



**THE EXPEDITIONARY FORCE EMERGENCY REGULATIONS
1940, AMENDMENT NO. 7**

C. L. N. NEWALL, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 2nd day of
May, 1945

Present :

THE HON. W. NASH PRESIDING IN COUNCIL

PURSUANT to the Emergency Regulations Act, 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Expeditionary Force Emergency Regulations 1940. Amendment No. 7, and shall be read together with and deemed part of the Expeditionary Force Emergency Regulations 1940* (hereinafter referred to as the principal regulations).

2. Regulation 3 of the principal regulations is hereby amended by inserting, after the definition of the term "General Officer Commanding", the following definition:—

“ ‘ King’s Regulations ’ means the King’s Regulations for the Army, and includes all regulations made in amendment thereof or in substitution therefor and for the time being in force : ”.

3. Regulation 12 of the principal regulations (as set out in the Expeditionary Force Emergency Regulations 1940, Amendment No. 4) is hereby amended by adding the following clause:—

“(4) Regulations 17A and 17B of the Defence Emergency Regulations 1941† (which relate to the attaching of members of the Defence Forces to the Royal New Zealand Air Force, and *vice versa*) shall apply with respect to all members and parts of the Expeditionary Force, whether they are in New Zealand or out of New Zealand.”

4. Regulation 14 of the principal regulations is hereby amended by omitting from clause (i) the words “ The Army Act, so far as it relates ”, and substituting the words “ The Army Act and the King’s Regulations, so far as they relate ”.

*Statutory Regulations 1940, Serial number 1940/1, page 1.

Amendment No. 1 : Statutory Regulations 1941, Serial number 1941/9, page 17.

Amendment No. 2 : Statutory Regulations 1941, Serial number 1941/196, page 601.

Amendment No. 3 : Statutory Regulations 1942, Serial number 1942/41, page 99.

Amendment No. 4 : Statutory Regulations 1942, Serial number 1942/155, page 363.

Amendment No. 5 : Statutory Regulations 1942, Serial number 1942/310, page 761.

Amendment No. 6 : Statutory Regulations 1943, Serial number 1943/154, page 347.

† Amendment No. 8 : Statutory Regulations 1945, Serial number 1945/48, Regulation 6, page 120.

5. (1) Regulation 14 of the principal regulations is hereby amended by revoking clause (v) (as set out in the Expeditionary Force Emergency Regulations 1940, Amendment No. 6), and substituting the following clauses :—

“(v) For the purposes of these regulations—

“(a) Section 44 of the Army Act shall be read and construed as if the following paragraphs were inserted after paragraph (e) thereof :—

““(ee) Reduction to the ranks ;

““(eee) Reduction to a lower commissioned rank ;’—
and as if the following paragraph were inserted after paragraph (f) thereof :—

““(ff) A fine not exceeding £50 ;’—

and as if the words ‘(as prescribed by section 19 of this Act for drunkenness or not exceeding £10 in the case of other offences)’ were inserted after the word ‘fines’ in paragraph (n) thereof :

“(b) Section 47 (2) of the Army Act shall be read and construed as if the following paragraph were inserted after the first paragraph (a) thereof :—

““(aa) A fine not exceeding £10 ;’—

and as if the following paragraph were inserted after the second paragraph (a) thereof :—

““(aa) A fine not exceeding £5 ;’ :

“(c) The General Officer Commanding shall be deemed to be a superior military authority within the meaning of section 57A of the Army Act :

“(d) Rule 53A of the Rules of Procedure issued under the authority of the Army Act shall be read and construed as if the references therein to an authority mentioned in section 70 (1) (ee) of the Army Act were references to the General Officer Commanding or any other officer of the Expeditionary Force to whom the General Officer Commanding may have delegated his powers in that behalf :

“(vi) An officer sentenced by court-martial to reduction to a lower commissioned rank shall take rank and precedence in that lower commissioned rank as if his appointment to that rank bore such date as may be specified in the sentence, or if no such date is specified in the sentence, as if his appointment to that lower rank bore the date of the sentence :

“(vii) For the purposes of these regulations—

“(a) Section 44 of the Army Act shall be read and construed as if paragraph (m) were omitted and the following paragraph substituted therefor :—

““(m) In the case of a non-commissioned officer (including an acting or a lance non-commissioned officer), reduction to the ranks or to a lower grade (including lance grade), or reversion to permanent rank, or both, or forfeiture in the prescribed manner of seniority of rank ;’—

and as if in paragraph (mm) and in proviso (3) the words ‘(including an acting or a lance non-commissioned officer)’ were inserted after the words ‘non-commissioned officer’ :

“(b) Section 182 (2) (a) of the Army Act shall be read and construed as if the words ‘(including lance grade)’ were inserted after the words ‘lower grade’:

“(c) Section 183 of the Army Act shall be read and construed as if subsection (3) were omitted and the following subsection substituted therefor:—

“(3) A non-commissioned officer (including an acting or a lance non-commissioned officer) may, by the sentence of a court-martial, be ordered to be reduced to the ranks or to any lower grade (including lance grade), or to be reverted to his permanent rank, or both, or to forfeit seniority of rank, either in addition to or without any other punishment:—

and as if in subsection (4) the words ‘(including an acting or a lance non-commissioned officer)’ were inserted after the words ‘non-commissioned officer’, and the words ‘or reverted’ were inserted after the word ‘reduced.’”

(2) The regulations cited as the Expeditionary Force Emergency Regulations 1940, Amendment No. 6, are hereby consequentially revoked.

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette*: 11th day of May, 1945.
These regulations are administered in the Army Department