

NEW ZEALAND.



WAR REGULATIONS ACT, 1914,

AND

REGULATIONS MADE THEREUNDER.



BY AUTHORITY : JOHN MACKAY, GOVERNMENT PRINTER, WELLINGTON.

1915.

WAR REGULATIONS ACT. 1914.

ANALYSIS.

Title.

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1914, No. 38.

Title.

AN ACT to confer on the Governor in Council Power to make Better Provision for the Public Safety during the Present War.

[2nd November, 1914.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

Short Title.

1. This Act may be cited as the War Regulations Act, 1914.

Regulations as to powers and duties of Defence Forces, &c.

2. For the purpose of better securing the public safety, the defence of New Zealand, and the effective conduct of the military or naval operations of His Majesty during the present war the Governor in Council may make such regulations as he thinks necessary in that behalf as to the powers and duties of the members of the Defence Forces or the Police Force or of other persons acting on His Majesty's behalf.

Regulations prohibiting acts injurious to the public safety.

3. The Governor in Council may make such regulations as he thinks necessary for the prohibition of any acts which in his opinion are injurious to the public safety, the defence of New Zealand, or the effective conduct of the military or naval operations of His Majesty during the present war.

Liability for breach of regulations.

4. Any person who commits, or attempts to commit, or does any act with intent to commit, or counsels, procures, aids, abets, or incites any other person to commit, or conspires with any other person (whether in New Zealand or elsewhere) to commit, any offence against a regulation made under this Act shall be liable on summary conviction before a Magistrate to imprisonment for a term not exceeding twelve months when the accused is an alien, or three months in any other case, or to a fine not exceeding one hundred pounds.

Validity of regulations.

5. No regulation under this Act shall be deemed invalid because it deals with any matter already provided for by any Act in that behalf, or because of any repugnancy to any such Act.

Procedure in prosecutions under this Act.

6. In any prosecution under this Act—

- (a.) The Magistrate shall take judicial notice of the existence or termination of a state of war :
- (b.) The burden of proving that the accused is not an alien shall lie upon the accused :
- (c.) The prosecution shall take place by way of summary proceedings and not by way of indictment, notwithstanding the provisions of any other Act to the contrary :
- (d.) No person convicted shall be released from custody by reason of and during the pendency of an appeal from the conviction, and warrants may be issued in execution of the conviction in the same manner as if no appeal had been instituted, anything in any other Act to the contrary notwithstanding.

Penal provisions of other Acts not affected.

7. Nothing in this Act shall be so construed or shall so operate as to take away or restrict the liability of any person for any offence punishable independently of this Act.

Duration of Act.

8. This Act shall continue in operation until the first day of August, nineteen hundred and fifteen, and no longer.

[Extract from *New Zealand Gazette*, 29th September, 1914.]

PROHIBITION OF PUBLICATION OF INFORMATION CONCERNING MILITARY AND NAVAL OPERATIONS.

WHEREAS for the successful conduct of certain military and naval operations now being undertaken on behalf of His Majesty it is in the highest degree expedient that secrecy should be observed with respect thereto: And whereas His Majesty's Government has requested the New Zealand Government to take all necessary measures for securing such secrecy:

Now, therefore, notice is hereby given to all loyal subjects of His Majesty and to all other persons resident in New Zealand, and more especially to all proprietors, editors, and publishers of newspapers, and to all printers, that all such persons are hereby strictly charged and enjoined not to print, publish, or otherwise make known, without the express permission of the Minister of Defence, any information or statements concerning any of the matters following, that is to say:—

- (a.) The names, destinations, situation, route, arrival, departure, or movements of any transports carrying or about to carry the troops of the New Zealand Military Forces, or any other matters relative to those transports.
- (b.) The names, destinations, situation, route, arrival, departure, or movements of any ships employed or about to be employed to convoy or accompany any such transports, or any other matters relative to those ships.
- (c.) Any other matters relative to military or naval operations as to which secrecy is enjoined by any notice hereafter published in the *New Zealand Gazette* by the Minister of Defence.

And although for ready and willing obedience to this order full reliance is placed on the loyalty of all His Majesty's subjects, nevertheless notice is hereby given to all persons that any disobedience will be dealt with by the military authorities in their absolute discretion as a serious offence against the public interest and the safety of this Dominion.

Dated this 29th day of September, 1914.

J. ALLEN,
Minister of Defence.

[Extract from *New Zealand Gazette*, 10th November, 1914.]

REGULATIONS UNDER THE WAR REGULATIONS ACT, 1914.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, this tenth day of November, 1914.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by the War Regulations Act, 1914, the Governor in Council may, for the purpose of better securing the public safety, the defence of New Zealand, and the effective conduct of the military or naval operations of His Majesty during the present war, make regulations as to the powers and duties of the members of the Defence Forces, or of the Police Force, or of other persons acting on His Majesty's behalf: And whereas by the said Act the Governor in Council may also make regulations prohibiting any acts which, in his opinion, are injurious to the public safety, the defence of New Zealand, or the effective conduct of the military or naval operations of His Majesty during the present war :

Now, therefore, I, Arthur William de Brito Savile, Earl of Liverpool, 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 regulations; and do, with the like advice and consent, declare that the said regulations shall come into force on the publication thereof in the *New Zealand Gazette*.

REGULATIONS.

1. In these regulations, unless a different intention appears,—
 - “ Alien enemy ” includes (except in Regulations Nos. 9 and 26) any person who has been naturalized in New Zealand and who would have been an alien enemy had he not been so naturalized, and also includes (except as aforesaid) any person reasonably suspected of being an alien enemy :

“Defended harbour” means any port or harbour defended by any fort or battery :

“Military authority” means any military officer appointed by the Minister of Defence, by warrant signed by him and gazetted, as a military authority for the purpose of these regulations, whether generally or in respect of any particular place or part of New Zealand :

“Military officer” means a commissioned officer of the Defence Forces under the Defence Act, 1909 ; and includes any person who in fact holds office, whether permanently or temporarily, as such a commissioned officer, notwithstanding any irregularity or invalidity in his appointment or in the tenure of his office :

“Night” means any time after sunset and before sunrise :

“Officer” means a military officer or a constable :

“Prisoner of war” means any person detained under the authority of these regulations, and any alien enemy detained whether under these regulations or otherwise.

2. An officer or any person authorized for that purpose by a military authority may arrest without warrant any person who is reasonably suspected of having committed or of being about to commit any breach of these regulations, or of having acted or being about to act in a manner injurious to the public safety or the interests of His Majesty in respect of the present war.

3. Any person so arrested (other than an alien enemy) shall be forthwith brought before a Magistrate or Justice of the Peace to be dealt with in due course of law in respect of any offence of which he may be accused.

4. Any alien enemy so arrested may be brought before a Magistrate or Justice of the Peace to be dealt with in due course of law as aforesaid, or may be detained in such place and manner as a military authority directs and during his pleasure, unless discharged by the Minister of Defence.

5. By the orders or with the authority of a military authority any alien enemy may be arrested by an officer or any other person and detained in such place and manner as the military authority thinks fit and during his pleasure, unless discharged by the Minister of Defence.

6. If a military authority has reason to suspect that any house, building, land, ship, or other premises are being used for any purpose or in any manner injurious to the public safety or the interests of His Majesty in respect of the present war, or contrary to these regulations, or that there is in any house, building, land, ship, or other premises any document, instrument, or other thing whatsoever which may be evidence of any such purpose, or which has been or is about to be used for any such purpose, the military authority, or any officer or other person authorized by him, may enter, if need

be by force, the house, building, land, ship, or premises at any time of the day or night, and examine, search, and inspect the same or any part thereof, and may seize any such document, instrument, or other thing as aforesaid which may be found therein.

7. If any ship or boat approaches, enters, leaves, or passes inwards or outwards through any defended harbour, or is reasonably suspected of being about to do so, in disregard of any rules established for that harbour by a military authority and published in the *New Zealand Gazette*, or in disregard of any warning received from any fort or battery by which the harbour is defended, any officer or other person stationed or lawfully being in the fort or battery may fire upon that ship or boat. At night any ship or boat the identity of which is unknown, and which approaches, enters, leaves, or passes inwards or outwards through any defended harbour, may be so fired at without warning.

8. For the purpose of securing the public safety in respect of the present war a military authority may station an armed guard at any building, ship, or place whatsoever, whether public or private. Such guard may fire upon or otherwise attack any person who by day or night, in disregard of a warning received from the guard, approaches, enters, or leaves, or attempts to approach, enter, or leave, the building, ship, or place so guarded. All members of the Defence Forces stationed at any fort, battery, ship, or camp shall be deemed for the purposes of these regulations to be an armed guard there stationed by a military authority.

9. The Attorney-General may lay before the Governor an information charging an alien enemy with having done, or attempted or conspired to do, or with having incited any other person to do, any act with intent to assist His Majesty's enemies or to interfere with the effective conduct of the military or naval operations of His Majesty during the present war, and the Governor may thereupon appoint any three or more military officers as a court-martial with power to try such alien enemy on the said charge, and on conviction he shall be liable to suffer death. The procedure on any such trial shall be such as may be prescribed by rules made in that behalf by the Minister of Defence; and in default of any such rules, and so far as they do not extend, the procedure shall be such as appears to the Court to be most consistent with natural justice.

10. No person shall assist or connive at the escape of any prisoner of war, or knowingly harbour or assist any prisoner of war who has escaped.

11. No person shall obstruct, interfere with, or mislead any officer or other person who is carrying out the orders of a military authority, or who is otherwise acting in accordance with his powers or duties under these regulations.

12. No person having in his possession any information which may be of use to an officer in the execution of his powers or duties

under these regulations shall withhold such information from the officer when reasonably required by him to give the same.

13. No person shall trespass on any building or ship in the possession or use of the Crown, or on any land appurtenant to any such building, or on any fort, battery, camp, or other place used by the Crown for any military or naval purposes, or on any land or building used for telegraphic purposes (whether in the possession or use of the Crown or not), or on any land or building in the possession of a Harbour Board, or on any railway.

14. No person shall in any manner publish or spread false reports likely to create disaffection or alarm.

15. No person shall harbour any person whom he knows or has reasonable grounds for supposing to have acted in contravention of these regulations.

16. No person shall, save in pursuance of a license issued under the Post and Telegraph Act, 1908, or with the permission in writing of a military authority, have in his possession any instrument or apparatus capable of or constructed or adapted for receiving or transmitting messages by wireless telegraphy, or any portion of any such instrument or apparatus, or any materials, instrument, or apparatus intended by him to be used or adapted for such a purpose.

17. No person having the possession, control, or use of any apparatus for the transmission or reception of messages by wireless telegraphy shall use the same or permit the same to be used in any manner contrary to instructions received from a military authority, or contrary to the terms of any license or regulations by which the equipment or use of such apparatus is authorized or regulated.

18. No master or officer of a ship, or person in charge of or having the control of any boat, shall cause or permit such ship or boat to enter or leave a defended harbour, or proceed inwards or outwards through a defended harbour, in disregard of any rules made in that behalf by a military authority and published in the *New Zealand Gazette*, or in disregard of any warning received from any fort or battery by which the harbour is defended, or from any ship or boat stationed in or about such harbour by a military authority.

19. No person shall, without the permission of a military authority or of the Minister of Defence, publish or communicate, or permit to be published or communicated, any information with respect to the movements or disposition of any of the forces, ships, or war materials of His Majesty or of His Majesty's allies, or with respect to the plans of any naval or military operations by any such forces or ships, or with respect to any works or measures undertaken for or connected with the fortification or defence of any place, or as to any other military or naval matters, if the information is such as might be directly or indirectly useful to the enemy.

20. No person other than a military or naval officer in the execution of his duty shall publish or communicate, or permit to

be published or communicated, any information relative to any military or naval matters as to which secrecy is enjoined by the Minister of Defence by notice published in the *New Zealand Gazette*.

21. No person shall, except through the post-office, communicate with any prisoner of war without the permission of a military authority.

22. No person shall by day or night show any light, or do any other act whatever, which is intended as or may reasonably be suspected to be a signal to or a communication with the enemy or any prisoner of war.

23. No person without lawful authority shall injure or interfere with any wire or other apparatus for transmitting telegraphic or telephonic messages or any apparatus or contrivance intended for or capable of being used for a signalling-apparatus, either visual or otherwise, or prevent, obstruct, or in any manner whatever interfere with the sending, conveyance, or delivery of any communication by means of telegraph, telephone, or otherwise.

24. When an armed guard has been stationed in pursuance of these regulations at any building, ship, or place, no person shall, in disregard of a warning received from the guard, approach, enter, or leave the building, ship, or place so guarded.

25. No person shall act as an intermediary in communications through the post-office between alien enemies or between an alien enemy and any other person.

26. Nothing in these regulations shall be so construed or shall so operate as to confer any rights upon an alien enemy or in any manner to take away or restrict the absolute right of His Majesty to do with all such persons according to his good pleasure.

27. The powers conferred by these regulations are in addition to and not in derogation of any powers exercisable by members of the Defence Forces, or the Police Force, and all other persons to take such measures as may be necessary for securing the public safety, or the liability of any person to trial and punishment for any offence otherwise than in pursuance of these regulations.

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

[Extract from *New Zealand Gazette*, 25th November, 1914.]

ADDITIONAL REGULATIONS UNDER THE WAR REGULATIONS ACT, 1914.

LIVERPOOL, Governor.
ORDER IN COUNCIL.

At the Government House at Wellington, this twenty-fifth day of
November, 1914.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by the War Regulations Act, 1914, the Governor in Council may, for the purpose of better securing the public safety during the present war, make regulations as to the powers and duties of any persons acting on His Majesty's behalf: And whereas by the same Act the Governor in Council may also make regulations prohibiting any acts which in his opinion are injurious to the public safety during the present war: And whereas by Order in Council made on the tenth day of November, one thousand nine hundred and fourteen, and published in the *New Zealand Gazette* on the same day, the Governor made certain regulations under the said Act: And whereas it is expedient to make further regulations under the said Act:

Now, therefore, I, Arthur William de Brito Savile, Earl of Liverpool, 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 regulations; and do, with the like advice and consent, declare that the said regulations shall come into force on the publication thereof in the *New Zealand Gazette*.

REGULATIONS.

1. THESE regulations shall be read together with and shall be deemed part of the regulations made under the War Regulations Act, 1914, by Order in Council of the 10th day of November, 1914, and published in the *New Zealand Gazette* on the same day.

2. When the Attorney-General is satisfied, as to any incorporated company which is or has been carrying on business in New Zealand,

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whether incorporated in New Zealand or elsewhere, that not less than one-half of the issued share capital thereof is or at any time since the commencement of the present war with Germany has been held by or on behalf of alien enemies, or that the company bears or has at any time since the commencement of such war borne such a relation to any other company, firm, or person being or carrying on business in enemy territory as to render the exercise of the powers herein conferred expedient for the public safety, the Attorney-General may, by warrant under his hand, appoint the Public Trustee as the Controller of that company under these regulations. Any such appointment may be at any time in like manner revoked.

3. It shall be the duty of the Controller so appointed to take and retain possession of all property whatsoever then or thereafter belonging to the company, and of all premises occupied by the company, and to collect, receive, and retain all moneys payable to the company.

4. The Controller may, if and so far as he thinks fit, carry on the business of the company or allow such business to be carried on by the directors, agents, and servants of the company under his control and supervision, and may for this purpose sell any stock-in-trade so taken possession of as aforesaid.

5. While a Controller remains in office under these regulations, no director, agent, or servant of the company shall continue to act as such save with the permission of the Controller, and so far as such permission extends.

6. The Controller may, out of any moneys of the company received by him, pay and discharge any debts or liabilities of the company on such evidence as seems to him sufficient.

7. No director, agent, or servant of the company, and no other person, shall in any manner obstruct or interfere with the Controller, or with any agent, servant, or representative of the Controller, in the exercise or performance of any of his powers, duties, or authorities under these regulations.

8. No director, agent, or servant of the company, and no person who has at any time since the commencement of the present war with Germany been or acted as a director, agent, or servant of the company, shall withhold from the Controller any information relating to the company on being required by the Controller to supply such information.

9. So long as a Controller remains in office under these regulations no person shall directly or indirectly pay any money to or for the benefit of the company, or be in any manner knowingly concerned in the payment of any money to or for the benefit of the company, otherwise than through the Controller on behalf of the company.

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

11. All moneys of the company received by the Controller shall form part of the common fund of the Public Trust Office, but no interest shall be payable thereon, and such moneys shall be charged with all expenses incurred by the Controller in the exercise of his powers under these regulations, including the reasonable remuneration of any agent, servant, or representative appointed by the Controller as aforesaid.

12. The Controller may exercise in the name and on behalf of the company all rights of action from time to time vested in the company.

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

[Extract from *New Zealand Gazette*, 11th December, 1914.]

PUBLICATION OF NEWS RELATIVE TO NEW ZEALAND FORCES PROHIBITED.

WHEREAS by regulations made under the War Regulations Act, 1914, on the 10th day of November, 1914, and published in the *New Zealand Gazette* on the same day, it is made an offence punishable by imprisonment for any person other than a military or naval officer in the execution of his duty to publish or communicate, or permit to be published or communicated, any information relative to any military or naval matters as to which secrecy is enjoined by the Minister of Defence by notice published in the said *Gazette* :

Now, therefore, I, James Allen, Minister of Defence for the Dominion of New Zealand, do hereby, in pursuance of the said regulations, order that secrecy shall be observed by all persons accordingly in respect of the matters following, that is to say :—

- (a.) The names, destination, situation, route, arrival, departure, or movements of any transports carrying or about to carry the troops of the New Zealand Military Forces, and all other matters relative to those transports.
- (b.) The names, destination, situation, route, arrival, departure, or movements of any ships employed or about to be employed to convoy or accompany any such transports, and all other matters relative to those ships.
- (c.) Communications received from persons on board such transports or ships after their departure from New Zealand.

Dated this 11th day of December, 1914.

H. D. BELL,
For Minister of Defence.

[Extract from *New Zealand Gazette*, 17th December, 1914.]

ADDITIONAL REGULATIONS UNDER THE WAR REGULATIONS ACT, 1914.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, this seventeenth day of
December, 1914.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by the War Regulations Act, 1914, the Governor in Council may, for the purpose of better securing the public safety during the present war, make regulations as to the powers and duties of any person acting on His Majesty's behalf: And whereas by the same Act the Governor in Council may also make regulations prohibiting any acts which in his opinion are injurious to the public safety during the present war: And whereas by two Orders in Council made and gazetted respectively on the tenth and twenty-fifth day of November, 1914, the Governor in Council made certain regulations under the said Act: And whereas it is expedient to make further regulations under the said Act:

Now, therefore, I, Arthur William de Brito Savile, Earl of Liverpool, the Governor of the Dominion of New Zealand, acting by and with the 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 regulations; and do, with the like advice and consent, declare that such regulations shall come into force on the publication thereof in the *New Zealand Gazette*.

REGULATIONS.

1. THESE regulations shall be read together with and shall be deemed part of the regulations made under the War Regulations Act, 1914, by Order in Council of the 10th day of November, 1914, and published in the *New Zealand Gazette* on the same day.

2. If the Postmaster-General has at any time reasonable ground to suppose that any person, firm, or company in New Zealand or elsewhere is engaged in any business, undertaking, correspondence, or communications of a nature injurious to the public safety or the effective conduct of the military or naval operations of His Majesty during the present war, the Postmaster-General may, by notice under his hand in the *Gazette*, order that no postal packet or telegram addressed to or intended for that person, firm, or company shall be forwarded or delivered by the Post Office or transmitted by telegraph.

3. Until such order is in like manner revoked no such postal packet or telegram shall be forwarded, delivered, or transmitted, nor shall any money-order be issued in favour of or paid to such person, firm, or company.

4. While any such order remains in force all postal packets and telegraphic messages received by the Post Office or Telegraph Office for transmission to such person, firm, or company shall be delivered by the Postmaster-General to a military authority.

5. While any such order remains in force no person shall communicate or attempt to communicate by post or telegraph, and whether directly or indirectly through any other person, firm, or company in New Zealand or elsewhere, with the person, firm, or company to whom or to which the order relates, and no person shall act as an intermediary or be otherwise knowingly concerned in any such communication or attempted communication.

6. While any such order remains in force no person shall remit or attempt to remit from New Zealand, whether directly or indirectly, any money to or for the benefit of or on behalf of the person, firm, or company to whom or to which the order relates, or be in any manner knowingly concerned in any such remission or attempted remission.

7. While any such order remains in force no person shall make or offer to make any contract with the person, firm, or company to whom or to which the order relates, or be in any manner knowingly concerned in the making or offering of any such contract.

8. (1.) An alien enemy shall not after the 22nd day of December, 1914, for any purpose assume or use, or purport to assume or use, or continue the assumption or use of any name other than that by which he was originally known at the date of the commencement of the present war with Germany.

(2.) Where an alien enemy carries on or purports or continues to carry on, or is a member of a partnership or firm which carries on or purports or continues to carry on, any trade or business under any name other than that under which the trade or business was carried on at the date of the commencement of the present war with Germany, he shall for the purposes of this regulation be deemed to be using or purporting or continuing to use a name other than that by which he was originally known at the date of the commencement of the present war with Germany.

(3.) Nothing in this regulation shall affect the right of a woman who, after the commencement of the present war with Germany, has married an alien enemy to use the name which she has acquired on her marriage.

(4.) The Minister of Internal Affairs may, if it appears desirable in any particular case, grant an exemption from the provisions of this regulation.

9. (1.) No person shall communicate or attempt to communicate whether by letter, telegram, or in any other manner whatever, and whether directly or indirectly through any intermediary in New Zealand or elsewhere, with any person, firm, or company being or carrying on business in the territory of any State at war with His Majesty.

(2.) No person shall in any manner act as an intermediary in any such communication or attempted communication, or be in any manner knowingly concerned therein.

(3.) Nothing in this regulation shall apply to enemy territory in the military occupation of His Majesty's Forces.

(4.) The Minister of Internal Affairs may, if it appears desirable in any particular case, grant an exemption from the provisions of this regulation.

10. (1.) No person shall do any act with intent to evade, obstruct, or interfere with the effective censorship of telegrams, letters, or other postal packets, whether in New Zealand or elsewhere.

(2.) No person shall, otherwise than through the Post Office, send or cause to be sent out of New Zealand, or bring or cause to be brought into New Zealand, any letter or other written communication of such a nature that in the ordinary course of correspondence or business it would be transmitted from or into New Zealand through the Post Office.

11. (1.) An officer or any person authorized for that purpose by a military authority may arrest, without warrant, any person found in New Zealand who is reasonably suspected of having committed in enemy territory in the military occupation of His Majesty's Forces an offence against any rules or orders there established by the military Government thereof, or of having there acted in a manner injurious to the public safety or to the interests of His Majesty in respect of the present war.

(2.) Unless the person so arrested is an alien enemy he shall, unless discharged by the Minister of Defence, be sent in custody at the first suitable opportunity to the territory aforesaid, and shall be there delivered to the military Government thereof.

(3.) If the person so arrested is an alien enemy, he shall be either dealt with as hereinbefore provided or shall be detained in New Zealand in such place and manner as a military authority directs, and during his pleasure, unless discharged by the Minister of Defence.

12. Any person who has been sentenced to any term of imprisonment by any Court or judicial authority constituted in enemy territory in the military occupation of His Majesty's Forces may, if found in New Zealand, be arrested and detained by order of a military authority in such place and manner as that military authority thinks fit, and during his pleasure, unless discharged by the Minister of Defence, but not for any longer period than the unexpired term of his sentence of imprisonment. For the purpose of this regulation such term shall be deemed to have commenced on the day on which the sentence of imprisonment was pronounced.

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

[Extract from *New Zealand Gazette*, 26th January, 1915.]

ADDITIONAL REGULATIONS UNDER THE WAR REGULATIONS ACT, 1914.

LIVERPOOL, Governor.
ORDER IN COUNCIL.

At the Government Buildings at Wellington, this twenty-sixth day of
January, 1915.

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 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; and do hereby declare that the said regulations shall come into operation on the thirty-first day of January, one thousand nine hundred and fifteen.

REGULATIONS.

1. THESE regulations shall be read together with and deemed part of the regulations made by Order in Council under the War Regulations Act, 1914, on the 10th day of November, 1914, and published in the *New Zealand Gazette* on the same day.

Declarations of Ultimate Destination.

2. No goods shall be exported from New Zealand, or shipped for export from New Zealand, to any place other than British territory, until a statutory Declaration of Ultimate Destination has been made in respect thereof in accordance with these regulations.

3. Such Declaration of Ultimate Destination shall be in the form set out in the First Schedule hereto or to the like effect, and shall be made by the actual exporter, or by some responsible representative of the actual exporter having personal knowledge of the inquiries made and of the facts stated in the declaration. Carrying and Customs agents are not competent to make such declarations.

4. Collectors and other officers of Customs shall not permit any goods to be laden on board any exporting ship until the requisite Declaration of Ultimate Destination has been duly made and delivered to the Collector of Customs at the port of shipment, or if such officer has any reason to believe or suspect that the declaration made in respect thereof is untrue.

5. The master of a ship shall not permit to be laden in that ship any goods in respect of which a Declaration of Ultimate Destination is required under these regulations until and unless a permit for the lading thereof has been issued by a Collector of Customs.

6. Collectors of Customs shall withhold the clearance of any ship so long as there are on board thereof any goods as to which the requisite Declaration of Ultimate Destination has not been made or is believed or suspected to be untrue.

7. The term "Collector of Customs" as used in these regulations has the same meaning as in the Customs Act, 1913.

8. The foregoing regulations shall not apply to goods already shipped on an exporting ship before the coming into operation of these regulations.

9. The Minister of Customs may from time to time, by notice in the *New Zealand Gazette*, grant such exemptions from the requirements of the foregoing regulations as appear to him to be necessary or expedient, and may at any time in like manner withdraw any such exemption.

10. Territory in the military occupation of His Majesty shall be deemed to be British territory within the meaning of these regulations.

Certificates of Origin.

11. No goods imported into New Zealand from Norway, Sweden, Denmark, Holland, Switzerland, or Italy shall be delivered from the control of the Customs until the importer has delivered to the Collector of Customs a Certificate of Origin thereof in accordance with these regulations.

12. Every such Certificate of Origin shall be in the form set forth in the Second Schedule hereto or to the like effect, and shall be signed by a British Consul or consular authority in the country from which the goods have been so imported.

13. The following goods are exempt from the foregoing requirement of a Certificate of Origin:—

- (a.) Goods of a class exempted for the time being by the Minister of Customs by notice published in the *New Zealand Gazette*.
- (b.) Consignments not exceeding £25 in value.
- (c.) Goods which have already left the country from which they are so imported before the 31st day of January, 1915.

14. If any goods are imported into New Zealand and no Certificate of Origin is produced in respect thereof under these regulations, a

Collector of Customs may, in his discretion, refuse to deliver the same from the control of the Customs until and unless he is satisfied by statutory declaration or otherwise that these goods were not imported from Norway, Sweden, Denmark, Holland, Switzerland, or Italy, or are otherwise exempt from the requirement of a Certificate of Origin.

15. If any goods in respect of which a Certificate of Origin is required under these regulations are imported into New Zealand without the production of any such certificate, the Comptroller of Customs may, in his discretion, notwithstanding anything hereinbefore contained, if satisfied by statutory declaration or otherwise that the goods have not been produced or manufactured in enemy territory, deliver them from the control of the Customs on payment by the importer by way of penalty of a sum not exceeding 10 per cent. of the fair market value thereof as defined by section 114 of the Customs Act, 1913, and all sums so paid shall be accounted for and dealt with as Customs revenue.

16. The decision of the Comptroller of Customs as to the country from which any goods have been imported into New Zealand, or as to the place of destination of any goods exported or to be exported from New Zealand, shall for the purpose of these regulations be final and conclusive.

17. All declarations under these regulations shall be exempt from stamp duty.

18. If any imported goods are retained in the control of the Customs in pursuance of these regulations, they shall not thereafter be delivered from the control of the Customs until the importer has refunded or undertaken (to the satisfaction of the Collector of Customs) to refund all expenses incurred by the Crown in respect of the retention and storage thereof; and any such goods may at any time while they remain under the control of the Customs be sold by the Comptroller of Customs for the purpose of refunding to the Crown out of the proceeds of such sale all expenses so incurred by the Crown whether with respect to the goods so held or any other goods imported by the same importer.

FIRST SCHEDULE.

FORM OF DECLARATION OF ULTIMATE DESTINATION.

I, _____, do solemnly and sincerely declare—

1. That I am the exporter [or a responsible representative of the exporter] of the goods particulars of which are set out in the schedule below, to be exported on board _____ to _____ and consigned to _____ of _____

2. I have made all necessary inquiries to satisfy myself as to the ultimate destination of the said goods.

3. To the best of my knowledge and belief none of such goods are intended for consumption in or for transit to or through any State at present at war with His Majesty.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Justices of the Peace Act, 1908.

Schedule.

Number and Description of Cases, &c.	Marks.	Numbers.	Weight or Quantity.	Total Value.	Contents.

Declared at this day of , 1915, before me—

.....
Justice of the Peace [*or* Solicitor, *or* Notary Public].

SECOND SCHEDULE.

FORM OF CERTIFICATE OF ORIGIN.

I, , hereby certify that Mr. [Producer, Manufacturer, Merchant, *or* Trader, &c.], residing at , has declared before me that the merchandise designated below which is to be imported from into New Zealand, consigned to , has not been produced *or* manufactured in enemy territory, and I further certify that he has produced to my satisfaction invoices *or* other trustworthy documents in proof thereof.

Dated at this day of , 1915.

Number and Description of Cases, &c.	Marks.	Numbers.	Weight or Quantity.	Total Value.	Contents.

[*Signature of Consular Authority issuing certificate.*]

[*Signature of person declaring.*]

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

NOTICE.

EXPORTED GOODS EXEMPTED FROM REQUIREMENT OF DECLARATION
OF ULTIMATE DESTINATION.

WHEREAS by regulations made under the War Regulations Act, 1914, on the 26th day of January, 1915, it is provided that Declarations of Ultimate Destination are required in respect of goods exported from New Zealand to any place other than British territory, except so far as exemption from this requirement may be allowed by the Minister of Customs :

Now, therefore, I, William Herbert Herries, acting in the place of the Minister of Customs for the Dominion of New Zealand, do hereby notify that Declarations of Ultimate Destination under the said regulations are not required in respect of goods exported to the French territory of Tahiti.

Dated this 26th day of January, 1915.

W. H. HERRIES,

Acting in the place of the Minister of Customs.

NOTICE.

IMPORTED GOODS EXEMPTED FROM REQUIREMENT OF CERTIFICATE OF
ORIGIN.

WHEREAS by regulations made under the War Regulations Act, 1914, on the 26th day of January, 1915, it is provided that Certificates of Origin are required in respect of goods imported into New Zealand from Norway, Sweden, Denmark, Holland, or Switzerland, except in the case of goods of a class exempted from this requirement by the Minister of Customs :

Now, therefore, I, William Herbert Herries, acting in the place of the Minister of Customs for the Dominion of New Zealand, do hereby declare that the classes of goods specified in the schedule hereto may be imported into New Zealand without a Certificate of Origin.

Dated this 26th day of January, 1915.

W. H. HERRIES,

Acting in the place of the Minister of Customs.

THE SCHEDULE.

Carbide of calcium.	Butter-paper.
Tar and pitch.	Manurial salts.
Strawboard.	

