

arbitrator if the parties can agree upon one, and otherwise to two arbitrators, one to be appointed by that person and one by the Minister under the provisions of the Arbitration Act, 1908, and the obtaining of an award shall be a condition precedent to the commencement of legal proceedings in any Court for the recovery of the amount claimed.

(5) The Minister, if it appears to him to be necessary or expedient for the effectual exercise of his powers under clause (1) of this regulation so to do, may, by notice given as respects the whole of New Zealand or any part thereof, require all persons in the area to which the notice applies who, on such date as may be specified in the notice, have or had in their possession or control or on order by them such goods as may be described in the notice to furnish to the Minister or to the Controller, or to such other person as may be specified in the notice, such information and particulars in relation to the goods at such time and in such form and manner as may be directed by the notice, and may direct that no person shall remove any such goods or cause or permit them to be removed until such date as may be specified in the notice or until the removal is permitted by the Minister or by the Controller or by such other person as may be specified in the notice.

(6) For the purposes of this regulation the term "goods" includes all chattels personal other than money or things in action, and also includes machinery, notwithstanding that it may be attached to any land or building.

REGULATION 5.—CONTRACTS.

(1) Where the failure, whether before or after the commencement of these regulations, to fulfil any contract has been directly or indirectly due to compliance on the part of any person with any of the provisions of the principal regulations or with any direction, restriction, requirement, or condition given or imposed thereunder, or has been directly or indirectly due to the exercise by the Minister or by the Controller of any of the powers or functions conferred by the principal regulations, proof of that fact shall be a good defence to any action or proceeding in respect of the failure.

(2) This regulation shall apply with respect to all contracts whether made before or after the commencement of these regulations.

REGULATION 6.—OFFENCES.

(1) Every person who with intent to deceive makes any false or misleading statement or any material omission in any communication with or application to the Minister or Controller (whether in writing or otherwise) commits an offence against the principal regulations.

(2) Every person who without lawful excuse acts in contravention of or fails to comply in any respect with any provision of the principal regulations or any direction, restriction, requirement, or condition given or imposed under those regulations commits an offence against those regulations.

(3) Every person who obstructs any person in the exercise or in the attempted exercise of any right or power conferred under the principal regulations commits an offence against those regulations.

(4) Every person who commits an offence against the principal regulations shall be liable on summary conviction to a fine not exceeding £200 or to imprisonment for a term not exceeding twelve months or to both such fine and such imprisonment in the case of an individual, or to a fine not exceeding £1,000 in the case of a company or other corporation.

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