

Serial Number 1942/350



THE POLICE OFFENCES EMERGENCY REGULATIONS 1942

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 23rd day of
December, 1942.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL 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 Police Offences Emergency Regulations 1942.

2. (1) In these regulations, unless the context otherwise requires,—
“ House of ill-fame ” means any premises used for the purposes of prostitution, whether by one woman or by more than one :
“ Public place ” has the same meaning as in Part II of the Police Offences Act, 1927.*

(2) When different parts of a building are in separate occupation, each part shall be deemed to be separate premises within the meaning of these regulations.

3. (1) Every person commits an offence against these regulations who—

(a) Keeps, manages, occupies, or resides in a house of ill-fame, or acts or assists in the keeping or management of any such house :

(b) Permits any premises to be used as a house of ill-fame :

(c) Being the lessor or landlord of any premises or the agent of such lessor or landlord, lets the same or any part thereof knowing or having reasonable grounds of suspicion that the same or any part thereof is to be used as a house of ill-fame, or permits the continued occupation of any premises knowing or having reasonable grounds of suspicion that the same or any part thereof is used as a house of ill-fame.

(2) Every woman commits an offence against these regulations who frequents, uses, or is in any house of ill-fame or any public place for the purposes of prostitution.

* See Reprint of Statutes, Vol. II, page 522.

(3) Every male person having attained the age of seventeen years commits an offence against these regulations who lives, whether wholly or in part, upon the earnings of a prostitute.

(4) Every male person having attained the age of seventeen years who habitually lives or consorts with a prostitute shall be deemed to be living upon the earnings of that prostitute unless he proves the contrary.

4. (1) Any commissioned officer of Police who has reasonable grounds for suspecting that any building or part of a building is a house of ill-fame, or any constable authorized by him in that behalf, may, without warrant, at any time, whether by day or by night, and on any day of the week, if accompanied by another constable, enter the building and search the same and every part thereof.

(2) Every person who resists, obstructs, or hinders any constable acting or attempting to act in exercise of the powers conferred on him by this regulation, or who fails or refuses to afford to any such constable immediate entrance to any such building or to any part thereof, commits an offence against these regulations, and in the case of any such resistance, obstruction, hindrance, failure, or refusal as aforesaid the constable may use such force as may be necessary to enter and search the building and every part thereof.

5. Any constable may arrest without warrant any person who is reasonably suspected of having committed any offence against these regulations.

6. (1) Where any person has been convicted in any Court of any crime or offence, or appears before a Children's Court charged with any offence, and the Court has reason to believe or suspect that he may be suffering from venereal disease in a communicable form or the offence is an offence against these regulations, the Court may, before passing sentence or finally determining the matter, make an order for the removal of that person to a hospital or other suitable place where he can be effectually isolated.

(2) The medical officer in charge of the hospital or other place to which the person is removed as aforesaid shall admit the person to the hospital or other place, and shall make such clinical, bacteriological, and pathological examination as may be necessary to determine whether the person is suffering from any venereal disease. If the person is found to be suffering from a venereal disease the medical officer shall apply such treatment as may be necessary for the cure of the disease, and shall for the purpose of diagnosis and treatment as aforesaid detain the person for a period not exceeding six weeks :

Provided that the Medical Officer of Health may from time to time, on the recommendation of the medical officer in charge of the hospital or other place, extend the period for not more than six weeks at any one time, unless he is satisfied that the person detained is no longer suffering from venereal disease in a communicable form.

(3) Every person who is the subject of an order made under sub-clause (1) hereof shall remain in the hospital or other place of isolation until discharged by the medical officer in charge of the hospital or place, and shall thereupon be brought before the Court to be dealt with in respect of the crime or offence of which he has been convicted or with which he has been charged.

(4) Any Judge, Magistrate, or Justice presiding in the Court before which the person is so brought shall have jurisdiction to pass sentence or finally determine the matter, notwithstanding that the previous proceedings were taken before some other Judge, Magistrate, or Justice.

(5) Any person who is removed to a hospital or other place of isolation in accordance with this regulation and who leaves the place of isolation before being discharged by the medical officer as aforesaid commits an offence against these regulations. Any person who leaves the place of isolation before being discharged as aforesaid may be arrested by any officer of the Department of Health or by any member of the staff of the hospital or other place of isolation or by any constable without warrant and delivered forthwith to the same or another place of isolation.

(6) For the purposes of this regulation the expressions "venereal disease" and "venereal disease in a communicable form" have the same meanings as in the Venereal Diseases Regulations 1941.*

7. Every person who commits an offence against these regulations shall be liable on summary conviction to imprisonment for a term not exceeding three months, or to a fine not exceeding £100, or to both such imprisonment and such fine.

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

* Statutory Regulations 1941, Serial number 1941/230, page 761.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 23rd day of December, 1942.
These regulations are administered in the Police Department.