

Serial Number 1951/100

**THE WATERFRONT STRIKE EMERGENCY REGULATIONS 1951,
AMENDMENT NO. 3**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 1st day of
May, 1951

Present :

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Public Safety Conservation Act, 1932, there being a Proclamation of Emergency now in force under that Act, 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. (1) These regulations may be cited as the Waterfront Strike Emergency Regulations 1951, Amendment No. 3, and shall be read together with and deemed part of the Waterfront Strike Emergency Regulations 1951* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the date of their notification in the *Gazette*.

2. Regulation 4 of the principal regulations is hereby amended by inserting in paragraph (d), after the word "publishes", the words "or distributes or delivers to the public or to any person or persons, or causes to be printed or published or distributed or delivered as aforesaid".

3. Regulation 7 of the principal regulations is hereby amended by adding the following subclauses:—

"(8) Every person who commits an offence against this regulation may be arrested without warrant by any constable.

"(9) For the purposes of this regulation and of every appointment of a Receiver under this regulation (whether made before or after the commencement of this subclause), the word 'funds' shall be deemed to include—

"(a) All real and personal property of the union or branch concerned :

"(b) Any real or personal property of any member or officer or position holder of the union or branch concerned, if that property has been the property of the union or branch at any time on or after the date of the appointment of a Receiver of the funds of the union or branch :

* Statutory Regulations 1951, Serial number 1951/24, page 65
Amendment No. 1: Statutory Regulations 1951, Serial number 1951/76,
page 284.
Amendment No. 2: Statutory Regulations 1951, Serial number 1951/94,
page 315.

“(c) Any personal property of any member of the union or branch concerned or of any other worker, if that property is or has been (at any time on or after the date of the appointment of a Receiver of the funds of the union or branch) stored in any waiting room, locker room, or other premises formerly occupied by the union or branch or any members thereof.

“(10) For the purposes of this regulation every reference to any payment out of the funds of a union or branch shall be deemed to include a reference to any delivery or disposal of any property to which subclause (9) of this regulation applies.”

4. The principal regulations are hereby amended by inserting, after regulation 9, the following heading and regulation :—

“REGISTRATION OF TRADE UNIONS

“9A. (1) Until the Minister consents thereto, no trade union shall be registered under the Trade Unions Act, 1908.

“(2) The registration of the Wellington Drivers’ and Related Trades Trade Union as a trade union under the Trade Unions Act, 1908, is hereby cancelled.”

5. Regulation 12 of the principal regulations is hereby amended as follows :—

(a) By inserting in paragraph (a) of subclause (1), after the word “counsels”, the word “requests”:

(b) By inserting in paragraph (b) of subclause (1), after the word “counselling”, the word “requesting”.

6. Regulation 14 of the principal regulations is hereby amended by inserting, after subclause (4), the following subclause :—

“(4A) Any constable may direct any person not to enter or remain upon or in any specified land, premises, or place or loiter in the vicinity of any specified land, premises, or place, whether or not that person is on or in or in the vicinity of the land, premises, or place when the direction is given.”

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[This note is not part of the regulations, but is intended to indicate their general effect.]

Regulation 2 makes it an offence to distribute or deliver to the public or to any person or persons, or to cause to be printed, published, distributed, or delivered any statement or document which it is an offence under the regulations to print or publish, such as a document intended or likely to encourage, procure, incite, aid, or abet a declared strike or the continuance of a declared strike.

Regulation 3 declares the Receiver of the funds of a union or branch under the regulations to be also the Receiver of—

(a) All real and personal property of the union or branch:

(b) Any property of any member or official of the union or branch, if it has belonged to the union or branch at any time since the appointment of the Receiver:

(c) Any personal property of any member of the union or branch, or other worker, that is stored in any waiting room, locker room, or other premises formerly occupied by the union or branch or its members.

The purpose of including the personal property referred to in paragraph (c), such as working clothes and gear, is to enable it to be removed to make room for the gear of other workers, and returned to the owners.

Regulation 3 also provides for the arrest without warrant of any person who resists or obstructs a Receiver or commits any other offence under Regulation 7 of the principal regulations.

Regulation 4 prohibits the registration of trade unions without the consent of the Minister of Labour, and cancels the registration of the Wellington Drivers' and Related Trades Trade Union.

Regulation 5 makes it clear that it is an offence under the regulations to request any person to do any act that would be an offence against the regulations, and in particular to ask for payments or contributions to unions or strikers in contravention of regulation 8.

Regulation 6 gives the Police power to direct persons not to enter or loiter in the vicinity of any specified place, whether or not they are in or near that place when the direction is given.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 1st day of May, 1951.

These regulations are administered in the Department of Labour and Employment.