

Serial Number 1940/109.



**THE WATERFRONT CONTROL COMMISSION EMERGENCY
REGULATIONS 1940, AMENDMENT NO. 1.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 11th day of June, 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 Waterfront Control Commission Emergency Regulations 1940, Amendment No. 1.

2. These regulations shall be read together with and form part of the Waterfront Control Commission Emergency Regulations 1940* (hereinafter called the principal regulations).

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

“ ‘ Wharf Superintendent ’ means a Wharf Superintendent appointed under these regulations.”

4. Clause (1) of Regulation 10 of the principal regulations is amended by adding, after the words “ Assistant Waterfront Controllers ”, the following words “ and such Wharf Superintendents ”.

5. Clause (2) of Regulation 10 of the principal regulations is amended by revoking the words “ and Assistant Controller ”, and substituting the words “ Assistant Controller and Wharf Superintendent ”.

6. Regulation 11 of the principal regulations is amended by adding, after the word “ appointed ”, the following words “ as officers of the Public Service ”; and by adding the word “ administrative ” before the words “ functions of the Commission ”.

* Statutory Regulations 1940, Serial number 1940/59.

7. The principal regulations are amended by inserting therein, next following Regulation 11 thereof, the following additional regulation:—

“ 11A. The Commission may from time to time contract for the services of and engage, employ, and dismiss such persons as may be required for the purposes of carrying out the functions of the Commission, other than the functions referred to in Regulation 11 hereof.”

8. Regulation 14 of the principal regulations is amended by adding the following words: “ A Wharf Superintendent shall assist the Controller in carrying out the duties required of him under these regulations, and at any port where no Controller has been appointed shall have such of the powers, authorities, and functions of the Commission as may be delegated to him by the Commission ”.

9. The principal regulations are amended by inserting therein, next following Regulation 14 thereof, the following additional regulation:—

“ 14A. The fact that an Assistant Controller or Wharf Superintendent exercises any power, authority, or function under these regulations shall be conclusive evidence of his authority to do so, and no person shall be concerned to inquire whether an occasion has arisen or a delegation taken place requiring or authorizing him to do so.”

10. Regulation 16 of the principal regulations is revoked, and the following substituted:—

“ 16. (1) The Commission may establish at any branch of the Bank of New Zealand, under such name as it thinks fit, such accounts as it deems necessary or convenient for the exercise of its powers under these regulations, and may authorize such accounts to be operated on respectively by such person or persons as the Commission from time to time appoints for that purpose.

“ (2) The Commission may arrange with the Bank of New Zealand for one of such accounts established in Wellington to be overdrawn as the Commission and the Bank may agree.

“ (3) There shall be paid into one or other of the accounts aforesaid, as the Commission may from time to time direct, all moneys received by the Commission pursuant to paragraphs (k), (l), and (m) of clause (2) of Regulation 12 hereof, and all other moneys received by the Commission from any other source.

“ (4) The person or persons for the time being appointed by the Commission to operate upon any bank account opened as aforesaid shall, unless the Commission otherwise directs, have power to endorse for collection to the credit of that account any negotiable or transferable instrument payable to the order of the Commission.

“ (5) The Commission shall keep proper accounts of its moneys and property, and its accounts and stores shall be audited either by the Audit Office or by an Auditor to be appointed for the purpose by the Audit Office, in the same manner in all respects as if the moneys and stores of the Commission were public moneys and public stores within the meaning of the Public Revenues Act, 1926.”

11. The principal regulations are amended by adding thereto the following additional regulations:—

“ 23. (1) There shall be paid to the Commissioners, Waterfront Controllers, Assistant Waterfront Controllers, and Wharf Superintendents such salaries as the Minister may from time to time fix.

“ (2) All such salaries and the administration expenses of the Commission shall, subject to appropriation by Parliament of the funds necessary for that purpose, be paid in the first instance out of the Consolidated Fund.

“ (3) There shall be refunded by the Commission to the Consolidated Fund in respect of sums paid for salaries and administration expenses such amounts as the Minister may from time to time direct.

“ 24. Officers and servants of the Commission who are not officers of the Public Service shall be entitled to receive travelling expenses and allowances when travelling on the business of the Commission according to the same rates and subject to the same conditions as apply from time to time to officers of the Public Service.

“ 25. The provisions of these regulations providing for appointments to be made by the Minister shall have effect according to their tenor, notwithstanding the provisions of subsection (3) of section 60 of the Public Service Act, 1912.”

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

Issued under the authority of the Regulations Act, 1936.
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These regulations are administered in the Department of Labour.