

Serial Number 1942/93



**THE EMERGENCY RESERVE CORPS REGULATIONS 1941,
AMENDMENT NO. 2**

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 31st day of
March, 1942.

Present :

THE HON. D. G. SULLIVAN PRESIDING 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.

1. These regulations may be cited as the Emergency Reserve Corps Regulations 1941, Amendment No. 2, and shall be read together with and deemed part of the Emergency Reserve Corps Regulations 1941* (hereinafter referred to as the principal regulations).

REVOCATION OF EXISTING REGULATIONS.

2. (1) These regulations are in substitution for Part II of the principal regulations and the First Schedule thereto, and the said Part II and First Schedule are hereby consequentially revoked.

(2) All schemes, appointments, and other acts of authority made or done under Part II of the principal regulations and subsisting on the commencement of these regulations shall enure for the purposes of these regulations as if they had originated thereunder and shall, where necessary, be deemed to have so originated.

REGIONAL COMMISSIONERS AND DISTRICT CONTROLLERS.

3. (1) The Minister may from time to time appoint such number of Regional Commissioners and District Controllers as he thinks fit, to hold office during his pleasure.

(2) To every Regional Commissioner and District Controller there shall be allotted by the Minister an area within which he shall exercise his functions under these regulations.

* Statutory Regulations 1941, Serial number 1941/194, page 585.
Amendment No. 1: Statutory Regulations 1941, Serial number 1941/234, page 777.

(3) The area allotted to a Regional Commissioner may comprise the areas of two or more District Controllers, and to the extent to which the Minister, by general or specific instructions, may from time to time determine, the Regional Commissioner in any area shall have authority over the several District Controllers functioning within any part of that area.

(4) It shall be a special function of the Regional Commissioner or District Controller appointed for any area to maintain contact with the defence authorities operating in the area, and to communicate to the civil authorities or civil organizations concerned any military orders or instructions that may affect the conduct of any civil operations.

(5) It shall also be a special function of the District Controller appointed for any area to co-ordinate as far as practicable the operations of the several emergency precautions services established within his area, to assist those services to secure, so far as may be desirable, uniformity of organization and of methods in the performance of their functions, and generally to promote the efficiency of those services.

(6) Pursuant to the powers conferred on him by the principal regulations, the Minister may delegate to any Regional Commissioner or District Controller all or any of his powers under those regulations (including these regulations) in respect of their application or operation within the area allotted to that Commissioner or Controller.

LOCAL EMERGENCY PRECAUTIONS SCHEMES AND LOCAL EMERGENCY PRECAUTIONS SERVICES.

Preliminary.

4. (1) Every local authority, being a Borough Council, County Council, Town Board, or Road Board may, and if so directed by the Minister shall, prepare an emergency precautions scheme for its district.

(2) Any two or more such local authorities may, and if so directed by the Minister shall, unite in the preparation and operation of a combined scheme for the districts under their jurisdiction. The power to unite in the preparation of a combined scheme for two or more districts shall include power to unite for certain common purposes although the local authorities concerned may not have united for other purposes of an emergency precautions scheme.

(3) Where two or more local authorities have united as aforesaid in the preparation of a combined scheme or for any common purpose, none of those local authorities shall withdraw from the combined scheme or the common arrangement except with the permission of the Minister.

(4) Except as provided in the last preceding subclause, any emergency precautions scheme prepared in accordance with this clause may be at any time in like manner amended.

(5) The Minister, by notice given to the responsible local authority, may require any scheme prepared in accordance with this clause to be amended in such particulars as may be specified or referred to in the notice.

(6) Every scheme shall make such provisions as may, in the circumstances of the present war or of any other emergency to which the principal regulations relate, be deemed necessary or advisable for the preservation of life, the protection of property, and the maintenance of law and order in the district for which the scheme has been prepared.

5. For the purpose of ensuring the effective operation of an emergency precautions scheme and the proper co-ordination of the several units of the emergency precautions service established thereunder, the central committee may, and if so directed by the Minister shall, appoint as an officer of the emergency precautions service a principal administrative and executive officer who, subject to the direction of the central committee, shall have all such powers as may be reasonably necessary for the purpose of enabling him to carry out his duties.

Central Committee.

6. (1) Every emergency precautions scheme prepared in accordance with these regulations shall provide for the establishment of a central committee which shall be charged with the general administration of the scheme.

(2) Subject to the provisions of this clause, the constitution of the central committee shall be as determined from time to time by the local authority or by the several local authorities by which the scheme has been prepared :

Provided that no member of any central committee functioning in connection with the present war (whether established in connection with the present war or not) shall resign or be removed from office except by leave of the Minister or of some other person authorized by the Minister to grant such leave. Leave to resign or to remove any member from office as aforesaid may be given in general or in specific terms, but no such leave shall be given if any resignation or removal from office would, in the opinion of the Minister, tend to endanger the effective operation of the emergency precautions scheme.

(3) Before making any appointments to the central committee the appointing authority may invite nominations from representative persons, bodies, or organizations, but it shall not be bound to accept any such nomination.

(4) If at any time the Minister is of opinion that the membership of any central committee is not sufficiently representative or is inadequate for the proper performance of its functions, he may require the local authority or the local authorities concerned to add to the numbers of the central committee by the appointment of any specified person or persons or by the appointment of any person or persons to represent any specified interests, and, in default of appointment by the local authority or local authorities, the Minister may make any such appointment.

7. (1) Except as provided in the next succeeding subclause, the Chairman of the responsible authority shall be the Chairman of the central committee.

(2) If for any reason the Chairman of the responsible authority is unable or is unwilling to act as Chairman of the central committee, the Chairman of the central committee shall be such other member of the local authority or of the local authorities concerned as may be appointed for the purpose by the local authority or, in the case of a combined scheme, by all those local authorities. If, in the case of a combined scheme the several local authorities cannot agree in the appointment of a Chairman, the Minister may appoint a member of any of those local authorities to be the Chairman of the central committee.

(3) For every central committee there shall be a Deputy Chairman who shall be a member of the local authority or, in the case of a combined scheme, of one of the local authorities concerned, and shall be appointed by that local authority or, as the case may be, by all those local authorities. If, in the case of a combined scheme, the several local authorities cannot agree as to the appointment of a Deputy Chairman, the Minister may appoint a member of any of those local authorities to be the Deputy Chairman of the central committee.

(4) In the event of a vacancy in the office of Chairman of the central committee, or if for any reason the Chairman is on any occasion unable to act as chairman, the powers of the Chairman may be exercised by the Deputy Chairman.

(5) Except as provided in the foregoing provisions of this clause, the central committee shall regulate its procedure as it thinks fit.

8. The central committee may, and if so directed by the Minister shall, appoint by resolution an executive committee from among its members, and, subject to any reservations made by resolution of the central committee, the executive committee so appointed may exercise all the powers and functions of the central committee.

9. If at any time of actual emergency or when an actual emergency is immediately threatened it is, in the opinion of the Chairman, impossible or impracticable to summon the central committee or the executive committee, the Chairman shall have full authority to exercise the functions of the central committee. Where the Chairman acts under the authority of this clause he shall, at the first convenient opportunity, report to the central committee or to the executive committee any action taken by him pursuant to such authority.

General Organization of Services.

10. (1) Every emergency precautions scheme shall provide for the establishment by the central committee of an emergency precautions service for the district, consisting of the several units herein-after mentioned or of such of them as in the circumstances may be required, that is to say—

(a) A Headquarters Unit, to which shall be attached the necessary administrative officers and any other officers whose duties, as allocated by the central committee, are primarily concerned with the operation of the scheme as a whole and not with the functions of any particular unit functioning within the scheme :

- (b) A Warden's Unit, which shall have such special functions as may be allotted to it by the central committee or by any regulations and shall also have the general function of preventing panic or confusion in any sudden emergency and of assisting the several special units in the exercise of their functions :
- (c) A Medical Unit, which shall be charged with the collection and transport of casualties, the provision of first aid, the provision of medical and other services at first-aid posts and at dressing-stations, and of incidental services. In an actual emergency, and thereafter until normal services are restored, it shall also be the duty of the Medical Unit to make provision, so far as is practicable in the circumstances, for rendering essential medical, nursing, and incidental services for maternity cases and for cases of sickness or accident not necessarily attributable to the emergency :
- (d) A Supply Unit, which shall make the necessary arrangements for the acquisition and distribution of food, clothing, equipment, or supplies, and for the provision of any technical or other services that may be required for the purposes of other units :
- (e) A Law and Order Unit, which, under the supervision and control of the senior officer of police in any locality, shall assist the Police Force in the maintenance of law and order and the control of traffic :
- (f) A Communications Unit, which shall assist in the maintenance of communications by the Post and Telegraph Department and shall, by the provision of despatch riders or runners or of radio operators or by other methods, maintain or assist in maintaining supplementary methods of communication :
- (g) An Information Unit, which shall be concerned with the collection of facts for purposes of record, and also with the collection, collation, and dissemination for public information of news, directions, precautions, advice, or other matters of public concern, and shall have such other functions as may be allotted to it :
- (h) A Works Unit, which shall be charged with the maintenance of public services (such as water-supply, drainage and sanitation, electricity, and gas) ; the maintenance of roads and streets ; the construction of shelters ; the supply of demolition or rescue squads :
- (i) A Transport Unit, which, by the provision of drivers, mechanics, and other workers, shall assist in the maintenance of transport facilities within the district :
- (j) An Evacuation Unit, which, as occasion may require, shall make provision, *inter alia*, for the evacuation from danger zones of persons who should be evacuated in the public interest ; for the reception of persons evacuated from other districts ; the accommodation by billeting or otherwise of persons who have been evacuated ; and other incidental matters :

- (k) An Accommodation Unit, which shall make provision for the supply of food and of temporary shelter for persons who may be rendered homeless or who may be otherwise in need of such assistance and also for the supply of refreshments for persons engaged in the work of any unit :
- (l) A Fire Unit, which shall act in assistance of the ordinary fire-brigade services and, in an actual emergency, shall, notwithstanding anything to the contrary in these regulations, be subject to direction by and under the control of the officer for the time being in charge of those services :
- (m) A Lighting Unit, which shall be concerned with enforcing the observance of regulations or directions with respect to the prohibition, restriction, or control of the display or use of light or heating :
- (n) A Harbour Unit (in the case of coastal districts), which shall be charged with the duty of taking such special measures as may be deemed necessary for the protection of harbour-works and of property in the vicinity of harbour-works, and of making temporary arrangements, if the occasion arises, for the conveyance of persons or goods by water.

(2) The specification of units by the last preceding subclause and the statement therein of the functions of the several units shall be regarded by the central committee only as a general guide to the organization that it is required to establish. In particular, the functions of any two or more of the specified units may be combined and exercised by a single unit ; or additional functions may be given to any unit ; or additional units may be established and their functions defined by the central committee ; or any specified unit need not be established if satisfactory provision is made for the performance of its functions by any other unit, or if, in the particular circumstances of any district, the establishment of such a unit is not required.

(3) The several units established in accordance with the foregoing provisions of this clause shall co-ordinate their several activities as far as possible, and any unit, in accordance with the general or specific directions of the central committee, may undertake or assist in carrying out the functions of any other unit.

(4) All units shall be under the control of the central committee, and disputes between units shall be determined by the central committee.

11. Except so far as a contrary intention appears nothing in these regulations shall be construed to be in derogation of any powers conferred by statute or otherwise on any duly constituted instrument of general or local government.

Internal Organization of Units.

12. (1) Every unit shall be under the direct control of a controller.

(2) The controller and other officers of any unit shall be appointed by the central committee and may be at any time removed from office by that committee.

(3) No controller or other officer shall resign his office or relinquish his duties except with the permission of the central committee.

(4) The personnel of any unit (other than the controller or other officers) shall be allocated thereto by the central committee or by officers acting with the authority of the central committee. It shall be the duty of every person allocated to any unit as aforesaid to carry out his duties as a member of that unit until he is discharged or is transferred to another unit or to another branch of the Emergency Reserve Corps.

(5) No person shall be transferred from any unit to any other unit except by or with the authority of the central committee.

13. (1) The central committee may establish such sub-committees (if any) as it thinks fit, and in particular may establish a sub-committee for any unit established by it in accordance with the scheme.

(2) Except as otherwise determined by the central committee, the controller of the unit for which any sub-committee is established as aforesaid shall be the chairman of that sub-committee.

14. (1) Members allocated to any unit and all officers of the unit other than the controller shall, in relation to their duties as members of the unit, be under the direction of the controller, who may from time to time as he thinks fit allocate such members to their respective posts and duties.

(2) The controller may from time to time, as he thinks fit, determine the extent to which any member or members of the unit may, as such, exercise authority over any other member or members, and the decision of the controller shall in any such case be final.

(3) Every member of the unit shall be bound by all directions or decisions given for the purposes of this clause, and, in particular, no member shall be excused from compliance with any such direction or decision on the ground that he is a member or servant of any other organization (whether associated with the work of the unit or not).

Premises and Equipment of Units.

15. (1) Voluntary arrangements for the use of any land or buildings required for the purposes of any unit may be made by the controller of the unit concerned, but all such arrangements shall, if the circumstances permit, be submitted to the central committee for confirmation.

(2) Where voluntary arrangements cannot be made with respect to the use of any land or buildings as aforesaid, any controller or other person, acting with the authority of the central committee, may, in manner authorized by the committee, requisition the use of such land or buildings.

(3) Where arrangements made for the use of any land or buildings as aforesaid include provision for the payment of rent or compensation or other consideration the rate or the amount thereof shall be fixed by the central committee or by agreement between the claimant and the central committee.

16. (1) Where the use of any land or buildings has been made available for the purposes of any unit, by voluntary arrangement or otherwise, the controller and all other members of the unit and any other person acting by direction or with the authority of the controller shall have the right at all reasonable times to enter upon and use the premises for the purposes of the unit :

Provided that if circumstances permit, reasonable notice shall be given to the owner or occupier of intention to enter upon or use the premises on any occasion, but failure to give such notice shall not affect the right to use the premises for the purposes of the unit.

(2) If the controller is of opinion that any premises as aforesaid should on any occasion be available solely for use for the purposes of the unit, he or any member of the unit acting with his express or general authority may require any person or persons not being members of the unit to leave the premises or may refuse to permit any person to enter upon the premises, and any person who refuses to leave the premises when duly required so to do shall be deemed to have committed an offence against the principal regulations.

(3) No person shall have any right of action against the owner or occupier of any premises or against any other person on the ground that by the operation of these regulations he has been deprived of his right to use those premises or that his right to use those premises has been infringed.

17. (1) When any premises have been made available for the use of any unit in accordance with these regulations, the controller may install therein such equipment of the unit as he thinks fit, and may affix such equipment or any part thereof to any land or buildings.

(2) Subject to the directions of the central committee, the controller may take such steps as may be necessary for the installation on any such premises of gas, electricity, water, or other convenience that is in his opinion necessary to render the premises suitable for the purposes of the unit.

(3) Except by agreement between the owner and the responsible local authority, any fixtures installed on any premises pursuant to these regulations shall, notwithstanding any rule of law to the contrary, be the property of the local authority and may be at any time removed by or by direction of the local authority.

(4) The owner or occupier of any premises that have been made available for the use of any unit as aforesaid shall not make or cause or allow to be made any structural or other alterations to those premises without the authority of the central committee :

Provided that the authority of the central committee shall not be withheld in any case to which this subclause applies except on the ground that the proposed alterations would interfere with the proper use of the premises by the unit concerned.

18. Nothing in the foregoing provisions of these regulations as to the use of land or buildings for the purposes of any unit shall be construed to restrict the operation of the Emergency Shelter Regulations 1942* in their application to premises required for the use of any branch of the Emergency Reserve Corps.

Indemnity of Members.

19. No person, being an officer or other member of any unit shall be liable for any act or omission in the performance of his duties as such member unless it is proved that the act or omission complained of was due to his wilful wrongdoing or wilful default.

* Statutory Regulations 1942, Serial number 1942/1, page 1.

Special Provisions as to Wardens.

20. (1) Any warden who, in accordance with directions given in that behalf by the central committee, is authorized in writing to exercise the powers conferred by this clause may, subject to the provisions of this clause, enter upon any premises, by day or night and by force if need be, for the purpose of ascertaining whether or not the requirements of the emergency precautions scheme, or of these regulations, or of any other emergency regulations, or of any directions given thereunder, are being adequately complied with, and, if such requirements are not being so complied with, he may, at the expense of the owner or occupier, take all necessary steps to ensure adequate compliance with such requirements :

Provided that every person purporting to act under the authority of this clause shall, if required so to do by the owner or occupier of the premises concerned or by any other responsible person, produce (before proceeding to exercise his authority) written evidence of his authority to act under this clause :

Provided also that no person shall enter into any private dwelling-house under the authority of this clause until he has given a reasonable opportunity to the owner or occupier or other responsible person to supply any necessary information and to demonstrate the adequacy of any precautions that have been taken to satisfy the requirements of any regulations or directions as aforesaid, and shall not enter into the premises, except by invitation or leave, unless he has been refused necessary information, or unless he is satisfied that any precautions that have been adopted are not adequate, and that further precautionary measures should be taken without delay.

(2) Any warden acting under the last preceding subclause may, in addition to the special powers conferred by that subclause,—

- (a) Require any person in any premises to give any information or explanation for any purpose connected with the preparation or operation of any emergency precautions scheme or with the activities of the emergency precautions service ; or
- (b) Advise any persons in any such premises as to their obligations under these regulations or under any other emergency regulations ; or
- (c) Warn any such persons of the legal or other consequences of non-compliance with such obligations.

21. In addition to any other functions under or for the purposes of these regulations, every warden shall have authority to direct the movement of pedestrians or other persons in any dispersal trial or in an actual emergency, and every person commits an offence against the principal regulations who refuses or fails to obey any instructions given on any such occasion by a warden or any other authorized person.

Special Provisions as to Medical Unit.

22. (1) Where for the purposes of the Medical Unit any private hospital has been established as a first-aid post or as a dressing-station, the licensee of the hospital, by direction or with the authority of the controller, may remove, or cause to be removed, from the hospital any patient who in his opinion is in a fit condition to be removed without undue risk :

Provided that no patient shall be removed under the authority of this clause except in case of imminent emergency, of which the controller shall be the sole judge.

(2) No person shall have any right of action for breach of contract or otherwise against the licensee or any other person on the ground that any patient in a private hospital has been removed from the hospital under the provisions of this clause.

23. If any question arises as to whether the services of any medical practitioner should, either generally or on any particular occasion, be made available for the Medical Unit or for a public hospital, it may be referred by the controller or by the Hospital Board concerned to the National Medical Committee referred to in Regulation 34 of the National Service Emergency Regulations 1940,* and the decision of that Committee shall be binding on the medical practitioner, the Hospital Board, and the controller.

Special Provisions as to the Law and Order Unit.

24. (1) Every member of the Law and Order Unit who is specially authorized in that behalf by the central committee shall at all times have in relation to his duties, the same powers, authorities, duties, responsibilities, and immunities as he would have if he had been duly appointed a special constable in accordance with the Justices of the Peace Act, 1927.

(2) All other members of the said unit shall have the like powers, authorities, duties, responsibilities, and immunities in the performance of their duties during any period of actual emergency and during any period thereafter until normal conditions have been restored.

(3) Nothing in this clause shall be construed to limit the protection afforded by clause 19 hereof to all members of an emergency precautions service in the performance in good faith of their duties as such members.

Special Provisions as to Evacuation.

25. (1) There shall be no compulsory evacuation of persons from one district to another, or from one part of a district to another part of the same district, except in compliance with specific orders given by a competent military authority and communicated to a Regional Commissioner or a District Controller.

(2) In anticipation of any scheme of compulsory or voluntary evacuation, the Evacuation Unit may make provisional arrangements—

- (a) For such transport as may in the event be found to be necessary;
- (b) For the provision of temporary accommodation or shelter;
- (c) For the supply of food and other necessities;
- (d) For billeting in private homes, and for accommodation in camps, public buildings, or other suitable places.

(3) The controller of the Evacuation Unit for any district may, with the express authority of the central committee but not otherwise, require any householder in the district to accept into his house and to billet there any person or persons who may be evacuated from any

* Statutory Regulations 1940, Serial number 1940/117, page 381.

other part of the district or from any other district. Any authority given by the central committee for the purposes of this clause may be general or specific in its application.

(4) Any billeting arrangements made pursuant to any general or specific authority given under the last preceding subclause shall, at the request of the householder or of the person billeted or of his parent or guardian, be reviewed by the controller of the Evacuation Unit at any time after the expiration of fourteen days from the date of billeting and thereafter from time to time at intervals of not less than fourteen days. From every decision of the controller on any such review there shall be a right of appeal to the central committee, whose decision shall be final.

(5) No person shall be relieved of his obligations in respect of his own maintenance or in respect of the maintenance of any other person by reason of the fact that he or such other person (as the case may be) has been billeted in accordance with these regulations, and every person who, in accordance with the requirements of this clause affords accommodation for billeted persons shall be paid billeting-allowances therefor at rates to be from time to time fixed with the approval of the Minister by the central committee of the district in which the accommodation is received.

(6) All amounts payable by way of billeting-allowances in respect of any person shall be paid in the first place by the responsible local authority of the district in which such person is accommodated, and may be recovered by that local authority from the responsible local authority of the district in which the billeted person ordinarily resides. The last-mentioned local authority may recover any moneys paid by it as aforesaid from any person responsible for the maintenance of the billeted person.

Special Provisions as to Fire-watching and Fire-fighting Services.

26. (1) For the purpose of making adequate provision for the protection from fire of buildings situated within any area for which a local emergency precautions scheme has been prepared, the Chairman of the central committee may, and if so directed by the Minister shall, by notice given in accordance with clause 10 of the principal regulations,—

- (a) Require the owner of any such building to provide adequate fire-fighting equipment for use in connection with the building; and
- (b) Require the occupier or the several occupiers of any such building to establish an adequate fire-watching service and an adequate emergency fire-fighting service.

(2) For the purpose of giving effect to any notice under this clause, the central committee shall appoint a Fire Protection Organizer, who shall be charged with the duty of ensuring compliance with the terms of the notice :

Provided that any central committee may, if it thinks fit, appoint for the purposes of this clause a committee of two or more persons, and in any such case the references in this clause to the Fire Protection Organizer shall be deemed to be references to the committee appointed as aforesaid.

(3) For every building to which any notice under this clause relates or (with the approval of the Fire Protection Organizer) for approved groups of such buildings the occupiers shall appoint a Building Organizer to be approved for the purpose by the Fire Protection Organizer.

(4) It shall be the duty of the Building Organizer to make arrangements, to the satisfaction of the Fire Protection Organizer, for the following matters :—

- (a) The organization of the necessary fire-fighting and fire-watching services :
- (b) The training of the personnel of such services in their duties and in particular their training in the treatment of incendiary and other bombs, and other fire-hazards :
- (c) The arrangement of rosters of personnel, so as to provide a continuous fire-watching patrol at all times outside ordinary business or working hours, and an available emergency fire-fighting service at all times :
- (d) The provision for persons engaged in fire-watching and fire-fighting services of reasonable expenses of transport to and from their duties, and of all necessary accommodation, refreshments, conveniences, and amenities while engaged on their duties :
- (e) Any other matters that the Fire Protection Organizer may direct.

(5) In the exercise of his functions under this clause, the Fire Protection Organizer may, by direction given to the Building Organizer, require the owners and occupiers of any building either to destroy or to remove to a place of safety any particularly inflammable material or any accumulation of rubbish or of other things (whether in, or within the precincts of, such building) that could be expected to lead to an outbreak or spread of fire, or that otherwise constitutes an undue risk.

(6) The cost of providing for the establishment of any fire-fighting and fire-watching services in accordance with a notice given under this clause (exclusive of the cost of providing fire-fighting equipment, which shall be borne by the owner) shall be borne by the several owners and occupiers in such proportions as may be mutually agreed upon, and, in default of agreement, shall be apportioned between such owners and occupiers by the Fire Protection Organizer :

Provided that any person affected may appeal from the decision of the Fire Protection Organizer to the central committee, whose decision shall be final.

27. (1) In selecting the personnel of any fire-watching or fire-fighting service in accordance with the last preceding clause, the following rules shall be applied :—

- (a) The first call for service shall be upon such of the owners and occupiers of the building or group of buildings as, having regard to any other obligations they may have under the emergency precautions scheme, are available to undertake such service :

- (b) If a sufficient service cannot be maintained by the owners and occupiers, persons employed in or about the building or buildings may be called on to serve :

Provided that no person shall be called upon to serve under this paragraph if he produces to the Building Organizer a certificate signed by a district warden or other authorized person to the effect that he holds a "key" position under any emergency precautions scheme or that his duties as a member of any emergency precautions service occupy on an average not less than twelve hours a week :

- (c) Any additional personnel that may be required shall be provided from available members of the emergency precautions service.

(2) Notwithstanding anything in the foregoing provisions of this clause, no person shall be required to perform any fire-watching or fire-fighting services in connection with any building unless he is a member of an emergency precautions service.

Further Provisions as to Removal of Fire Risks.

28. (1) If the Fire Protection Organizer is of opinion that any trees, flax, gorse, broom, lupin, grass, or undergrowth, or any debris, or any other specially inflammable material constitutes a serious fire-risk, he may require the owner or occupier of the land on which such risk is situated, forthwith or within a specified time, to remove the same or to reduce the risk by the provision of fire-breaks or otherwise in accordance with the general or specific directions of the Fire Protection Organizer.

(2) From every direction given by the Fire Protection Organizer in accordance with this clause there shall be a right of appeal to the central committee, whose decision on the matter shall be final.

(3) Every person commits an offence against the principal regulations who refuses or fails to comply with any directions given for the purposes of this clause by the Fire Protection Organizer or by the central committee, as the case may be.

(4) The time allowed for an appeal from any directions given by the Fire Protection Organizer under this clause shall be fixed by the Fire Protection Organizer in each case, having regard to the urgency of the matter, but the central committee may hear any such appeal notwithstanding that the time so fixed for appeal may have expired.

GOVERNMENT EMERGENCY PRECAUTIONS SCHEMES AND SERVICES.

29. (1) The Minister may from time to time prepare or cause to be prepared a Government emergency precautions scheme in respect of any Government undertakings or of any public utilities or essential undertakings (whether under the control of the Government or not).

(2) Notice of the establishment of a Government emergency precautions service, and the extent of the services provided or proposed to be provided thereunder, shall be given by the Minister to the local authority or to the several local authorities concerned, and it shall be the duty of all persons having any control under a Government

emergency scheme and also of the central committee and other persons operating under any local emergency scheme to mutually co-operate so as to secure the utmost efficiency in the operation of all related schemes.

(3) Subject to the foregoing provisions as to mutual co-operation, the local authority of a district within which there is any Government emergency precautions scheme shall, to the extent to which the Government scheme is in operation or is intended to operate, be absolved from obligation or responsibility under these regulations.

MISCELLANEOUS.

Protection of Workers against loss of Wages.

30. Every employer shall be guilty of an offence against the principal regulations who makes any deduction from the wages of any person employed by him or who otherwise penalises any such person because of any loss of working-time that is due to the attendance of the worker at any parade or assembly of any unit of an emergency precautions service of which the worker is a member, or is due to the operation of any compulsory dispersal trial that is carried out by direction of any authority.

Members of Emergency Precautions Service may call for Assistance of Bystanders in case of Necessity.

31. (1) Any member of an emergency precautions service, while engaged in the execution of his duty, may in case of necessity call upon any person, whether a member of the emergency precautions service or not, to assist him in the performance of any task or to summon assistance.

(2) Any person who, without a good and sufficient reason the proof of which shall lie on him, fails to comply with any request under the last preceding subclause, shall be guilty of an offence against the principal regulations.

T. J. SHERRARD,
Acting Clerk of the Executive Council.