

Serial Number 1942/69



**THE NATIONAL SERVICE EMERGENCY REGULATIONS 1940,
AMENDMENT NO. 9**

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

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 14th day of
March, 1942.

Present :

THE RIGHT HON. P. FRASER 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 National Service Emergency Regulations 1940, Amendment No. 9, and shall be read together with and deemed part of the National Service Emergency Regulations 1940* (hereinafter referred to as the principal regulations).

2. Regulation 8 of the principal regulations is hereby amended by inserting in clause (1), after the words "leave of absence", the words "or any class or classes of such persons".

3. The principal regulations are hereby amended by inserting after Regulation 33A, the following heading and regulation :—

"COMPULSORY SERVICE IN THE HOME GUARD.

"REGULATION 33B.—ENLISTMENT OF RESERVISTS IN THE
HOME GUARD.

"(1) The Minister may from time to time direct any male reservist or any class or classes of male reservists (with or without exception) to apply for enrolment in the Home Guard.

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

Amendment No. 1: Statutory Regulations 1940, Serial number 1940/186, page 599.

Amendment No. 2: Statutory Regulations 1940, Serial number 1940/223, page 731.

Amendment No. 3: Statutory Regulations 1941, Serial number 1941/3, page 7.

Amendment No. 4: Statutory Regulations 1941, Serial number 1941/73, page 277.

Amendment No. 5: Statutory Regulations 1941, Serial number 1941/148, page 479.

Amendment No. 6: Statutory Regulations 1941, Serial number 1941/154, page 499.

Amendment No. 7: Statutory Regulations 1941, Serial number 1941/210, page 631.

Amendment No. 8: Statutory Regulations 1942, Serial number 1942/5, page 19.

“(2) Every reservist to or in respect of whom any such direction is given by the Minister shall apply for enrolment in the Home Guard accordingly by completing an enrolment form to be provided for the purpose by the Minister (including any declaration set out in the form) and delivering the completed form to such person and in such manner as may be from time to time directed by the Minister or indicated in the enrolment form.

“(3) Where a direction to apply for enrolment in the Home Guard has been given under this regulation to or in respect of any reservist, the Director, at any time after the expiration of the time allowed for compliance with the direction (whether or not the reservist has complied with it) may, by notice given to the reservist, call him up for service with the Home Guard, and he shall thereupon become a member of the Home Guard, and all the provisions of these regulations shall, so far as they are applicable and with the necessary modifications, apply as if the Home Guard were part of the Territorial Force and as if he had been duly called up for service therewith by a notice in the *Gazette* under Regulation 16 hereof.

“(4) If any direction as aforesaid is given by public notice, it shall be the duty of every employer to ascertain with respect to every person employed or thereafter becoming employed by him—

“(a) Whether or not the direction applies to that person; and

“(b) If the direction applies to that person, whether or not it has been complied with.

“(5) If default is made by any employee in complying with any direction as aforesaid, it shall be the duty of his employer forthwith to report the default to the Director of National Service at Wellington.

“(6) For the purposes of clauses (4) and (5) of this regulation, any person having general control or authority over any employee shall be deemed to be his employer.”

W. O. HARVEY,
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 19th day of March, 1942.

These regulations are administered in the National Service Department.