New Zealand

ANALYSIS

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1946, No. 7

AN ACT to confer on the Governor-General in Council Power to make Regulations to enable New Zealand to fulfil the Obligations undertaken by it under Article 41 of the Charter of the United Nations. Title.

[*16th September, 1946*

WHEREAS New Zealand is a member of the United Nations and as such is bound by the Charter of the United Nations signed at San Francisco on the twenty-sixth day of June, nineteen hundred and forty-five: And whereas Article 41 of the Charter is in the following terms:— Preamble.

"*Article 41*

"The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the members of the United Nations to

apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations ":

And whereas it is desirable that provision should be made to enable New Zealand to fulfil its obligations under the said Article:

BE IT THEREFORE 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 United Nations Act, 1946.

Power to make regulations to enable effect to be given to Article 41.

2. (1) If, under Article 41 of the Charter of the United Nations, the Security Council of the United Nations calls upon His Majesty's Government in New Zealand to apply any measures to give effect to any decision of that Council, the Governor-General may from time to time, by Order in Council, make all such regulations as appear to him to be necessary or expedient for enabling those measures to be effectively applied.

(2) No regulation made under this Act shall be deemed to be invalid because it deals with any matter already provided for by any Act, or because of any repugnancy to any Act.

(3) All regulations made under this Act shall be laid before Parliament as soon as may be after they are made.

Liability for breach of regulations.

3. (1) Every 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 any regulations made under this Act shall be liable on summary conviction, in the case of an individual, to imprisonment for a term not exceeding twelve months or to a fine not exceeding one hundred pounds, or, in the case of a company or other corporation, to a fine not exceeding one thousand pounds.

1936, No. 17

(2) The publication in the *Gazette* or in accordance with the Regulations Act, 1936, of any regulations made under this Act or of any Order in Council, Proclamation, order, notice, warrant, license, or other act of

authority under this Act or under any such regulations shall for all purposes be deemed to be notice thereof to all persons concerned, and in any prosecution the liability of the accused shall be determined accordingly.

(3) Nothing in this Act or in any regulations made under 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, but no person shall be punished twice for the same offence.

Application to Cook Islands and Samoa and other territories.

4. (1) This Act shall be in force in the Cook Islands and in Western Samoa and, to the extent to which His Majesty has jurisdiction therein, in every other territory for the time being administered by His Majesty's Government in New Zealand.

(2) Except so far as otherwise expressly provided, regulations made under this Act shall not be in force in the Cook Islands or in Western Samoa or in any such territory as aforesaid.

Repeals. 1935, No. 17 1936, No. 8

5. The League of Nations Sanctions (Enforcement in New Zealand) Act, 1935, and the League of Nations Sanctions Regulations Confirmation Act, 1936, are hereby repealed.