



THE
NEW ZEALAND GAZETTE
 EXTRAORDINARY.

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WELLINGTON, MONDAY, SEPTEMBER 4, 1939.

Regulations providing for the Seizure as Prize of Enemy Ships.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 4th day of
 September, 1939.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS a state of war exists between His Majesty and the Govern-
 ment of the German Reich :

And whereas it is provided by the Shipping Detention Emergency
 Regulations 1939 that enemy merchant ships in ports in New Zealand,
 or which may arrive in New Zealand ports while those regulations
 remain in force, shall be detained by Collectors of Customs on behalf
 of His Majesty's Government in New Zealand :

And whereas it is considered expedient to seize as prize such ships
 and certain other ships :

Now, therefore, pursuant to the Public Safety Conservation Act,
 1932, and to a Proclamation of Emergency now in force under that
 Act, 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. These regulations may be cited as the Shipping Detention
 Emergency Regulations 1939, Amendment No. 1.

2. Subject to clause 3 hereof, the following ships shall be seized
 forthwith as prize by Collectors of Customs on behalf of His Majesty's
 Government in New Zealand:—

- (a) Any enemy ship which on the date of the coming into force
 of these regulations is in a port in New Zealand, or which
 may thereafter arrive in a port in New Zealand, and whether
 or not such ship has been detained by a Collector of Customs :

- (b) Any neutral ship engaged in rendering unneutral service :
 - (c) Any neutral ship engaged in breach of blockade :
 - (d) Any neutral ship which is herself contraband of war.
3. The following ships shall not be liable to seizure as prize :—
- (a) Ships protected by a British or allied pass or license, or under the general provisions of an Order in Council of His Majesty or of His Excellency the Governor-General in Council and while acting in accordance therewith :
 - (b) Hospital ships as provided by the Hague Convention of the 18th October, 1907, for the adaptation of the principles of the Geneva Convention to Maritime War; also neutral merchant ships, yachts, or boats, having on board wounded, sick, or ship-wrecked of the belligerents, but subject to any undertaking that may have been given to them they remain liable to capture for any violations of neutrality they may have committed :
 - (c) Enemy vessels employed exclusively in coast fisheries or small boats employed in local trade. This immunity does not extend to fishing-vessels capable of being used for deep-sea fishing :
 - (d) Enemy ships, while exclusively engaged on religious, scientific, or philanthropic missions :
 - (e) Enemy ships employed as cartel ships.

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