



THE
NEW ZEALAND GAZETTE
 EXTRAORDINARY.

Published by Authority.

WELLINGTON, TUESDAY, SEPTEMBER 3, 1918.

Additional War Regulations under the War Regulations Act, 1914.

LIVERPOOL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this third day of September, 1918.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by section three of the War Regulations Act, 1914, it is provided that the Governor-General in Council may make such regulations as he thinks necessary for the prohibition of any acts which in his opinion are injurious to the effective conduct of the military or naval operations of His Majesty during the present war:

And whereas by section thirty-five of the War Legislation Act, 1917, it is further provided that the Governor-General in Council may, by regulations under the War Regulations Act, 1914, make such provisions as, having regard to the exigencies of the present war or the conditions created thereby, he thinks advisable, *inter alia*, for the maintenance, control, regulation, and management of any industry, business, or undertaking that may be regarded by the Governor-General as affecting the public welfare:

And whereas for the purpose of ensuring the maintenance of the health, efficiency, and discipline of soldiers of His Majesty's Forces on the occasion of their arrival in New Zealand from beyond the seas it is expedient to make regulations for restricting the sale and supply of intoxicating liquor:

And whereas the Governor-General is of opinion that the sale of intoxicating liquor is a business affecting the public welfare:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby, in pursuance of the War Regulations Act, 1914, and its amendments, and of section thirty-five of the War Legislation Act, 1917, make the following additional regulations under the first-mentioned Act.

REGULATIONS.

1. In these regulations—

“Licensed premises” means premises in respect of which a publican's or an accommodation license, or a New Zealand wine license, is in force under the Licensing Act, 1908, and includes the premises of a chartered club under that Act:

“Licensee” means the holder of any such license, and includes the secretary of a chartered club.

“Troops” means soldiers of the New Zealand Expeditionary Force, or of any other of His Majesty’s Forces, whether raised in New Zealand or elsewhere.

2. (1.) Before, upon, or after the arrival at the port of Auckland, Wellington, Lyttelton, or Dunedin (including Port Chalmers) of any oversea vessel carrying troops, the Commissioner of Police or any Superintendent of Police, upon receipt of a requisition on that behalf from the Minister of Defence, may publish a notice in the form in the Schedule hereto, or to the effect thereof, ordering that all licensed premises situated within the area to be specified in the notice in accordance with the following provisions of this regulation shall be closed for the sale of intoxicating liquor for such time as may be specified in the notice (not exceeding twenty-four hours on any one occasion).

(2.) In the case of the arrival of a vessel as aforesaid at the Port of Auckland, Wellington, or Dunedin the following area may be specified in any notice under the foregoing provisions of this regulation—that is to say, the area having a radius of fifteen miles from the Chief Post-office in the City of Auckland, Wellington, or Dunedin, as the case may be.

(3.) In the case of the arrival of a vessel as aforesaid at the Port of Lyttelton, the following area may be specified in any notice aforesaid—that is to say, an area having a radius of fifteen miles from the Chief Post-office in the City of Christchurch.

3. Every notice under these regulations shall be published by being prominently displayed at or near the principal entrance of the police-station or principal police-station within the area in which the notice is expressed to have effect.

4. While any notice under these regulations is in force with respect to any licensed premises, every person commits an offence against these regulations, and shall be liable under the War Regulations Act, 1914, accordingly, who, whether as principal or as servant or agent—

(a.) Sells or exposes for sale in such premises any intoxicating liquor, or opens or keeps open such premises for the sale of intoxicating liquor, or allows any intoxicating liquor to be sold, or exposed for sale, or to be consumed in such premises; or

(b.) Is found on such premises at any time when those premises are required pursuant to these regulations to be closed for the sale of intoxicating liquor, unless he satisfies the Court that he was lawfully on the premises for a purpose not connected with the sale or consumption of intoxicating liquor.

5. For the purposes of these regulations the supply of intoxicating liquor for a pecuniary consideration on the premises of a chartered club under the Licensing Act, 1908, shall be deemed to be a sale of such liquor.

6. (1.) While a notice under these regulations is in force within any area it shall not be lawful for the holder of a wholesale license under the Licensing Act, 1908, to sell or deliver any intoxicating liquor within that area.

(2.) While a notice under these regulations is in force within any area it shall not be lawful for the holder of a brewer’s license to sell or deliver any beer within that area.

7. In any proceedings for a breach of these regulations it shall be a good defence if the defendant proves that when the offence was committed he did not know and had no reasonable opportunity of knowing that a notice had been issued and was in force requiring licensed premises situated within the area within which such offence was committed to be closed for the sale of intoxicating liquor.

SCHEDULE.

I, _____, of _____, Commissioner [or Superintendent] of Police, in pursuance of the War Regulations of the _____ day of _____, 1918, do hereby order that all licensed premises and chartered clubs situate within fifteen miles of [e.g., the Chief Post-office, Featherston Street, in the City of Wellington] shall be closed for the sale of intoxicating liquor from _____ o’clock of the _____ noon of _____ day, the _____ day of _____, 19____, until [State hour, being not later than twenty-four hours after the time fixed for commencement of closing].

Dated this _____ day of _____, 19____.

Commissioner [or Superintendent] of Police.

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