

THE
NEW ZEALAND GAZETTE
 EXTRAORDINARY.

Published by Authority.

WELLINGTON, TUESDAY, AUGUST 27, 1918.

War Regulations for the Protection of Soldiers' Businesses.

LIVERPOOL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this twenty-seventh day of August, 1918.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by section thirty-five of the War Legislation Act, 1917, it is enacted that the Governor-General in Council may, by regulations under the War Regulations Act, 1914, make such provisions as, having regard to the exigencies of the present war or the conditions created thereby, he thinks advisable for the maintenance, control, regulation, and management of any industry, business, or undertaking that may be regarded by the Governor-General as essential for or affecting the public welfare :

And whereas in the opinion of the Governor-General in Council the businesses of soldiers engaged in military service during the present war are essential for or affect the public welfare, and it is expedient accordingly, having regard to the exigencies of the present war and the conditions created thereby, to make further provisions for the maintenance and management of such businesses :

And whereas by section twenty-five of the Finance Act, 1918, it is enacted that the Governor-General in Council may, by regulations under the War Regulations Act, 1914, make such provisions as, having regard to the exigencies of the present war or the conditions created thereby, he thinks advisable for prohibiting or restricting any service, employment, occupation, business, work, or industry :

And whereas in the opinion of the Governor-General in Council, having regard to the exigencies of the present war and the conditions created thereby, it is expedient to make provision accordingly for the prohibition or restriction in manner hereinafter appearing of businesses which compete with those of soldiers, and the unrestricted establishment or continuance of which may injure or destroy the businesses of soldiers :

license issued in that behalf by the National Efficiency Board, and in accordance with the terms and conditions of that license; and every person who carries on, or is knowingly concerned in carrying on, any business in breach of this regulation shall be guilty of an offence, and shall be liable under the War Regulations Act, 1914, accordingly.

9. A license granted as aforesaid may be granted on such terms and conditions as the National Efficiency Board thinks necessary for the maintenance of the protected business or for the control in the public interest of the restricted business.

10. In particular, and without in any manner restricting the generality of the last preceding clause, any such license may be granted on the condition that the licensee shall enter into a deed of agreement with the Board of Trustees of the protected business, acting in the name and on behalf of the soldier, to make to that Board on behalf of the soldier such payments as may be estimated by the National Efficiency Board to be equivalent to the additional profits to be derived by the restricted business from the cessation or diminution of the protected business through the absence of the soldier on military service.

11. The amount and terms of the payments to be so made shall be set out in the agreement with the Board of Trustees, and such payments may be estimated either as fixed sums or as defined proportions of the profits of the restricted business, or in such other manner as the National Efficiency Board thinks just and practicable in the particular case.

12. All payments so agreed upon shall constitute a debt recoverable from the licensee by the Board of Trustees in the name and on behalf of the soldier.

13. All moneys so received by the Board of Trustees shall be deemed to represent profits derived by that Board from the management of the protected business, and shall be disposed of by the Board of Trustees for and on behalf of the soldier accordingly.

14. A license granted by the National Efficiency Board under the foregoing provisions may be at any time revoked by that Board by notice given to the licensee in the manner hereinbefore provided with respect to notices, and such revocation shall take effect on the fourteenth day after notice of revocation has been so given.

15. Any such license may be at any time surrendered by the licensee by notice given to the National Efficiency Board.

16. When any license has been so revoked or surrendered, or when the business in respect of which the license has been issued ceases to be a restricted business, every agreement entered into between the licensee and the Board of Trustees as a condition of the grant of that license shall thereupon determine and cease to be in force; save that no such determination shall release the licensee from his obligation to make any payments already payable under that agreement, together with an apportioned part of any payment then accruing due.

17. After any such revocation or surrender has taken effect it shall not be lawful for any person, so long as the business in respect of which the license was issued remains a restricted business, to carry on that business save under and in pursuance of a new license granted by the National Efficiency Board on such terms and conditions as the Board, in accordance with the foregoing provisions as to licenses, thinks fit to impose; and every person who carries on, or is knowingly concerned in carrying on, such business in breach of this regulation shall be guilty of an offence, and shall be liable under the War Regulations Act, 1914, accordingly.

18. Every agreement so entered into with a Board of Trustees shall, unless sooner determined under these regulations, remain in force so long as the business of the licensee remains a restricted business.

19. A restricted business shall remain so restricted notwithstanding the death of the soldier by whom the protected business was carried on, but it shall cease to be a restricted business so soon as that soldier has been discharged from the Expeditionary Force.

20. When a business is carried on by a soldier in partnership with any other person, the business shall, for the purposes of clause 3 of these regulations, be deemed, in respect and to the extent of the share of the soldier therein, to be a separate business carried on by him, and may become a protected business accordingly; and in such case the business may, in respect and to the extent of the interests of the other partner or partners therein, become a restricted business under these regulations.

21. When a business is carried on by a private company within the meaning of the Companies Act, 1908, and one of the shareholders is a soldier, the business shall, for the purposes of clause 3 of these regulations, be deemed, in respect and to the extent of the share of the soldier in that company, to be a separate business carried on by him, and may become a protected business accordingly; and in such case the business

of the company may, in respect and to the extent of the interests of the other shareholders therein, become a restricted business under these regulations.

22. Every business carried on by any person as the successor or assignee of a person carrying on a restricted business shall itself be deemed to be a restricted business, and it shall be unlawful to carry on any such business save under and in pursuance of a license granted by the National Efficiency Board under the foregoing regulations, and all the provisions of these regulations shall apply accordingly.

23. (1.) Every person who carries on or is concerned in the carrying-on of a restricted business shall at all times give to the National Efficiency Board all such information as may be demanded by that Board relative to the nature, scope, conduct, and profits of that business, and as to all other matters as to which the Board desires information for the purposes of the administration of these regulations.

(2.) Every person who fails or refuses to give any such information as aforesaid, or who gives to the Board any false information on any such matters as aforesaid, or who in any manner deceives the Board in the exercise of its powers under these regulations, shall be guilty of an offence, and shall be liable under the War Regulations Act, 1914, accordingly.

24. (1.) Without the permission of the National Efficiency Board it shall not be lawful for any person to establish or carry on any new business as a retail shopkeeper, merchant, importer, exporter, commission agent, indent agent, accountant, auditor, land agent, manufacturer, solicitor, medical practitioner, or dentist.

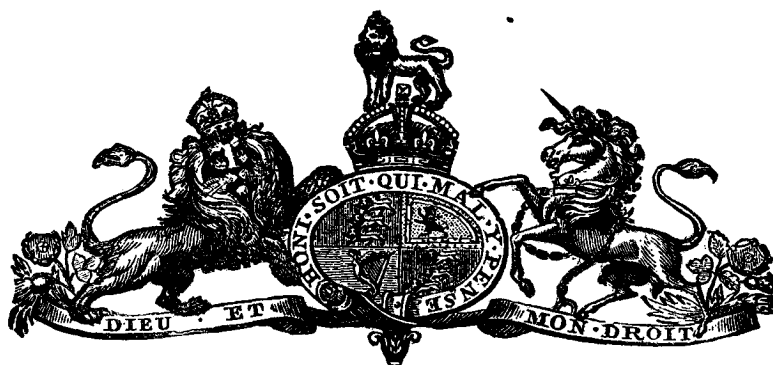
(2.) Such permission may be granted by the Board with such restrictions as to the locality or manner in which the business shall be carried on as the Board thinks necessary in the public interest.

(3.) Any extension or alteration of an old business, whether in respect of the locality in which it is carried on or in respect of its scope or nature, shall be deemed to be the establishment or carrying-on of a new business within the meaning of this regulation.

(4.) Every person who establishes or carries on or is knowingly concerned in the establishment or carrying-on of a new business without the permission of the Board, or otherwise than in accordance with any restrictions so imposed by the Board, shall be guilty of an offence, and shall be liable under the War Regulations Act, 1914, accordingly.

(5.) The fact that a business has been established with the permission of the Board under this regulation shall in no manner take away or affect with respect to that business the powers hereinbefore conferred on the Board with respect to protected and restricted businesses.

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



THE
NEW ZEALAND GAZETTE.

Published by Authority.

WELLINGTON, THURSDAY, AUGUST 29, 1918.

Crown Lands set apart for Disposal by way of Sale or Lease to Discharged Soldiers, under Special Tenures, in the Auckland Land District.

[L.S.] LIVERPOOL, Governor-General.

A PROCLAMATION.

IN pursuance of the power and authority conferred upon me by section four of the Discharged Soldiers Settlement Act, 1915, I, Arthur William de Brito Savile, Earl of Liverpool, the Governor-General of the Dominion of New Zealand, do hereby proclaim and declare that the areas of Crown lands described in the Schedule hereto shall be and the same are hereby set apart and declared open for disposal by way of sale or lease to discharged soldiers, under special tenures, in the manner provided in the said Act.

SCHEDULE.

AUCKLAND LAND DISTRICT.—CROWN LAND.—WAIRERE SURVEY DISTRICT.

SECTION	Block	Area	A.	R.	P.
1	VIII	74	0	38
2	"	" ..	74	2	18
3	"	" ..	80	0	2
4	"	" ..	75	0	26
9	"	" ..	60	0	0
10	"	" ..	75	3	0
11	"	" ..	75	3	0
12	"	" ..	71	0	0

Given under the hand of His Excellency the Right Honourable Arthur William de Brito Savile, Earl of Liverpool, Member of His Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Member of the Royal Victorian Order, Governor-General and Commander-in-Chief in and over His Majesty's Dominion of New Zealand and its Dependencies; and issued under the Seal of the said Dominion, at the Government House at Wellington, this twenty-seventh day of August, in the year of our Lord one thousand nine hundred and eighteen.

D. H. GUTHRIE,
Minister of Lands.

GOD SAVE THE KING!

A

Land set apart for Selection.

[L.S.] LIVERPOOL, Governor-General.

A PROCLAMATION.

WHEREAS by section sixty-three of the Land Laws Amendment Act, 1913, it is, amongst other things, enacted that in no case shall any moneys be expended under the provisions of the said section sixty-three in connection with any block of land, unless that block is set apart for selection under that section pursuant to Proclamation in that behalf:

Now, therefore, in pursuance and exercise of every power and authority enabling me in this behalf, and for the purposes of the aforesaid Act, I, Arthur William de Brito Savile, Earl of Liverpool, the Governor-General of the Dominion of New Zealand, do hereby proclaim the land described in the Schedule hereto as set apart for selection.

SCHEDULE.

AUCKLAND LAND DISTRICT.

Takotokoraha Block.

SECTION 15, Block XII, Pirongia Survey District: Area, 163 acres 1 rood 16 perches.

As the same is delineated upon the plan marked L. and S. 5/106, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Given under the hand of His Excellency the Right Honourable Arthur William de Brito Savile, Earl of Liverpool, Member of His Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Member of the Royal Victorian Order, Governor-General and Commander-in-Chief in and over His Majesty's Dominion of New Zealand and its Dependencies; and issued under the Seal of the said Dominion, at the Government House at Wellington, this twenty-fourth day of August, in the year of our Lord one thousand nine hundred and eighteen.

D. H. GUTHRIE,
Minister of Lands.

GOD SAVE THE KING!