



THE
NEW ZEALAND GAZETTE
EXTRAORDINARY.

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WELLINGTON, MONDAY, DECEMBER 4, 1916.

Additional Regulations under the War Regulations Act, 1914.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this fourth day of December, 1916.

Present:

THE HONOURABLE J. ALLEN PRESIDING IN COUNCIL.

I, ARTHUR WILLIAM DE BRITO SAVILE, Earl of Liverpool, the Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, do hereby, in pursuance of the War Regulations Act, 1914, and its amendments, and for the purpose of better securing the public safety, the defence of New Zealand, and the effective conduct of the military and naval operations of His Majesty during the present war, make the following additional regulations under that Act and the amendments thereof.

REGULATIONS.

1. No person shall publish, or cause or permit to be published, or do any act with intent to publish or to cause or permit to be published, any seditious utterance.
2. No person shall do in New Zealand any act with intent to procure the publication elsewhere than in New Zealand of any seditious utterance.
3. In these regulations "seditious utterance" means any utterance which is published with a seditious intention, or the publication of which has a seditious tendency.
4. In these regulations "seditious intention" and "seditious tendency" mean respectively an intention or tendency—
 - (a.) To excite disaffection against His Majesty or the Government of the United Kingdom, or of New Zealand, or of any other part of His Majesty's Dominions; or
 - (b.) To incite, procure, or encourage violence, lawlessness, or disorder whether in New Zealand or in any other part of His Majesty's Dominions; or

- (c.) To incite, procure, or encourage the commission, whether in New Zealand or in any other part of His Majesty's Dominions, of any offence which is prejudicial to the public safety in respect of the present war; or
- (d.) To excite, whether in New Zealand or in any other part of His Majesty's Dominions, such hostility or ill will between different classes of His Majesty's subjects as may endanger the public safety in respect of the present war; or
- (e.) To interfere with the recruiting, training, discipline, equipment, or administration of His Majesty's Forces, or with the effective conduct of the military or naval preparations or operations of His Majesty or his allies, whether in New Zealand or elsewhere; or
- (f.) To interfere with the manufacture, production, output, supply, delivery, or carriage of any goods or articles required by His Majesty, whether in New Zealand or elsewhere, for any purpose in connection with the present war; or
- (g.) To interfere with the lading, unloading, manning, equipment, despatch, or use of any vessel carrying or about to carry from New Zealand any of His Majesty's Forces or any goods or merchandise belonging to or destined for or required by His Majesty, whether in New Zealand or elsewhere, for any purpose in connection with the present war; or
- (h.) To interfere with the effective conduct of any undertaking of His Majesty which is requisite for the public safety during the present war; or
- (i.) To prejudice His Majesty's relations with foreign Powers; or
- (j.) To discourage the prosecution of the present war to a victorious conclusion; or
- (k.) To excite or encourage opposition to the enforcement or administration of the laws in force for the time being, whether in New Zealand or in any other part of His Majesty's Dominions, relative to compulsory military training or service during the present war, or to interfere with the proper and effective enforcement or administration thereof; or
- (l.) To interfere with the due administration in New Zealand of criminal justice in matters relating to the present war; or
- (m.) To incite any person or persons to refuse or fail, whether in New Zealand or elsewhere, to render service to the Crown in any capacity in respect of or for the purposes of the present war, or in respect of or for the purposes of any undertaking of His Majesty which is requisite for the public safety during that war; or
- (n.) To excite disloyalty, whether in New Zealand or elsewhere, in respect of the present war.
5. In these regulations—
 "His Majesty's Forces" means the military or naval forces of the United Kingdom, or of New Zealand, or of any other of His Majesty's possessions;
 "Utterance" includes words, writing, pictures, or any other significant expression or representation whatever;
 "Publish" means to communicate either to the public or to any person or persons, and whether orally or otherwise howsoever.
6. Nothing in the foregoing regulations shall make it an offence for any person without seditious intention—
 (a.) To sell or distribute in the ordinary course of business any newspaper printed and issued in any part of the British Dominions other than New Zealand; or
 (b.) To publish any telegram transmitted from abroad and passed for publication by the censorship; or
 (c.) To publish any matter which a military authority has approved for publication; or
 (d.) To publish a true report of the proceedings of any Court of justice or other judicial tribunal.
7. (1.) No person shall be a party to a seditious conspiracy.
 (2.) "Seditious conspiracy" means an agreement between two or more persons to carry into execution a seditious intention.
8. (a.) When the Attorney-General is satisfied that any person is disaffected or disloyal, or of such a character that his presence in New Zealand would be injurious to the public safety, and that such person is about to arrive or land in New Zealand from parts beyond the seas, the Attorney-General may by order signed by him prohibit that person from landing in New Zealand. Any such order may be at any time revoked by the Attorney-General.

(b.) If while any such order remains unrevoked the person against whom it has been made lands in New Zealand with knowledge of the fact that the order has been made against him, he shall be guilty of an offence against these regulations and shall be liable accordingly.

(c.) Any person who is found on shore in New Zealand at any time while an order so made against him remains unrevoked may be arrested without warrant by any constable and placed and detained on board the ship by which he arrived in New Zealand, or on board any other ship belonging to the same owner and bound for the country from which that person was brought to New Zealand, and may, pending his removal to such ship, be detained in such custody and in such place as the Attorney-General may direct.

(d.) If the owner or master of any ship having knowledge of the making of any such order against any person carried to New Zealand in that ship or in any other ship belonging to the same owner refuses to permit that person to remain on board the ship in obedience to the order, or refuses to receive that person on board the ship when brought thereto in custody in accordance with these regulations, or connives at or is privy to the escape of that person from the ship, such owner or master shall be guilty of an offence against these regulations and shall be liable accordingly.

(e.) "Owner" includes charterer.

9. (a.) When the Attorney-General, in pursuance of clause 26 of the War Regulations of the 24th day of July, 1916, orders any person to leave New Zealand the Attorney-General may, by the same order if he thinks such a course necessary for the public safety, authorize the immediate arrest and detention of that person, and thereupon any officer may without warrant arrest that person and place him on board any vessel about to leave New Zealand for the country from which he came to New Zealand, and detain him on board that vessel until it has left New Zealand; and paragraphs (b), (c), and (d) of clause 26 of the said War Regulations shall apply to any such case in the same manner as if the order to leave New Zealand had been duly served and default had been made in complying therewith within seven days after the date of service thereof.

(b.) When any person ordered to leave New Zealand has been arrested in pursuance of clause 26 of the said War Regulations or in pursuance of this present regulation he may, pending his removal to a ship in pursuance of those regulations, be detained in such custody and in such place as the Attorney-General may direct.

(c.) For the purposes of clause 26 of the said War Regulations, no person shall be deemed to be ordinarily resident in New Zealand who first becomes ordinarily resident therein after the date of these present regulations.

10. Nothing in these regulations shall be deemed to revoke or affect any other War Regulations already in force, and all such other War Regulations shall remain in full force and effect according to their tenor concurrently with the present regulations, but so that no person shall be punished twice for the same offence.

11. These regulations shall be read together with and deemed part of the War Regulations of the 10th day of November, 1914.

J. F. ANDREWS,
Clerk of the Executive Council.