

Supplementary Order Paper.

LEGISLATIVE COUNCIL.

Tuesday, the 7th Day of September, 1920.

WAR REGULATIONS CONTINUANCE BILL.

HON. SIR FRANCIS BELL, in Committee, to move the following amendments :—

To insert after clause 2 the following new clause :—

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.

Second Schedule: To insert, after the regulations numbered (16) on page 17, the following regulations :—

(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 unlading 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.

6. (a.) When a competent authority is satisfied that the conduct or character of any person is such that his exclusion from wharves and shipping is advisable in the interests of the public safety, such competent authority may by order in writing warn that person off all wharves and ships.

(b.) 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.

(c.) If while any such order remains in force the person against whom it is made enters or remains upon any wharf or ship or loiters in the vicinity of any entrance to a wharf, he shall be guilty of an offence against these regulations, and shall be liable accordingly.

(d.) Every such order made by a competent authority may by order in writing be revoked by the same or any other competent authority.
