

New Zealand



ANALYSIS

Title.
Preamble.
1. Short Title.

- 2. Extending power to make emergency regulations.
- 3. Application of principal Act to Cook Islands and Samoa.
- 4. Duration of principal Act.

1940, No. 1

AN ACT to amend the Emergency Regulations Act, 1939. Title.
[31st May, 1940

WHEREAS by the Emergency Regulations Act, 1939, Preamble.
the Governor-General was enabled to exercise certain powers for the purpose of meeting the emergency existing at the date of the passing of that Act: And whereas by reason of the development of hostilities since that date it has become necessary to extend the said powers in order to secure that the whole resources of the community may be rendered immediately available when required for purposes connected with the defence of New Zealand:

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

1. This Act may be cited as the Emergency Short Title.
Regulations Amendment Act, 1940, and shall be read together with and deemed part of the Emergency 1939, No. 8
Regulations Act, 1939 (hereinafter referred to as the principal Act).

Extending power to make emergency regulations.

Emergency Powers (Defence) Act, 1940 (3 & 4 Geo. VI, c. 20), s. 1 (1), (2) (Imp.)

2. (1) The powers conferred on the Governor-General by the principal Act shall, notwithstanding anything in that Act, include power by Order in Council to make such emergency regulations making provision for requiring persons to place themselves, their services, and their property at the disposal of His Majesty as appear to the Governor-General to be necessary or expedient for securing the public safety, the defence of New Zealand, the maintenance of public order, or the efficient prosecution of any war in which His Majesty may be engaged, or for maintaining supplies or services essential to the life of the community.

(2) In paragraph (e) of subsection two of section three of the principal Act, and in subsection four of that section, the expression "enactment" shall mean any enactment passed before the commencement of this Act.

Application of principal Act to Cook Islands and Samoa.

3. (1) The principal Act shall be deemed to be and to have always been in force in the Cook Islands and in Samoa.

(2) Except so far as otherwise expressly provided, emergency regulations, whether made before or after the passing of this Act, shall not be in force in the Cook Islands or in Samoa.

Duration of principal Act. Emergency Powers (Defence) Act, 1939 (2 & 3 Geo. VI, c. 62), s. 11

Emergency Powers (Defence) Act, 1940, s. 1 (3) (Imp.)

4. (1) Subject to the provisions of this section, the principal Act shall continue in force until the thirtieth day of September, nineteen hundred and forty-one, and shall then expire.

(2) Notwithstanding anything in the last preceding subsection, if the Governor-General, by Order in Council, declares that the emergency that was the occasion of the passing of the principal Act has come to an end, the principal Act shall expire at the end of the day on which the Order is expressed to come into operation.

(3) The expiry of the principal Act shall not affect the operation thereof as respects things previously done or omitted to be done.