

Serial Number 1942/338



**THE SHIPPING CONTROL EMERGENCY REGULATIONS 1939,  
AMENDMENT NO. 4**

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

**ORDER IN COUNCIL.**

At the Government House at Wellington, this 9th day of  
December, 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 Shipping Control Emergency Regulations 1939, Amendment No. 4, and shall be read together with and deemed part of the Shipping Control Emergency Regulations 1939\* (hereinafter referred to as the principal regulations).

2. Regulation 1 of the principal regulations is hereby amended by inserting in clause 1 : 2, after the definition of the term "Admiralty", the following definition :—

" 'Master', in relation to any ship, includes any person for the time being having command or charge of the ship : ".

3. Regulation 2 of the principal regulations is hereby amended by adding thereto the following new clauses :—

" 2 : 4. Where any such notification or any order, instruction, or direction given under or by virtue of any such notification is contravened or not complied with in respect of any ship, and damage is thereby caused to any property of the Crown, the master and the owner of the ship shall be jointly and severally liable to make good the damage so caused.

" 2 : 5. Where any such notification, order, instruction, or direction is contravened or not complied with in respect of any ship, the ship may be fired on by any member of His Majesty's naval, military, or air forces acting in the course of his duty as such.

\* Statutory Regulations 1939, Serial number 1939/126, page 585.  
Amendment No. 1 : Statutory Regulations 1941, Serial number 1941/64, page 234.  
Amendment No. 2 : Statutory Regulations 1941, Serial number 1941/79, page 296.  
Amendment No. 3 : Statutory Regulations 1942, Serial number 1942/260, page 645.

“ 2 : 6. Where any ship is fired on under this regulation the master and the owner of the ship shall be jointly and severally liable to pay the cost of the ammunition used in so firing on the ship.

“ 2 : 7. The amount of any damage, and the cost of any ammunition, in respect of which any person is for the time being liable under the foregoing provisions of this regulation shall be deemed to be a debt due to the Crown and shall be recoverable accordingly.

“ 2 : 8. Any moneys recovered under this regulation shall be paid into the War Expenses Account.”

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

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Issued under the authority of the Regulations Act, 1936.  
Date of notification in *Gazette* : 17th day of December, 1942.  
These regulations are administered in the Navy Office.