

Hon. Mr. Herdman.

WAR REGULATIONS.

ANALYSIS.

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A BILL INTITULED

AN ACT to amend the War Regulations Act, 1914.

Title.

BE IT 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 War Regulations Amendment Act, 1916, and shall be read together with and deemed part of the War Regulations Act, 1914 (hereinafter referred to as the principal Act).
2. All regulations heretofore made by the Governor in Council under the principal Act or its amendments shall for all purposes whatever be deemed, as from the making thereof, to have been made with full power and authority, and to be and to have been valid and of full effect, and the powers, rights, duties, and liabilities of all persons in respect of all things done or suffered, whether before or after the passing of this Act, shall be determined accordingly.
3. (1.) In addition to, and without in any manner restricting, the powers conferred by the principal Act and its amendments, the Governor in Council may by regulations make—
- (a.) Such provisions as he thinks necessary for the suppression, restriction, or control of enemy trade:
- (b.) Such provisions as he thinks advisable with respect to enemy property:
- (c.) Such provisions as he thinks advisable for enabling an attorney, agent, trustee, executor, or administrator, while out of New Zealand, to exercise and perform his powers, functions, and duties, as such, in New Zealand through the agency of the Public Trustee or any other attorney, delegate, or substitute, and for determining the rights and liabilities resulting from any such delegation of authority:

- (d.) Such provisions as, having regard to the exigencies of the present war or the conditions created thereby, he thinks advisable for all or any of the following purposes, namely:—
- (i.) For the prevention of the sale of intoxicating liquor by any person not being the holder of a license under the Licensing Act, 1908; 5
 - (ii.) For the prevention of the sale of intoxicating liquor by the holders of licenses under the last-mentioned Act otherwise than in conformity with the terms of such licenses; 10
 - (iii.) For the regulation of the sale of intoxicating liquor to women;
 - (iv.) For the suppression or regulation of the practice of treating, as hereinafter defined; 15
 - (v.) For the suppression of prostitution, or for the prevention of venereal disease; and
 - (vi.) For the maintenance of industries essential for the public welfare.
- (2.) For the purposes of this Act the term "treating" includes the act of any person who, directly or indirectly,— 20
- (a.) Pays, or undertakes or offers to pay; or
 - (b.) Gives, or lends, or offers or undertakes to give or lend, money with which to pay—
- for any intoxicating liquor sold or to be sold on licensed premises within the meaning of the Licensing Act, 1908, for consumption 25 on those premises by any person other than the person first mentioned and also includes any other act that the Governor may by Order in Council declare to be treating.
- (3.) All such regulations shall have the force of law as if enacted in this Act, anything to the contrary in any other Act notwithstanding, and all the provisions of the principal Act or its amendments with respect to regulations made by the Governor in Council shall extend and apply to regulations made under the authority of this section. 35
- (4.) In addition to, and without in any manner restricting, the powers conferred by the principal Act or its amendments, regulations so made in relation to enemy trade or enemy property may confer upon the Supreme Court such civil jurisdiction as is thought necessary, and may regulate the procedure of the Court in the exercise of such jurisdiction, and may create, determine, and affect 40 civil rights, obligations, and liabilities.
- (5.) In this section—
- (a.) "Enemy trade" means any trade, business, undertaking, or transaction which is carried on or entered into by or for the benefit of or under the control of persons or companies of enemy nationality, descent, origin, residence, connections, or associations (whether present or past), or which may be to the advantage of an enemy State or of the subjects or inhabitants thereof, whether during or 50 after the present war:

(b.) "Enemy property" means property of any kind whatever which belongs or at any time since the commencement of the present war with Germany has belonged to any person or company of enemy nationality, descent, origin, residence, connections, or associations (whether present or past), or to an enemy State, or in which any such person, company, or State has or at any such time has had any interest.

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4. The publication in the *Gazette*, whether before or after the passing of this Act, of any Order in Council, Proclamation, regulation, notice, warrant, license, or other act of authority under the principal Act or any amendment thereof, including this Act, shall for all purposes be deemed to be notice thereof to all persons concerned, and in any prosecution under any such Act the liability of the accused shall be determined accordingly.

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Publication in *Gazette* to be notice to all persons concerned.

5. (1.) The principal Act and all amendments thereof including this Act shall be in force in the Cook Islands.

Act extended to Cook Islands.

(2.) Regulations made under those Acts, whether before or after the passing of this Act, shall not be in force in the Cook Islands except so far as expressly extended thereto.

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6. (1.) Section five of the War Regulations Amendment Act, 1915, and section fourteen of the War Regulations Amendment Act, 1915 (No. 2), are hereby repealed.

Repeal.

(2.) The principal Act and all amendments thereof including this Act, and all regulations heretofore made or hereafter to be made thereunder, shall, unless sooner repealed or revoked, remain in operation during the present war with Germany and for one year thereafter, or for such shorter period thereafter as the Governor may by Proclamation made after the end of that war determine, and on the expiration of such period shall be deemed to be repealed or revoked. In the application of the said Acts and regulations after the end of the war every State with which His Majesty is now at war shall be deemed to continue to be an enemy State at war with His Majesty so long as those Acts remain in force.

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Duration of Act.

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