

Serial Number 1940/218.



**THE ENEMY TRADING EMERGENCY REGULATIONS 1939,
AMENDMENT NO. 2.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 4th day of
September, 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.

1. These regulations may be cited as the Enemy Trading Emergency Regulations 1939, Amendment No. 2.

2. These regulations shall be read together with and deemed part of the Enemy Trading Emergency Regulations 1939* (hereinafter referred to as the principal regulations).

3. Regulation 1 of the principal regulations as amended is hereby amended by revoking the definition of the term "enemy country" in clause (2) as heretofore amended and substituting the following definition :—

“ ‘ Enemy country ’ includes—

“ (a) The territories of any State with which His Majesty is for the time being at war ;

“ (b) Any territory for the time being in the occupation of or under the control of any such State ; and

“ (c) Any territory which the Governor-General may by Proclamation declare to be an enemy country for the purposes of these regulations.”

*Statutory Regulations 1939, Serial number 1939/139, page 628.
Amendment No. 1: Statutory Regulations 1940, Serial number 1940/108.

4. The principal regulations are amended by inserting therein next following Regulation 7 thereof the following regulation :—

“REGULATION 7A.—SUPERVISORS.

“(1) Where on investigation either under either of the two last preceding regulations it appears to the Minister with reference to a business carried on by any person, firm, or company within the Dominion that the control or management thereof has been or is likely to be affected by conditions consequent upon an outbreak of war so as to prejudice the effective continuance of its business, and that it is in the public interest or necessary for the safety of the Dominion that a Supervisor of the business should be appointed, the Minister may appoint a Supervisor of the business subject to such conditions as he thinks fit.

“(2) The Supervisor shall have such powers as the Minister by the instrument of appointment or any subsequent instrument thinks fit to confer, and subject to the provisions of any such instrument shall have the following powers—namely, to take possession of the property of the business, to receive and carry on the correspondence of the business, to enter into and carry out contracts, to endorse negotiable and transferable instruments, to operate on bank accounts, and to acquire and dispose of goods and other assets, and to do the things aforesaid in the name of the person, firm, or company of the business of which he is appointed Supervisor or in his own name, but in the latter case without incurring personal liability.

“(3) Any appointment of a Supervisor and the conditions of appointment and the powers conferred on the Supervisor may from time to time be revoked, varied, or modified as the Minister thinks fit.

“(4) The remuneration, charges, and expenses of the Supervisor shall be borne by the person, firm, or company of the business of which he is appointed, and shall, if on the application of the Minister the Supreme Court thinks fit, be charged wholly or in part on the property of the person, firm, or company or any part thereof in such order of priority in relation to existing charges as the Court may in the circumstances think it equitable to direct.”

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

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 5th day of September, 1940.

These regulations are administered in the Department of Industries and Commerce, Tourist and Publicity.