1917, as amended by Regulations dated 4th November, 1918.

SAFETY OF SHIPS AND CARGOES.

1. In these regulations—

"Competent authority" means the Commissioner of Police or a Superintendent or Inspector of Police:

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

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

"Cargo" includes any goods or merchandise on or about a wharf having been unladen from a ship or awaiting shipment.

2. Every person who by any act or default, whether wilful or negligent, endangers the safety of any ship or cargo, shall be guilty of an offence against these regulations, and shall be liable accordingly.

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

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

(c.) Every person who is engaged in any work in breach of the foregoing provisions shall be guilty of an offence against these regulations, and shall be liable accordingly.

(d.) Every person who procures or permits any other person to be engaged in any work in breach of this regulation shall be guilty of an offence against these regulations, and shall be liable accordingly; provided that on a prosecution for any such offence it shall be a good defence that the accused believed on reasonable grounds that such engagement was not in breach of this regulation.

(e.) Every license issued by a competent authority under this regulation may be issued on such terms and conditions as that authority thinks fit, and shall be revocable at the will of the same or any other competent authority.

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

5. (a.) Any constable or officer of Customs may search and detain for the purpose of search any person, conveyance, package, or receptacle of any description found on or about any wharf or ship, and may for this purpose enter upon any wharf or ship.

(b.) Every person who resists, obstructs, or deceives any constable or officer of Customs in the exercise of this right of search or detention shall be guilty of an offence against these regulations, and shall be liable accordingly.

(17.) Regulations dated 27th February, 1918.

3. When any return has been made under these regulations (*i.e.*, the War Regulations of the 27th day of February, 1918, relating to compulsory notification of claims by British subjects against enemy persons and enemy Governments) by any person or corporation it shall be the duty of that person or corporation at any time and from time to time thereafter to supply, on the demand of the Public Trustee, all such further information as to the property or claim to which the return relates as the Public Trustee may require, and also, if required by the Public Trustee, to verify by statutory declaration the return so made or any such further information so supplied.

(18.) Regulations dated 7th May, 1918.

PROTECTION OF THE GUARANTORS OF SOLDIERS AGAINST JUDICIAL AND OTHER PROCESS.

1. Without the previous consent in writing of the Attorney-General, it shall not be lawful for any person to issue or be concerned in the issue of any process of execution against the property of a guarantor of a soldier in pursuance of any judgment, decree, or order of any Court in its civil jurisdiction obtained against the guarantor in respect of the guaranteed obligation, whether so obtained before or after the making of these regulations, or to continue or be concerned in the continuance of any such process of execution, whether commenced before or after the making of these regulations.

2. Without the previous consent of the Attorney-General, it shall not be lawful for any person to file a bankruptcy petition against a guarantor of a soldier in respect of any debt or liability incurred by reason of the guaranteed obligation.

3. In these regulations the expression "guarantor of a soldier" means a person liable upon any covenant or contract in respect of the obligation whereof he is legally or equitably entitled to be indemnified by a soldier.

(19.) Regulations dated 4th June, 1918.

1. Except as hereinafter provided, no person shall sell or supply any intoxicating liquor—

(a.) To any member of an Expeditionary Force (after the date when such member has first been called into a camp of military training) while such member is undergoing medical or curative treatment as a patient in, or an out-patient of, any hospital or other institution, whether such sale or supply takes place within such hospital or other institution as aforesaid or elsewhere; or

(b.) To any person who has been discharged from an Expeditionary Force, and who is undergoing medical or curative treatment as a patient in, or an out-patient of, any hospital or other institution, whether such sale or supply takes place within such hospital or other institution as aforesaid or elsewhere.

(2.) Nothing in the foregoing provisions shall apply to the supply of intoxicating liquor to any person by or pursuant to the directions or with the authority of any officer or medical practitioner having control or care of that person.

2. It shall be a good defence in any proceedings for a breach of these regulations if the defendant proves that he did not know and had no reasonable ground for suspecting that the person to whom he sold or supplied the intoxicating liquor was a member of an Expeditionary Force, or had been discharged from an Expeditionary Force, and was undergoing medical or curative treatment in any hospital or other institution.

(20.) Regulations dated 1st October, 1918.

1. In these regulations the term "home-trade ship" means any British ship, whether registered in New Zealand or elsewhere,—

(a.) That is employed in trading or going between any ports or places in New Zealand; or

(b.) That is engaged in plying on any navigable waters in New Zealand; or

(c.) That goes to sea from any port or places in New Zealand and returns to Zealand without going more than fifty miles from the coast thereof:

Provided that a vessel shall not be deemed to be a home-trade ship within the meaning of these regulations by reason merely of the fact that in the course of or as preliminary to a voyage to or from any place out of New Zealand she is employed in going between two places in New Zealand; and provided also that for the purposes of this definition the Cook Islands shall be deemed to be part of New Zealand.

2. (1.) After the 1st day of October, 1918, save in pursuance of a license issued by the Minister of Marine, it shall not be lawful for an alien enemy to be engaged or to continue to be engaged as master, or as a mate or engineer, on any home-trade ship as hereinbefore defined, or to be engaged or to continue to be engaged as a Harbour-master or in any other official position in the employment of a Harbour Board.

(2.) Every such license shall be revocable at the will of the Minister of Marine.

(3.) Every person who is engaged or continues to be engaged in any employment in breach of the foregoing provisions shall be guilty of an offence against these regulations, and shall be liable accordingly.

3. Every shipowner, member, or officer of the Harbour Board, or other person who procures, permits, or consents to the engagement or continued engagement of an alien enemy in breach of these regulations shall be guilty of an offence against these regulations, and shall be liable accordingly; but it shall be a good defence if the defendant proves that he believed on reasonable grounds that the person so engaged was not an alien enemy.

4. It shall not be necessary for any person holding a license under these regulations to hold in addition thereto a license under the War Regulations of the 10th day of October, 1917, relative to the safety of ships and cargoes.

(21.) Regulations dated 29th April, 1919, as amended by Regulations dated 2nd June, 1919.

1. These regulations may be cited as the Soldiers' Protection Regulations, 1919.

2. In these regulations.—

“Soldier” means a member of an Expeditionary Force under the Expeditionary Forces Act, 1915, who is in receipt of military pay as such, or who is on leave without pay after his return to New Zealand from military service beyond the seas :

“Discharged soldier” means a person who has in any manner ceased to be a member of any such Expeditionary Force after military service as such beyond the seas :

“Recently discharged soldier” means a discharged soldier at any time within twelve months immediately succeeding his return to New Zealand after military service beyond the seas :

“Assisted discharged soldier” means a discharged soldier who is for the time being indebted to the Crown in respect of any loan granted to him, with or without security, under the Discharged Soldiers Settlement Act, 1915, or the Repatriation Act, 1918.

3. Without the previous consent in writing of the Attorney-General, granted on the recommendation of a Stipendiary Magistrate, it shall not be lawful for any person—

(a.) To issue any process of execution against the property of a soldier, or recently discharged soldier, or assisted discharged soldier in pursuance of any judgment, decree, or order of any Court in its civil jurisdiction, whether obtained before or after the making of these regulations ; or

(b.) To seize or sell the property of any soldier, recently discharged soldier, or assisted discharged soldier by way of distress for rent ; or

(c.) To file a bankruptcy petition against a soldier, recently discharged soldier, or assisted discharged soldier ; or

(d.) To exercise (otherwise than with the leave of the Supreme Court under the Mortgages Extension Act, 1919) any power of sale conferred by any mortgage, bill of sale, or other security over the property of a soldier, recently discharged soldier, or assisted discharged soldier, whether that mortgage, bill of sale, or security was given before or after the making of these regulations, and whether the person whose property is subject thereto became a soldier, recently discharged soldier, or assisted discharged soldier before or after the date of the mortgage, bill of sale, or security.

3A. (1.) Nothing in clause 3 of these regulations shall apply to proceedings taken with respect to the balance for the time being of an account current of any soldier or discharged soldier with any bank or approved trading company or approved merchant, or with respect to any mortgage, bill of sale, or other security securing such account current, and all such proceedings may be taken accordingly without the consent of the Attorney-General.

(2.) For the purposes of this clause an approved trading company or approved merchant means any company, firm, or person approved in that behalf by the Attorney-General.

(22.) The Enemy Property Regulations, dated 5th August, 1919.

1. These regulations may be cited as the Enemy Property Regulations, 1919.

2. In these regulations—

“Enemy” means and includes any person who is or at any time since the commencement of the war with Germany has been resident in enemy territory as herein defined (otherwise than as a prisoner of war or a member of His Majesty's Forces), and any firm which has or at any such time has had its chief place of business in enemy territory, and any company or body corporate incorporated in enemy territory :

“Enemy territory” means any territory in Europe which at the commencement of the war with Germany formed part of the German Empire, or of the Empire of Austria-Hungary, or of the Kingdom of Bulgaria, or of the State of Turkey :

“Enemy property” means property of any kind whatever which belongs or at any time since the commencement of the war with Germany has belonged to an enemy, or in which an enemy has or at any such time has had an interest (other than property which now belongs exclusively to persons, firms, or companies in New Zealand and in which no enemy has any longer any interest), and includes all moneys which are the revenues of enemy property or are the proceeds of the sale, realization, or disposition thereof, and all moneys which are on any account whatever payable to or for the benefit of an enemy.

3. Nothing in these regulations shall apply to any property which first becomes enemy property after the termination of the war with Germany, unless that property consists of the proceeds of the sale, realization, or disposition of property which was enemy property during that war, or consists of rents, profits, interest, or other revenues derived from property which was enemy property during that war.

4. It shall not be lawful for any person, without the consent of the Attorney-General, directly or indirectly to send or transmit any enemy property out of New Zealand, or to deal with enemy property in any manner whatever with intent to reduce such property or the proceeds of the sale, realization, or disposition thereof into the possession of an enemy or of any person out of New Zealand on behalf of an enemy, or with intent otherwise to make the same available out of New Zealand by or for the benefit of an enemy.

5. The Public Trustee shall act as the Custodian of Enemy Property under these regulations.

6. (1.) On or before the 1st day of September, 1919, every person who at the date of these regulations holds or has the possession, management, or control of any enemy property shall, by notice in writing, communicate the fact, together with full particulars of such property, to the Custodian of Enemy Property at Wellington.

(2.) This clause shall not apply to enemy property of which full particulars have been already supplied to the Custodian in accordance with the aforesaid regulations of the 3rd day of April, 1916.

7. Every person who for the time being holds or has the possession, management, or control of any enemy property shall from time to time give to the Custodian of Enemy Property such information with respect thereto as the Custodian may require.

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

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

10. Shares owned by or on behalf of an enemy in any company incorporated in New Zealand shall be deemed to be enemy property held by that company.

11. No person shall by any false, misleading, or incomplete statement deceive or attempt to deceive the Custodian in any matter relating to enemy property.

12. All persons owing money due to an enemy, or having in their possession any money due and payable to, or held in trust for, or held on account of an enemy, shall, on demand made by the Custodian of Enemy Property, forthwith, or so soon as may be reasonably practicable, pay such money to the Custodian.

13. All persons having in their possession any enemy property, being share-certificates, debentures, bonds, instruments of mortgage or other securities for money, or documents of title to land or any interest therein, shall, on demand made by the Custodian of Enemy Property, forthwith deliver the same to the Custodian.

14. All bank balances and other sums payable on demand shall for the purposes of these regulations be deemed to become or to have become due and payable at any time at which such demand might lawfully have been made in time of peace.

15. All moneys received by the Public Trustee as the Custodian of Enemy Property under these regulations shall be invested in accordance with the directions of the Minister of Finance, and subject to and in default of such direction shall form part of the common fund of the Public Trustee, but no interest shall be payable thereon.

16. No person shall, without the permission of the Attorney-General, pay to the assignee of an enemy, or any person claiming through an enemy, any money which he could not lawfully pay to the enemy himself, whether the title of such assignee or person claiming through an enemy has accrued before or after the coming into operation of these regulations.

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

18. (1.) The Attorney-General may, by order signed by him and gazetted, vest any enemy property or any specified estate or interest in enemy property in the Custodian of Enemy Property, and such property, estate, or interest shall thereupon vest in the Public Trustee accordingly as if it had been lawfully and with full authority transferred to the Public Trustee by all persons entitled thereto.

(2.) When any such order relates to any estate or interest in land under the Land Transfer Act, 1915, it shall be the duty of the District Land Registrar to register the Public Trustee as the proprietor of that estate or interest, on production by the Public Trustee of a printed copy of the *Gazette* containing the order.

(3.) The property, estate, or interest to which any such order relates shall be held by the Public Trustee on trust for the person or persons who would have been entitled thereto if no such order had been made, and with such powers of sale, realization, or disposition as the Attorney-General may by the same or any subsequent gazetted order from time to time declare.

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

THIRD SCHEDULE.

REGULATIONS DEEMED TO BE BOARD OF TRADE REGULATIONS

1. The Coal Trade Regulations, dated 5th February, 1917, as amended by regulations dated 28th August, 1917; 29th May, 1918; 2nd June, 1919; 15th July, 1919; and 15th August, 1919.
2. Regulations relative to the sale of wheat, flour, bran and pollard, dated 5th February, 1917.
3. Regulations relative to the sale and purchase of sheep-skins, dated 24th April, 1917, as amended by regulations dated 11th February, 1918.
4. The Lighting Regulations, 1917, dated 5th June, 1917, as amended by regulations dated 15th October, 1917.
5. The Petrol Regulations, dated 9th July, 1918, as amended by regulations dated 30th July, 1918; and 11th February, 1920.
6. The Timber Regulations, dated 6th August, 1918, as amended by regulations dated 18th February, 1919, and 19th August, 1919.
7. The Milk-supply Regulations, 1918, dated 10th September, 1918.
8. Regulations controlling the sale and purchase of wool, dated 8th October, 1918.
9. Regulations prescribing a standard size for butter-boxes, dated 22nd October, 1918.
10. The Wheat Trade Regulations, 1919, dated 25th February, 1919, as amended by regulations dated 7th April, 1919, and 19th August, 1919.
11. The Wheat Regulations, 1920, dated 16th March, 1920.
12. The Boot Trade Regulations, 1919, dated 6th October, 1919.