



THE
NEW ZEALAND GAZETTE
EXTRAORDINARY.

Published by Authority.

WELLINGTON, FRIDAY, NOVEMBER 23, 1917.

Additional War Regulations for the Safety of Ships and Cargoes.

LIVERPOOL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this twenty-third day of November, 1917.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

FOR better securing the public safety during the present war, His Excellency the Governor-General of the Dominion of New Zealand, in exercise of the authority conferred upon him by the War Regulations Act, 1914, and acting by and with the advice and consent of the Executive Council of that Dominion, doth hereby make the following regulations under the said Act; and doth declare that they shall come into operation on the thirtieth day of November, one thousand nine hundred and seventeen.

REGULATIONS.

1. In these regulations—

“Oversea ship” means any seagoing ship other than one exclusively engaged in the coastal trade of New Zealand, and includes any such ship belonging to or in the possession of the Crown:

“Examining officer” means in respect of any port the Collector of Customs at that port, and any other officer or officers of Customs at that port whom the Collector may from time to time authorize to act as an examining officer for that port under these regulations:

“Port” means a port of entry under the Customs Act, 1913:

“Wharf” has the same meaning as in the War Regulations of the 10th day of October, 1917.

2. While an oversea ship is in any port no cargo, stores, baggage, or other goods or articles of any description whatsoever shall be laden, taken, or placed on board that ship until passed for shipment thereon by an examining officer.

3. Every person who is in any manner concerned in lading, taking, or placing, or in attempting to lade, take, or place, upon any oversea ship any cargo, stores, baggage, goods, or articles in breach of the foregoing provisions, or who is in any manner concerned in deceiving or obstructing or in attempting to deceive or obstruct an examining officer in the exercise of his authority under these regulations, shall be guilty of an offence against these regulations, and shall be liable accordingly.

4. An examining officer shall not pass for shipment any cargo, stores, baggage, goods, or articles until and unless he is satisfied that there is no ground for suspecting that the shipment thereof will be a source of danger to the ship or to its cargo.

5. An examining officer may, if he thinks it advisable so to do, open or require to be opened for the purpose of examination any package or other receptacle brought or found upon any wharf or intended for shipment upon an oversea ship. All labour necessary for the examination of any cargo, stores, baggage, goods, or articles shall be supplied by or at the expense of the shipper.

6. An examining officer may in any case in which he is of opinion that the effective examination of any cargo, stores, baggage, goods, or articles brought upon any wharf or intended for shipment upon an oversea ship is for any reason impracticable, refuse to examine the same or to pass the same for shipment until the expiry of such period as he deems necessary for the purpose of ascertaining that the shipment thereof will not be a source of danger to the ship or its cargo, and in the meantime may, if he thinks fit, take and retain possession of such cargo, stores, baggage, goods, or articles.

7. An examining officer may require any person who is or has been in any manner concerned in lading, taking, or placing on board an oversea ship, or upon a wharf for shipment upon an oversea ship, or in packing or otherwise preparing for shipment upon an oversea ship, any cargo, stores, baggage, goods, or articles whatsoever to answer any questions as to the nature, contents, ownership, origin, or preparation for shipment of such cargo, stores, baggage, goods, or articles, or any other question in relation thereto which the examining officer thinks material in the execution of his office under these regulations; and any person who fails to answer to the best of his knowledge any question so submitted to him, or who answers any such question falsely, shall be guilty of an offence against these regulations, and shall be liable accordingly.

8. An examining officer, or any constable with the authority of an examining officer, may enter upon any warehouse, store, or other building or place whatever in which he has reason to believe that any cargo, stores, baggage, goods, or articles intended for shipment upon an oversea ship may be situated, and may examine the same and every part thereof, and all such cargo, stores, baggage, goods, or articles found therein; and any person who obstructs any such entry or examination shall be guilty of an offence against these regulations, and shall be liable accordingly.

9. (1.) No person shall take any photograph or make any sketch or other representation of an oversea ship at any port or place in New Zealand, or publish, exhibit, or have in his possession any photograph, sketch, or representation taken or made in breach of this regulation, or any reproduction or copy of any such photograph, sketch, or representation.

(2.) A constable, military officer, or officer of Customs may seize and retain possession of any photograph, sketch, or representation (wherever found) made in breach of these regulations, or any reproduction or copy thereof (wherever found), or any camera, photographic apparatus, or photographic material found in the possession of any person while engaged in committing or preparing to commit any offence against these regulations.

10. (1.) It shall not be lawful for any boat, launch, or other craft or vessel whatsoever, at any time after sunset and before sunrise, to approach a seagoing ship at any distance less than 50 yards therefrom in any port unless the approaching boat, launch, craft, or vessel carries and exhibits a bright light visible from the deck of the ship approached by it or (whether such light is carried or not) in disregard of any challenge, warning, or order received from any person on board the ship approached.

(2.) Every person who causes or permits any boat, launch, craft, or vessel to approach a seagoing ship in breach of the foregoing provisions shall be guilty of an offence against these regulations, and shall be liable accordingly.

(3.) Any boat, launch, craft, or vessel approaching a seagoing ship in breach of the foregoing provisions may be fired upon by any guard or watch upon the ship approached, or by or with the authority of the master or any officer of that ship or any naval or military authority.

11. (1.) At all times when an oversea ship is engaged in receiving or discharging cargo, stores, or baggage at any port, the owner and the master of that ship shall station and maintain thereon an efficient guard or watch charged with the duty of superintending the receipt, stowage, and discharge of such cargo, stores, or baggage and of using due care for the protection of the ship and cargo from all attempts against the safety thereof.

(2.) A naval authority under the War Regulations may from time to time give instructions to the owner or master as to the nature of the guard or watch to be so maintained and as to the duties with which the guard or watch is to be charged, and it shall be the duty of the owner and master to obey all such instructions.

(3.) Every owner or master who makes default in the performance of any duty imposed upon him by this regulation, and every person stationed as a guard or watch on an oversea ship in pursuance of this regulation who makes default in the performance of any duty with which he is charged in that behalf, shall be guilty of an offence against these regulations, and shall be liable accordingly.

(4.) "Owner" includes charterer, and also the representative in New Zealand of an owner or charterer out of New Zealand.

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.