

Serial Number 1940/188.

**THE EMERGENCY RESERVE CORPS REGULATIONS 1940.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 16th day of August, 1940.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to 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.

REGULATION 1—PRELIMINARY.

These regulations may be cited as the Emergency Reserve Corps Regulations 1940.

REGULATION 2.—INTERPRETATION.

In these regulations, unless the context otherwise requires,—

- “ Area ” means an area defined by the Minister for the purposes of these regulations :
- “ Committee ” means a Home Guard Committee established under these regulations :
- “ Corps ” means the Emergency Reserve Corps established by these regulations :
- “ Emergency precautions organization ” means an emergency precautions organization established under the Emergency Precautions Regulations 1940* :
- “ Home Guard ” means the Home Guard established by these regulations :
- “ Local authority ” means a Borough Council, County Council, Town Board, or Road Board :
- “ Minister ” means the Minister of National Service :
- “ Sub-committee ” means a sub-committee of a committee established under these regulations.

REGULATION 3.—EMERGENCY RESERVE CORPS.

(1) For the purpose of assisting in the preparation and operation of plans for securing the public safety, the defence of New Zealand, and the efficient prosecution of any war in which His Majesty may be engaged, and of plans for maintaining supplies and services essential to the life of the community, there is hereby established an Emergency Reserve Corps (hereinafter referred to as the Corps).

* Statutory Regulations 1940, Serial number 1940/187.

- (2) The Corps shall consist of—
- (a) The Home Guard :
 - (b) All emergency precautions organizations :
 - (c) The Women's War Service Auxiliary :
 - (d) Such other organizations and persons or classes of persons as may from time to time be declared by the Minister to form part of the Corps.
- (3) All British subjects who have attained the age of sixteen years and are not actively attached to any of His Majesty's Forces shall be eligible for enrolment in the Corps.
- (4) In the exercise of any powers or functions under or for the purposes of these regulations the Corps and every local authority, organization, committee, sub-committee, and person shall act in accordance with all directions, general or special, given in that behalf by the Minister.
- (5) Any local authority may from time to time contribute any sum or sums of money to the funds or for the purposes of the Corps or any branch thereof.
- (6) If the Minister is satisfied that any of the activities of any organization other than the Corps or a branch thereof are activities which in his opinion should not be carried on by any organization outside the Corps, the Minister may, by notice in writing, require the organization to discontinue those activities.
- (7) Any such notice may be at any time in like manner amended or revoked.
- (8) Every person commits an offence against these regulations who participates in, or aids, abets, or encourages in any way whatsoever any activities for the time being required under clause (6) of this regulation to be discontinued.

REGULATION 4.—UNIFORMS AND EQUIPMENT.

- (1) The Minister may from time to time authorize the use by members of the Corps, either generally or in respect of any particular district, area, branch, or subdivision, of any uniforms, armlets, badges, insignia, or distinctive dress or form of clothing.
- (2) The Minister, or any local authority, public body, or committee, may arrange for the supply and issue of any suitable equipment to any members of the Corps.

REGULATION 5.—HOME GUARD.

- (1) There is hereby established a branch of the Corps to be known as the Home Guard.
- (2) The functions of the Home Guard shall be to assist in the prosecution of any war in which His Majesty may for the time being be engaged, in all or any of the following ways:—
- (a) By promoting the physical and military fitness and the efficiency and usefulness of its members :
 - (b) By providing guards, pickets, patrols, sentries, and coast-watchers :
 - (c) By organizing bodies or detachments of its members in specialist or expert duties for the purpose of co-operating with and assisting any emergency precautions organization or any other branch of the Corps or any of his Majesty's Forces, and generally for the purpose of making the most effective use of their services :
 - (d) By any other means approved by the Minister.

(3) The Home Guard shall be divided into such subdivisions, based on such districts and areas, as may from time to time be determined by the Minister.

(4) There shall from time to time be appointed a Dominion Commander, who, under the control of the Minister and subject to these regulations, shall have command of the Home Guard.

(5) There shall also be appointed from among the members of the Home Guard such District Commanders, Area Commanders, and other Commanders, and other officers as may be determined by the Minister.

(6) Every Commander shall be appointed by the Minister and shall hold office during the pleasure of the Minister. All Commanders in any locality below the rank of Area Commander shall be appointed on the recommendation of the committee for the locality.

(7) All other officers of the Home Guard shall be appointed by such persons and in such manner as may be authorized by the orders of the Dominion Commander.

REGULATION 6.—HOME GUARD COMMITTEES.

(1) In every area the local authorities having their districts in the area shall divide the area into localities, and the local authorities having their districts or any portion thereof in any such locality shall establish a committee, to be known as the [*Name of locality*] Home Guard Committee, consisting of such persons as may be agreed upon by the local authorities, so as to ensure, as far as may be, adequate representation of all authorities, bodies, associations, and organizations interested in or affected by the organization of the Home Guard.

(2) Each committee shall be responsible for arranging in its locality for—

- (a) The selection and enrolment of members of the Home Guard, and the recommendation of members of the Home Guard for appointment as Commanders :
- (b) The subdivisions of the Home Guard and their location, having regard to local requirements in the event of an emergency :
- (c) The times and places of assembly of the Home Guard or subdivisions thereof for training, parades, or service :
- (d) The provision by the local authorities in the locality of office accommodation, clerical assistance, stationery, and services for the Home Guard :
- (e) The co-operation of the Home Guard with any emergency precautions organization or any other branch of the Corps or any other authority or organization requiring the services of the Home Guard :
- (f) Generally all matters not inconsistent with these regulations that may be deemed necessary or expedient to promote the most effective use of the Home Guard.

(3) Any committee may appoint sub-committees and may delegate to any sub-committee such of the functions of the committee as it thinks fit.

(4) Every committee and sub-committee shall keep a record of its proceedings, which shall at all convenient times be open to inspection by the Director of National Service or any person appointed by him.

(5) Except as otherwise expressly provided, every committee and sub-committee shall regulate its own procedure.

REGULATION 7.—ENROLMENT AND DISCHARGE OF HOME GUARD.

(1) Every person who is desirous of becoming a member of the Home Guard shall complete the particulars concerning himself set out in a Form of Enrolment to be provided for the purpose by the Minister, and upon being selected shall be attested by making the declaration and swearing the oath of allegiance set out in the Form of Enrolment before—

- (a) A commissioned officer of any of His Majesty's Forces ;
- (b) A Commander of any subdivision of the Home Guard ;
- (c) The Chairman of any committee or sub-committee ;
- (d) A Member of the General Assembly ;
- (e) A Justice of the Peace ; or
- (f) A Solicitor of the Supreme Court.

(2) The application of any person for enrolment in the Home Guard may be rejected on the ground of physical unfitness or on any other ground, or without any ground being specified.

(3) Upon being attested the applicant shall become a member of the Home Guard. Every member of the Home Guard shall at all times obey the orders and instructions of all Commanders and other officers set over him.

(4) Nothing in these regulations shall absolve any person from any liability for service with any of His Majesty's Forces. If any member of the Home Guard becomes actively attached to any of His Majesty's Forces otherwise than as a member of the Home Guard he shall be forthwith discharged from the Home Guard.

(5) Every member of the Home Guard shall remain a member thereof until he is discharged. Discharges may be granted by such persons and in such manner as may be authorized by the orders of the Dominion Commander.

(6) Upon being discharged a member of the Home Guard shall return to the Commander of his subdivision, or to his representative, or otherwise account for all property issued to him as a member of the Home Guard.

REGULATION 8.—MOBILIZATION OF HOME GUARD.

The Governor-General may at any time, by Proclamation, if in his opinion it is necessary for the defence of New Zealand by reason of enemy action or a threat of enemy action, call up the Home Guard or any subdivision thereof for military service with the Defence Forces under the Defence Act, 1909,* and thereupon the Home Guard or that subdivision, and every member thereof, shall be deemed to be included in the Defence Forces.

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

* See Reprint of Statutes, Vol. II, page 575.