



THE
NEW ZEALAND GAZETTE
 EXTRAORDINARY.

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WELLINGTON, TUESDAY, NOVEMBER 10, 1914.

Regulations under the War Regulations Act, 1914.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, this tenth day of November, 1914.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by the War Regulations Act, 1914, the Governor in Council may for the purpose of better securing the public safety, the defence of New Zealand, and the effective conduct of the military or naval operations of His Majesty during the present war, make regulations as to the powers and duties of the members of the Defence Forces, or of the Police Force, or of other persons acting on His Majesty's behalf: And whereas by the said Act the Governor in Council may also make regulations prohibiting any acts which, in his opinion, are injurious to the public safety, the defence of New Zealand, or the effective conduct of the military or naval operations of His Majesty during the present war:

Now, therefore, I, Arthur William de Brito Savile, Earl of Liverpool, Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, do hereby, in pursuance of the War Regulations Act, 1914, and of all other powers and authorities enabling me in that behalf, make the following regulations; and do, with the like advice and consent, declare that the said regulations shall come into force on the publication thereof in the *New Zealand Gazette*.

REGULATIONS.

1. In these regulations, unless a different intention appears,—

“Alien enemy” includes (except in Regulations Nos. 9 and 26) any person who has been naturalized in New Zealand and who would have been an alien enemy had he not been so naturalized, and also includes (except as aforesaid) any person reasonably suspected of being an alien enemy:

“Defended harbour” means any port or harbour defended by any fort or battery:

“Military authority” means any military officer appointed by the Minister of Defence, by warrant signed by him and gazetted, as a military authority for the purpose of these regulations, whether generally or in respect of any particular place or part of New Zealand:

“Military officer” means a commissioned officer of the Defence Forces under the Defence Act, 1909; and includes any person who in fact holds office, whether permanently or temporarily, as such a commissioned officer, notwithstanding any irregularity or invalidity in his appointment or in the tenure of his office:

“Night” means any time after sunset and before sunrise:

“Officer” means a military officer or a constable:

“Prisoner of war” means any person detained under the authority of these regulations, and any alien enemy detained whether under these regulations or otherwise.

2. An officer or any person authorized for that purpose by a military authority may arrest without warrant any person who is reasonably suspected of having committed or of being about to commit any breach of these regulations, or of having acted or being about to act in a manner injurious to the public safety or the interests of His Majesty in respect of the present war.

3. Any person so arrested (other than an alien enemy) shall be forthwith brought before a Magistrate or Justice of the Peace to be dealt with in due course of law in respect of any offence of which he may be accused.

4. Any alien enemy so arrested may be brought before a Magistrate or Justice of the Peace to be dealt with in due course of law as aforesaid, or may be detained in such place and manner as a military authority directs and during his pleasure, unless discharged by the Minister of Defence.

5. By the orders or with the authority of a military authority any alien enemy may be arrested by an officer or any other person and detained in such place and manner as the military authority thinks fit and during his pleasure, unless discharged by the Minister of Defence.

6. If a military authority has reason to suspect that any house, building, land, ship, or other premises are being used for any purpose or in any manner injurious to the public safety or the interests of His Majesty in respect of the present war, or contrary to these regulations, or that there is in any house, building, land, ship, or other premises any document, instrument, or other thing whatsoever which may be evidence of any such purpose, or which has been or is about to be used for any such purpose, the military authority, or any officer or other person authorized by him, may enter, if need be by force, the house, building, land, ship, or premises at any time of the day or night, and examine, search, and inspect the same or any part thereof, and may seize any such document, instrument, or other thing as aforesaid which may be found therein.

7. If any ship or boat approaches, enters, leaves, or passes inwards or outwards through any defended harbour, or is reasonably suspected of being about to do so, in disregard of any rules established for that harbour by a military authority and published in the *New Zealand Gazette*, or in disregard of any warning received from any fort or battery by which the harbour is defended, any officer or other person stationed or lawfully being in the fort or battery may fire upon that ship or boat. At night any ship or boat the identity of which is unknown, and which approaches, enters, leaves, or passes inwards or outwards through any defended harbour, may be so fired at without warning.

8. For the purpose of securing the public safety in respect of the present war a military authority may station an armed guard at any building, ship, or place whatsoever, whether public or private. Such guard may fire upon or otherwise attack any

person who by day or night, in disregard of a warning received from the guard, approaches, enters, or leaves, or attempts to approach, enter, or leave, the building, ship, or place so guarded. All members of the Defence Forces stationed at any fort, battery, ship, or camp shall be deemed for the purposes of these regulations to be an armed guard there stationed by a military authority.

9. The Attorney-General may lay before the Governor an information charging an alien enemy with having done, or attempted or conspired to do, or with having incited any other person to do, any act with intent to assist His Majesty's enemies or to interfere with the effective conduct of the military or naval operations of His Majesty during the present war, and the Governor may thereupon appoint any three or more military officers as a Court-martial with power to try such alien enemy on the said charge, and on conviction he shall be liable to suffer death. The procedure on any such trial shall be such as may be prescribed by rules made in that behalf by the Minister of Defence; and in default of any such rules, and so far as they do not extend, the procedure shall be such as appears to the Court to be most consistent with natural justice.

10. No person shall assist or connive at the escape of any prisoner of war, or knowingly harbour or assist any prisoner of war who has escaped.

11. No person shall obstruct, interfere with, or mislead any officer or other person who is carrying out the orders of a military authority, or who is otherwise acting in accordance with his powers or duties under these regulations.

12. No person having in his possession any information which may be of use to an officer in the execution of his powers or duties under these regulations shall withhold such information from the officer when reasonably required by him to give the same.

13. No person shall trespass on any building or ship in the possession or use of the Crown, or on any land appurtenant to any such building, or on any fort, battery, camp, or other place used by the Crown for any military or naval purposes, or on any land or building used for telegraphic purposes (whether in the possession or use of the Crown or not), or on any land or building in the possession of a Harbour Board, or on any railway.

14. No person shall in any manner publish or spread false reports likely to create disaffection or alarm.

15. No person shall harbour any person whom he knows or has reasonable grounds for supposing to have acted in contravention of these regulations.

16. No person shall, save in pursuance of a license issued under the Post and Telegraph Act, 1908, or with the permission in writing of a military authority, have in his possession any instrument or apparatus capable of or constructed or adapted for receiving or transmitting messages by wireless telegraphy, or any portion of any such instrument or apparatus, or any materials, instrument, or apparatus intended by him to be used or adapted for such a purpose.

17. No person having the possession, control, or use of any apparatus for the transmission or reception of messages by wireless telegraphy shall use the same or permit the same to be used in any manner contrary to instructions received from a military authority, or contrary to the terms of any license or regulations by which the equipment or use of such apparatus is authorized or regulated.

18. No master or officer of a ship, or person in charge of or having the control of any boat, shall cause or permit such ship or boat to enter or leave a defended harbour, or proceed inwards or outwards through a defended harbour, in disregard of any rules made in that behalf by a military authority and published in the *New Zealand Gazette*, or in disregard of any warning received from any fort or battery by which the harbour is defended, or from any ship or boat stationed in or about such harbour by a military authority.

19. No person shall, without the permission of a military authority or of the Minister of Defence, publish or communicate, or permit to be published or communicated, any information with respect to the movements or disposition of any of the forces, ships, or war materials of His Majesty or of His Majesty's allies, or with respect to the plans of any naval or military operations by any such forces or ships, or with respect to any works or measures undertaken for or connected with the fortification or defence of any place, or as to any other military or naval matters, if the information is such as might be directly or indirectly useful to the enemy.

20. No person other than a military or naval officer in the execution of his duty shall publish or communicate, or permit to be published or communicated, any information relative to any military or naval matters as to which secrecy is enjoined by the Minister of Defence by notice published in the *New Zealand Gazette*.

21. No person shall, except through the post-office, communicate with any prisoner of war without the permission of a military authority.

22. No person shall by day or night show any light, or do any other act whatever, which is intended as or may reasonably be suspected to be a signal to or a communication with the enemy or any prisoner of war.

23. No person without lawful authority shall injure or interfere with any wire or other apparatus for transmitting telegraphic or telephonic messages or any apparatus or contrivance intended for or capable of being used for a signalling-apparatus, either visual or otherwise, or prevent, obstruct, or in any manner whatever interfere with the sending, conveyance, or delivery of any communication by means of telegraph, telephone, or otherwise.

24. When an armed guard has been stationed in pursuance of these regulations at any building, ship, or place, no person shall, in disregard of a warning received from the guard, approach, enter, or leave the building, ship, or place so guarded.

25. No person shall act as an intermediary in communications through the post-office between alien enemies or between an alien enemy and any other person.

26. Nothing in these regulations shall be so construed or shall so operate as to confer any rights upon an alien enemy or in any manner to take away or restrict the absolute right of His Majesty to do with all such persons according to his good pleasure.

27. The powers conferred by these regulations are in addition to and not in derogation of any powers exercisable by members of the Defence Forces, or the Police Force, and all other persons to take such measures as may be necessary for securing the public safety, or the liability of any person to trial and punishment for any offence otherwise than in pursuance of these regulations.

J. F. ANDREWS,
Clerk of the Executive Council.