

Serial Number 1940/254.



**THE PUBLIC SAFETY EMERGENCY REGULATIONS 1940,  
AMENDMENT NO. 2.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 30th day of  
September, 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. 2.

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

2. The principal regulations are hereby amended by inserting after Regulation 2A the following new regulation :—

“REGULATION 2B.—OBSTRUCTION OF ESSENTIAL INDUSTRIES, ETC.

“ (1) If the Attorney-General is of opinion in respect of any person in any employment that it is necessary or expedient in the interests of the public safety, the effective prosecution of the war, or the maintenance of essential industries that that person should not continue to be employed in that employment, he may by notice declare that that employment shall be terminated in accordance with the terms of the notice.

“ (2) Any notice under the last preceding clause shall be delivered either to the employee or to the employer and the employment referred to in the notice shall be deemed to be terminated as from the time of delivery of the notice or as from such later time as may be specified in the notice.

“ (3) After any employment is terminated under this regulation, the employee shall not be employed by the same employer (whether in the same or in any other capacity) except with the consent of the Attorney-General.

\* Statutory Regulations 1940, Serial number 1940/26.  
Amendment No. 1 : Statutory Regulations 1940, Serial number 1940/122.

“(4) For the purposes of this regulation, where any person holds any office in an organization or purports to exercise the functions of any such office he shall be deemed to be employed by the organization.

“(5) If the Attorney-General is of opinion in respect of any person that it is necessary or expedient in the interests of the public safety, the effective prosecution of the war, or the maintenance of essential industries that that person should not be or become a member of any industrial union, industrial association, or other organization of employers or workers, he may cause to be served on the organization a notice to that effect, and if the person is a member of the organization he shall thereupon cease to be a member thereof, and if he is not a member of the organization he shall not become a member thereof without the prior written consent of the Attorney-General.

“(6) If any person ceases to be a member of an organization under the last preceding clause, he shall not again become a member of the organization without the prior written consent of the Attorney-General.

“(7) (a) Any person who is affected by any decision of the Attorney-General under this regulation may appeal against the decision to the Court of Arbitration, and the decision of the Court shall be final.

“(b) Every appeal under this clause shall be made by notice of appeal filed in the office of the Court. A copy of the notice of appeal shall be served on the Attorney-General and upon such other persons as the Judge of the Court may direct.

“(c) Upon any appeal under this clause the Court may confirm, modify, or reverse the decision appealed from, but no decision shall be reversed unless the Court is satisfied that the acts which the decision was intended to prevent are not likely to be committed.”

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