

Serial Number 1941/2.



**THE DEPENDENCY EMERGENCY REGULATIONS (NO. 2) 1939,
AMENDMENT NO. 4.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 21st day of January,
1941.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Cook Islands Act, 1915, the Samoa Act, 1921, and the Emergency Regulations Act, 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS.

1. These regulations may be cited as the Dependency Emergency Regulations (No. 2) 1939, Amendment No. 4.

2. These regulations shall be read together with and form part of the Dependency Emergency Regulations (No. 2) 1939.*

3. These regulations shall come into force in the Cook Islands other than Niue when publicly notified by the Resident Commissioner of Rarotonga in such manner as he thinks proper, in the Island of Niue when publicly notified by the Resident Commissioner of Niue in such manner as he thinks proper, and in the Mandated Territory of Western Samoa on the day of publication hereof in the *Western Samoa Gazette*.

4. Notwithstanding the provisions of any Act, the revocation in its application to New Zealand of any regulation declared by the Dependency Emergency Regulations (No. 2) 1939, or any amendment thereof, to be in force in the Cook Islands or Western Samoa shall not affect the continuance in the Cook Islands or Western Samoa of the regulations so declared to be in force.

* Statutory Regulations 1939, Serial number 1939/234, page 960.

Amendment No. 1: Statutory Regulations 1940, Serial number 1940/9, page 14.

Amendment No. 2: Statutory Regulations 1940, Serial number 1940/91, page 331.

Amendment No. 3: Statutory Regulations 1940, Serial number 1940/171, page 569.

5. (1) The Aliens Emergency Regulations 1940* shall be in force in the Cook Islands and Western Samoa subject to the modifications made by the next succeeding clause.

(2) The Aliens Emergency Regulations 1940 in their application to Western Samoa shall be read with the insertion therein next following Regulation 34 thereof of the following regulation (to which Regulation 8 of the Dependency Emergency Regulations (No. 2) 1939 shall not apply) :—

“ 34A. (a) Any person detained in Western Samoa under the authority of these regulations may, by warrant under the hand of the Administrator and the Seal of Samoa, be transferred to the custody of the military authorities in New Zealand.

“ (b) In pursuance of such warrant, such person shall forthwith be taken in custody from Samoa to New Zealand by any ship belonging to His Majesty or by any British ship and there forthwith delivered to the military authorities at some port of discharge in New Zealand.

“ (c) Except as otherwise provided in this regulation, every person so brought to New Zealand shall be dealt with as if he had been taken into custody under these regulations.

“ (d) Any person so brought to New Zealand may, by warrant under the hand of the Minister of External Affairs, be transferred from New Zealand to the custody of the military authorities in Samoa.

“ (e) In pursuance of such last-mentioned warrant, such person shall forthwith be taken in custody from New Zealand to Samoa by any ship belonging to His Majesty or by any British ship and there forthwith delivered to the military authorities at the Port of Apia.

“ (f) Every such person if discharged in New Zealand shall on his discharge, unless he otherwise elects, be conveyed from New Zealand by the first vessel reasonably available to the Port of Apia.”

6. (1) The following regulations shall cease to be in force in the Cook Islands and in Western Samoa :—

The Alien Control Emergency Regulations 1939 (Serial number 1939/132) :

The Alien Control Emergency Regulations 1939, Amendment No. 1 (Serial number 1939/233) :

The Alien Control Emergency Regulations 1939, Amendment No. 2 (Serial number 1939/248) :

The Alien Control Emergency Regulations 1939, Amendment No. 3 (Serial number 1940/119).

(2) Regulation 5 of the Dependency Emergency Regulations (No. 2) 1939 is hereby revoked.

7. The Dependency Emergency Regulations (No. 2) 1939 shall apply to the Aliens Emergency Regulations 1940 and to the regulations the short titles of which are set out in the Schedule hereto.

8. The regulations made under the Emergency Regulations Act, 1939, the short titles of which are set out in the Schedule hereto, shall be in force in the Cook Islands and Western Samoa.

* Statutory Regulations 1940, Serial number 1940/273, page 944.

*Dependency Emergency Regulations (No. 2) 1939, [1941/2.
Amendment No. 4.*

SCHEDULE.

1. The Shipping Safety Emergency Regulations 1940 (Serial number 1940/110).
2. The Enemy Trading Emergency Regulations 1939, Amendment No. 2 (Serial number 1940/218).
3. The Enemy Property Emergency Regulations 1939, Amendment No. 3 (Serial number 1940/228).
4. The Public Safety Emergency Regulations 1940, Amendment No. 2 (Serial number 1940/254).
5. The Public Safety Emergency Regulations 1940, Amendment No. 3 (Serial number 1940/290).
6. The Defence Emergency Regulations 1939, Amendment No. 1 (Serial number 1940/285).

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 23rd day of January, 1941.
These regulations are administered in the External Affairs Department.