

Serial Number 1942/297



**THE EMERGENCY SHELTER REGULATIONS 1942,
AMENDMENT NO. 3**

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

ORDER IN COUNCIL.

At the Government House at Wellington, this 14th day of
October, 1942.

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.

1. These regulations may be cited as the Emergency Shelter Regulations 1942, Amendment No. 3, and shall be read together with and deemed part of the Emergency Shelter Regulations 1942* (hereinafter referred to as the principal regulations).

2. (1) Regulation 5 of the principal regulations is hereby amended by omitting subclause (3), and substituting the following new subclause :—

“(3) In any case where the scheme under which the emergency precautions service is established is a combined scheme, any moneys which are provided and paid by the responsible authority or which the responsible authority estimates that it will require to provide and pay shall be deemed to be moneys paid in respect of the scheme or, as the case may be, estimated to be required in connection with the scheme, and contributions in respect thereof shall accordingly be made by the local authorities in conjunction with which the scheme has been prepared and is being operated.

* Statutory Regulations 1942, Serial number 1942/1, page 1.
Amendment No. 1: Statutory Regulations 1942, Serial number 1942/92, page 195.
Amendment No. 2: Statutory Regulations 1942, Serial number 1942/189, page 457.

(2) Regulation 5 of the principal regulations is hereby further amended by inserting, after subclause (4), the following new subclause :—

“(4A) In any case where any asset is created or improved by the expenditure of moneys contributed by more than one local authority and the asset is of value to any of the local authorities after the termination of the present war, the local authority or local authorities to which the asset is of value shall make such payment to the other local authorities in respect thereof as may be mutually agreed upon, or in default of agreement as may be determined under subclause (5) of this regulation.”

(3) Regulation 5 of the principal regulations is hereby further amended by revoking subclause (5), and substituting the following new subclause :—

“(5) If any dispute arises as to the amount of the contributions (if any) to be made by any local authority as provided in subclause (3) or subclause (4) of this regulation, or otherwise in relation to any such contribution, or as to whether any payment should be made under subclause (4A) of this regulation or as to the amount thereof, the matter in dispute shall be determined by the Regional Commissioner appointed under the Emergency Reserve Corps Regulations for the area. An appeal against any such determination by the Regional Commissioner may be made to the Minister of Finance whose decision shall be final.”

3. (1) Regulation 17C of the principal regulations (as enacted by Regulation 5 of the Emergency Shelter Regulations 1942, Amendment No. 1*) is hereby amended by omitting from subclause (1) all words after the word “elsewhere”, and substituting the following words : “and also any further amounts that may be so specified in respect of any diminution in the annual value of any premises in which the shelter may be provided.”

(2) The said Regulation 17C is hereby further amended by omitting from subclause (2) the words “shall reserve”, and substituting the words “may, if it thinks fit, reserve”.

(3) The said Regulation 17C is hereby further amended by inserting in subclause (3), after the words “and the amounts”, the words “(if any)”.

4. The principal regulations are hereby amended by inserting, after Regulation 17D (as enacted by Regulation 5 of the Emergency Shelter Regulations 1942, Amendment No. 1*), the following new regulation :—

“17E. (1) Any local authority may make advances to the owner of any premises for the purpose of enabling him to do anything necessary to comply with the requirements of any notice served under Regulation 15 hereof or to provide any shelter pursuant to any agreement made with the local authority or any emergency precautions service.

“(2) Any such advances may be made upon or subject to such terms and conditions as the local authority thinks fit.”

5. The principal regulations are hereby further amended by inserting, after Regulation 21, the following new regulation :—

“21A. (1) Any local authority or emergency precautions service may, with the approval of the Minister, and shall if so directed by the Minister, give directions with respect to any emergency shelters or any class or classes of emergency shelters for all or any of the following purposes, that is to say :—

“(a) Determining the times at which the shelters may be used :

* Statutory Regulations 1942, Serial number 1942/92, page 195.

- “(b) Determining the circumstances in which the shelters may be used :
- “(c) Determining the number of persons by whom the shelters may be used :
- “(d) Determining the description of persons by whom the shelters may be used :
- “(e) Determining the manner in which persons using the shelters shall conduct themselves.

“(2) The local authority or emergency precautions service may give public notice of any directions given under this regulation or may display the same at the entrance or entrances to any shelters to which they relate, and in either case all persons shall be bound thereby. For the purposes of this regulation the term ‘public notice’ means a notice published in a newspaper circulating in the locality in which the shelters are situated.”

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

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 15th day of October, 1942.
These regulations are administered in the National Service Department.