

## Serial Number 1940/122.



**THE PUBLIC SAFETY EMERGENCY REGULATIONS 1940,  
AMENDMENT NO. 1.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 18th day of June, 1940.

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. (1) These regulations may be cited as the Public Safety Emergency Regulations 1940, Amendment No. 1.

(2) These regulations shall be read together with and deemed part of the Public Safety Emergency Regulations 1940\* (hereinafter referred to as the principal regulations).

2. (1) Regulation 1 of the principal regulations is hereby amended by inserting in clause (3), after the definition of the term " money ", the following definition :—

“ ‘ Organization ’ includes, as well as any society or body, any two or more persons associated for any purpose who act or intend to act in conjunction with one another, or who associate together with the object of considering or carrying out purposes as an organization, whether those purposes are to be carried out by any number of those persons or by any other person or persons acting on their behalf : ”.

(2) Regulation 1 of the principal regulations is hereby further amended by inserting in clause (3), after the definition of the term “ statement ”, the following definition :—

“ ‘ Subversive organization ’ means any organization for the time being declared by the Attorney-General under Regulation 2A hereof to be a subversive organization for the purposes of these regulations : ”

(3) Regulation 1 of the principal regulations is hereby further amended by adding to the definition of the term “ subversive statement ” in clause (3) the following paragraph :—

“ (h) A statement the publication of which is or would be a contravention of clause (3) of Regulation 2A of these regulations : ”

\* Statutory Regulations 1940, Serial number 1940/26.

3. The principal regulations are hereby amended by inserting therein, after Regulation 2 thereof, the following new regulation:—

“REGULATION 2A.—SUBVERSIVE ORGANIZATIONS.

“(1) If the Attorney-General is satisfied that any of the purposes, methods, or activities of any organization have a subversive tendency, or may be injurious to the public safety, or are likely to lead to attempts to influence the public, the Government, or any local authority or public body otherwise than by lawful and constitutional means, the Attorney-General may, by notice published in the *Gazette*, declare the organization to be a subversive organization for the purposes of these regulations.

“(2) Any such notice may be at any time in like manner amended or revoked.

“(3) No person shall—

“(a) Summon, organize, conduct, address, attend, or invite any other person to attend any meeting held or proposed to be held by or for the purposes of a subversive organization :

“(b) Use any premises for the purposes of a subversive organization :

“(c) Cause or permit to be displayed on or in respect of any premises any notice, sign, or other indication of any kind whatsoever indicating that the premises are the premises of a subversive organization, or are being used by or for the purposes of a subversive organization :

“(d) Being an owner or occupier of any premises, permit, or offer or agree to permit, the use of the premises by or for the purposes of a subversive organization :

“(e) Participate in the activities of, or aid, abet, or encourage in any way whatsoever the continuance, activities, or objects of any subversive organization, or by any badge, symbol, uniform, flag, banner, or any other means whatsoever identify himself with or express his approval of any subversive organization.

“(4) Regulation 4 hereof shall apply with respect to every payment or attempted payment of any money to or for the benefit of a subversive organization, and to every payment or attempted payment of any money in contravention of the next succeeding clause.

“(5) Except with the prior consent of the Attorney-General, no money held by or on behalf of a subversive organization or held for the purposes of a subversive organization shall be paid or expended for any purpose other than—

“(a) The payment to any creditor (not being an officer or a member of the organization) of any debt lawfully incurred by or on behalf of the organization before it was declared to be a subversive organization :

“(b) Such patriotic purpose within the meaning of the Patriotic Purposes Emergency Regulations 1939,\* or such other purpose, as may from time to time be approved by the Attorney-General for the purposes of this clause, either generally or in respect of any particular organization.

\* Statutory Regulations 1939, Serial number 1939/194, page 789.

“(6) The Attorney-General may appoint a Receiver of all money held by or on behalf of a subversive organization or held for the purposes of a subversive organization, and thereupon all such moneys and all the rights, powers, and remedies of the organization or of any member or officer thereof in respect of such moneys shall be deemed to be vested in the Receiver.

“(7) Any person found committing an offence against this regulation may be arrested without warrant.

“(8) Every person who commits an offence against this regulation shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £50.

“(9) The provisions of this regulation are in addition to and not in derogation of the other provisions of these regulations.”

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

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Issued under the authority of the Regulations Act, 1936.  
Date of publication in *Gazette* : 18th day of June, 1940.  
These regulations are administered in the Police Department.