



THE
NEW ZEALAND GAZETTE
 EXTRAORDINARY.

Published by Authority.

WELLINGTON, THURSDAY, APRIL 6, 1916.

HIS Excellency the Governor hereby notifies, for the information of the public, that an Order in Council has been issued by His Majesty in Council on the thirtieth day of March, one thousand nine hundred and sixteen, providing as follows.

THE DECLARATION OF LONDON ORDER IN COUNCIL, 1916.

WHEREAS by the Declaration of London Order in Council No. 2, 1914, His Majesty was pleased to direct that during the present hostilities the provisions of the Convention known as the Declaration of London should, subject to certain omissions and modifications therein set out, be adopted and put in force by His Majesty's Government:

And whereas doubts have arisen as to the effect of Article 1 (iii) of the said Order in Council on the right to effect the capture of conditional contraband on board a vessel bound for a neutral port:

And whereas it is expedient to put an end to such doubts, and otherwise to amend the said Order in Council in the manner hereinafter appearing:

And whereas by Article 19 of the said Declaration it is provided that whatever may be the ulterior destination of a vessel or of her cargo she cannot be captured for breach of blockade if at the moment she is on her way to a non-blockaded port:

And whereas it is no longer expedient to adopt Article 19 of the said Declaration:

Now, therefore, His Majesty, by and with the advice of His Privy Council, is pleased to order and it is hereby ordered as follows:—

1. The provisions of the Declaration of London Order in Council No. 2, 1914, shall not be deemed to limit or to have limited in any way the right of His Majesty, in accordance with the law of nations, to capture goods upon the ground that they are conditional contraband, nor to affect or to have affected the liability of conditional contraband to capture, whether the carriage of the goods to their destination be direct or entail transhipment or a subsequent transport by land.

2. The provisions of Article 1 (ii) and (iii) of the said Order in Council shall apply to absolute contraband as well as to conditional contraband.

3. The destinations referred to in Article 30 and Article 33 of the said Declaration shall (in addition to any presumptions laid down in the said Order in Council) be presumed to exist if the goods are consigned to or for a person who during the present hostilities has forwarded imported contraband goods to territory belonging to or occupied by the enemy.

4. In the cases covered by Articles 2 and 3 of this Order it shall be upon the owner of the goods to prove that their destination was innocent.

5. From and after the date of this Order Article 19 of the Declaration of London shall cease to be adopted and put in force. Neither a vessel nor her cargo shall be immune from capture for breach of blockade upon the sole ground that she is at the moment on her way to a non-blockaded port.

6. This Order may be cited as "The Declaration of London Order in Council, 1916."

And the Lords Commissioners of His Majesty's Treasury and Lords Commissioners of the Admiralty, and each of His Majesty's principal Secretaries of State, the President of the Probate Divorce and Admiralty Division of the High Court of Justice, all other Judges of His Majesty's Prize Courts, and all Governors, officers, and authorities whom it may concern, are to give the necessary directions herein as to them may respectively appertain.

LIVERPOOL, Governor.

Government House,
Wellington, 5th April, 1916.

By Authority: JOHN MACRAE, Government Printer, Wellington.