



THE
NEW ZEALAND GAZETTE
 EXTRAORDINARY.

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WELLINGTON, WEDNESDAY, MARCH 28, 1917.

Restrictions on Enemy Commerce.

HIS Excellency the Governor hereby notifies, for the information of the public, that the following Orders in Council have been issued by His Majesty the King.

At the Court at Buckingham Palace, the tenth day of January, 1917.

Present :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS, on the eleventh day of March, one thousand nine hundred and fifteen, an Order was issued by His Majesty in Council directing that all ships which sailed from their ports of departure after the first day of March, one thousand nine hundred and fifteen, might be required to discharge in a British or Allied port goods which were of enemy origin or of enemy destination, or which were enemy property :

And whereas such Order in Council was consequent upon certain Orders issued by the German Government purporting to declare, in violation of the usages of war, the waters surrounding the United Kingdom a military area, in which all British and Allied merchant vessels would be destroyed, irrespective of the lives of passengers and crew, and in which neutral shipping would be exposed to similar danger, in view of the uncertainties of naval warfare :

And whereas the sinking of British, Allied, and neutral merchant ships, irrespective of the lives of passengers and crews, and in violation of the usages of war, has not been confined to the waters surrounding the United Kingdom, but has taken place in a large portion of the area of naval operations :

And whereas such illegal acts have been committed not only by German warships but by warships flying the flag of each of the enemy countries :

And whereas on account of the extension of the scope of the illegal operations carried out under the said German Orders, and in retaliation therefor, vessels have been required, under the provisions of the Order in Council aforementioned, to discharge in a British or Allied port goods which were of enemy origin or of enemy destination, or which were enemy property, irrespective of the enemy country from or to which such goods were going or of the enemy country in which was domiciled the person whose property they were :

And whereas doubts have arisen as to whether the term " enemy " in Articles 3 and 4 of the said Order in Council includes enemy countries other than Germany :

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

1. In Articles 3 and 4 of the said Order in Council of the 11th March, 1915, aforementioned, the terms "enemy destination" and "enemy origin" shall be deemed to apply and shall apply to goods destined for or originating in any enemy country, and the term "enemy property" shall be deemed to apply and shall apply to goods belonging to any person domiciled in any enemy country.

2. Effect shall be given to this Order in the application of the said Order in Council of the 11th March, 1915, to goods which previous to the date of this Order have been discharged at a British or Allied port, being goods of destination or origin or property which was enemy though not German, and all such goods shall be detained and dealt with in all respects as is provided in the said Order in Council of the 11th March, 1915.

J. C. LEDLIE.

At the Court at Buckingham Palace, the sixteenth day of February, 1917.

Present:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Order in Council dated the eleventh day of March, one thousand nine hundred and fifteen, His Majesty was pleased to direct certain measures to be taken against the commerce of the enemy:

And whereas the German Government has now issued a Memorandum declaring that from the first day of February, one thousand nine hundred and seventeen, all sea traffic will be prevented in certain zones thereat described adjacent to Great Britain and France and Italy, and that neutral ships will navigate the said zones at their own risks: And whereas similar directions have been given by other enemy Powers:

And whereas the Orders embodied in the said Memorandum are in flagrant contradiction with the rules of International Law, the dictates of humanity, and the treaty obligations of the enemy:

And whereas such proceedings on the part of the enemy render it necessary for His Majesty to adopt further measures in order to maintain the efficiency of those previously taken to prevent commodities of any kind from reaching or leaving the enemy countries, and for this purpose to subject to capture and condemnation vessels carrying goods with an enemy destination or of enemy origin unless they afford unto the forces of His Majesty and his Allies ample opportunities of examining their cargoes, and also to subject such goods to condemnation, His Majesty is therefore pleased, by and with the advice of his Privy Council, to order, and it is hereby ordered, that the following directions shall be observed in respect of all vessels which sail from their ports of departure after the date of this Order:—

1. A vessel which is encountered at sea on her way to or from a port in any neutral country affording means of access to the enemy territory without calling at a port in British or Allied territory shall, until the contrary is established, be deemed to be carrying goods with an enemy destination or of enemy origin, and shall be brought in for examination and, if necessary, for adjudication before the Prize Court.

2. Any vessel carrying goods with an enemy destination or of enemy origin shall be liable to capture and condemnation in respect of the carriage of such goods; provided that in the case of any vessel which calls at an appointed British or Allied port for the examination of her cargo no sentence of condemnation shall be pronounced in respect only of the carriage of goods of enemy origin or destination, and no such presumption as is laid down in Article 1 shall arise.

3. Goods which are found on the examination of any vessel to be goods of enemy origin or of enemy destination shall be liable to condemnation.

4. Nothing in this Order shall be deemed to affect the liability of any vessel or goods to capture or condemnation independently of this Order.

5. This Order is supplemental to the Orders in Council of the 11th day of March, 1915, and the 10th day of January, 1917, for restriction of the commerce of the enemy.

ALMERIC FITZROY.

LIVERPOOL, Governor.

Government House,
Wellington, 28th March, 1917.