



THE
NEW ZEALAND GAZETTE
EXTRAORDINARY.

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WELLINGTON, THURSDAY, MAY 11, 1916.

Additional Regulations under the War Regulations Act, 1914.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this eleventh day
of May, 1916.

Present :

THE RIGHT HONOURABLE W. F. MASSEY, P.C., 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 of all other powers and authorities enabling me in that behalf, make the following additional regulations under that Act.

REGULATIONS.

1. WHEN any company, firm, or person carrying on business in New Zealand is or has been, whether before or after the coming into operation of these regulations, declared to be an enemy by the Attorney-General in the exercise of the authority conferred upon him by the War Regulations, the Attorney-General may at the same time, or at any time thereafter while the declaration remains in force, by warrant published in the *Gazette*, appoint the Public Trustee as the Controller of the business of the company, firm, or person so declared to be an enemy. Any such appointment may be at any time revoked in like manner.

2. The Controller so appointed shall have the following powers in respect of the business of the company, firm, or person so declared to be an enemy :—

(a.) To take and retain possession of all property whatever then or thereafter belonging to that company, firm, or person in respect of the business so controlled :

- (b.) To collect, receive, and retain all moneys payable to that company, firm, or person in respect of the business so controlled :
- (c.) Out of any moneys received by him as Controller to pay and discharge any debts or liabilities of that company, firm, or person on such evidence as seems to the Controller sufficient :
- (d.) To sell the stock in trade and other chattels belonging to that company, firm, or person in respect of the business so controlled, whether by sale in the usual course of that business, or by tender, public auction, or otherwise as the Controller thinks fit :
- (e.) To carry on or permit to be carried on the business of that company, firm, or person so far as the Controller deems necessary for the winding-up of that business and the realization of the assets thereof :
- (f.) To exercise in the name and on behalf of that company, firm, or person all rights of action vested therein in respect of such business :
- (g.) To cancel and determine any contract which has been entered into by that company, firm, or person in the course of such business before being declared an enemy, and the performance of which may remain lawful notwithstanding such declaration :
- (h.) To exercise any power vested in that company, firm, or person of determining or surrendering any leasehold interest possessed by that company, firm, or person in respect of such business, and to give or execute in the name of the company, firm, or person all notices or instruments required in that behalf :
- (i.) To make application to the Supreme Court for an order for the winding-up of any company so declared to be an enemy and placed under his control :
- (j.) To require and authorize the delivery to him from the Post Office of all postal packets and telegrams addressed to or intended for that company, firm, or person in respect of such business.

3. While the Controller remains in office in respect of any business it shall not be lawful for any person to be engaged in the management or conduct of that business, or to act in respect of that business as an agent or servant of the company, firm, or person so declared to be an enemy, save with the permission of the Controller and so far as such permission extends.

4. No person shall in any manner obstruct or deceive the Controller, or any agent, servant, or representative of the Controller, in the exercise or performance of any of his powers, duties, or authorities as such.

5. No director, manager, agent, servant, partner, or other person who is for the time being engaged in the management or conduct of any business under the control of the Controller, or who has at any time during the present war been so engaged, shall withhold from the Controller any information relating to such business on being required by the Controller to supply such information.

6. All powers conferred upon the Controller by these regulations may be exercised by him either personally or through such agent, servant, or representative as he may think fit to appoint in that behalf.

7. All expenses incurred by the Controller in the exercise of his powers in respect of any business shall be payable out of the moneys received by him as Controller of that business.

8. All moneys received by the Controller in respect of any business so under his control shall form part of the common fund of the Public Trust Office, and shall, subject to the powers of the Controller to pay debts, expenses, and other sums of money thereout, be held on account of the company, firm, or person entitled thereto, but shall bear no interest.

9. While the Controller remains in office in respect of the business of any company, firm, or person it shall not be lawful, without the consent of the Controller or the Attorney-General, to present any bankruptcy petition in respect of that firm or person or any petition for the winding-up of that company, or to pass any resolution for the winding-up of that company, or to take any steps for the enforcement of the rights of any creditors of that person, firm, or company, save that on the application of the Controller the Supreme Court

may make an order for the winding-up of that company under the Companies Act, 1908, on the ground that it has been declared an enemy.

10. The appointment of the Public Trustee as the Controller of any business under the present regulations shall be deemed to be and shall operate as a license by the Attorney-General under clause 20 of the War Regulations of the 3rd day of April, 1916, in respect of all matters authorized by the present regulations.

11. The War Regulations of the 25th day of November, 1914, and clause 29 of the War Regulations of the 3rd day of April, 1916 (relative to the powers of the Public Trustee as the Controller of companies and firms), are hereby revoked.

12. 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.

Prohibiting the Exportation of Butter.

LIVERPOOL. Governor.
ORDER IN COUNCIL.

At the Government Buildings at Wellington, this eleventh day of May, 1916.

Present :

THE RIGHT HONOURABLE W. F. MASSEY, P.C., PRESIDING IN
COUNCIL.

WHEREAS by section forty-seven of the Customs Act, 1913, as extended by section twenty-four of the Regulation of Trade and Commerce Act, 1914, it is enacted that the Governor may from time to time by Order in Council prohibit the exportation of any goods the prohibition of the exportation of which is in his opinion necessary in the public interest :

And whereas, in the opinion of the Governor, it is necessary in the public interest that the exportation of butter should be prohibited to the extent and in the manner hereinafter appearing :

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, in pursuance and exercise of the powers and authorities conferred upon him by section forty-seven of the Customs Act, 1913, and section twenty-four of the Regulation of Trade and Commerce Act, 1914, and of all other powers and authorities enabling him in that behalf, and acting by and with the advice and consent of the Executive Council of that Dominion, doth hereby prohibit the exportation of butter from the said Dominion save with the consent of the Minister of Customs.

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