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NATIONAL SECURITY (EMERGENCY POWERS) ACTS.

At the Executive Council Chamber, Melbourne, the thirtieth day of September, 1940.

PRESENT:

His Excellency the Governor of Victoria.

Mr. Old
Mr. Mackrell

Mr. Tuckett
Mr. Martin.

REGULATIONS RELATING TO THE IMPLEMENTING IN VICTORIA OF CERTAIN COMMONWEALTH REGULATIONS.

IN pursuance of the powers conferred by the National Security (Emergency Powers) Acts, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth make the following Regulations, that is to say:—

1. These Regulations may be cited as the National Security (Financial) Regulations. Citation.

2. The Treasurer of Victoria may provide such moneys as are necessary to pay any expenses incurred by the said Treasurer in or in connexion with the employment of such persons as appear to the said Treasurer to be necessary to implement the carrying into effect in Victoria of any Regulations made under the Commonwealth Act known as the *National Security Act 1939-1940* as amended from time to time or otherwise incurred by the said Treasurer in or in connexion with the implementing of the carrying into effect in Victoria of such Regulations. Payment of expenses of persons employed to implement Commonwealth National Security Regulations &c.

And the Honorable Albert Arthur Dunstan, His Majesty's Premier for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

No. 17.

NATIONAL SECURITY (EMERGENCY POWERS) ACTS.

At the Executive Council Chamber, Melbourne, the thirtieth day of September, 1940.

PRESENT:

His Excellency the Governor of Victoria.
 Mr. Old | Mr. Tuckett
 Mr. Mackrell | Mr. Martin.

REGULATIONS RELATING TO EMERGENCY CONTROL AND DISTRIBUTION OF COMMODITIES.

IN pursuance of the powers conferred by the National Security (Emergency Powers) Acts His Excellency the Governor of the State of Victoria by and with the advice of the Executive Council thereof doth make the following Regulations, that is to say:—

- Citation.** 1. These Regulations may be cited as the National Security (Commodities Emergency Supply) Regulations.
- Interpretation.** 2. In these Regulations unless inconsistent with the context or subject-matter—
 “Authorized officer” means person appointed by the Board to be an authorized officer for the purposes of these Regulations.
 “Board” means the Victorian Emergency Supplies Board.
 “Commodities” means food, clothing, fuel, materials implements tools and goods necessary for industry or agriculture, and any other necessary commodities.
 “Member” means member of the Board, and includes chairman of the Board.
- Purpose of Regulations.** 3. The purpose of these Regulations is to provide for—
 (a) the formulation and putting into execution by the Board of plans for the control and distribution of commodities to meet any emergency that may arise in connexion with the present war;
 (b) the co-operation of the Board with similar boards or bodies in the other States of Australia and with any Department or Authority of the Commonwealth or of the State of Victoria; and
 (c) the exercise and performance of such powers and duties as are conferred or imposed on the Board by or under the National Security (Emergency Powers) Acts—
 and to provide for matters arising thereout and incidental thereto, and these Regulations shall be administered accordingly.
- Quorum.** 4. (1) Two members shall form a quorum.
Who to preside. (2) At any meeting of the Board the chairman of the Board if present shall preside, and in his absence the members present shall appoint one of their number to be chairman of and to preside at the meeting.
- Casting vote.** (3) The chairman presiding at any meeting shall in the event of an equal division of votes at the meeting have a second or casting vote.
- Proceedings.** (4) Subject to those Regulations the Board may regulate its own proceedings.
- Expenses of members.** 5. The members shall be entitled to be paid such travelling and out of pocket expenses as the Premier of Victoria determines.
- Secrecy.** 6. Any person who, except in the course of his duty under these Regulations or in answer to any question which he is legally compellable to answer in any proceedings (whether civil or criminal) in any court or before any person having by law or by consent of parties authority to hear receive and examine evidence, directly or indirectly communicates or divulges any information relating to any matter which comes to his knowledge in consequence of his official position under these Regulations shall be guilty of a contravention of these Regulations.
- Examination of witnesses, &c.** 7. The Board and any person thereto authorized in writing by the Board shall severally have power to—
 (a) summon witnesses;
 (b) take evidence on oath; and
 (c) require the production of documents books and papers.
- Entry and inspection.** 8. (1) The Board or any member or any authorized officer may enter upon and search any premises and inspect any documents books and papers and may inspect and take samples of any commodity.

(2) The Board or any member or any authorized officer may impound or retain any documents books and papers produced to or inspected by it or him in pursuance of this clause of these Regulations and may take copies or abstracts of those documents books and papers or of any entries therein, but the person entitled to those documents books and papers shall, in lieu thereof, be entitled to a copy certified as correct by the Board, and such certified copy shall be received in all courts as evidence and as of equal validity to the original.

9. (1) The Board may require any person—

Obtaining
information.

(a) to furnish it with such information as it requires; or

(b) to answer any question put to him—

in relation to any matter arising under these Regulations.

(2) Any person who, when so required under the last preceding sub-clause—

(a) refuses or fails to furnish any information or to answer any question; or

(b) gives any information or makes any answer which is false in any particular—

shall be guilty of a contravention of these Regulations.

10. (1) Any person who having been summoned as a witness before the Board fails without lawful excuse to appear in obedience to the summons shall be guilty of a contravention of these Regulations.

Failure of
witness to
appear, &c.

(2) Any person who having appeared as a witness before the Board, whether summoned so to appear or not, refuses without lawful excuse to be sworn or to make an affirmation or to produce documents books or papers or to answer questions which he is lawfully required to answer shall be guilty of a contravention of these Regulations.

11. Any person who prevents or attempts to prevent the Board or any member or any authorized officer from entering upon any premises, or from inspecting any documents books or papers, or from inspecting or taking samples of any commodity, or from making copies or abstracts of any documents books or papers or of any entries therein shall be guilty of a contravention of these Regulations.

Hindering
inspection, &c.

12. (1) The Board may by notice require any person to furnish to it within a specified time and in a specified form a return setting forth to the best of his knowledge and ability—

Returns.

(a) the quantity of any commodity in his possession or under his control at a specified date; and

(b) such further particulars as are specified in the notice.

(2) The notice may be either a notice given to such person individually or a notice to such persons or a class of such persons generally; and such last-mentioned notice shall be published in the *Government Gazette* and in such newspapers (if any) as the Board directs.

(3) Any return furnished by any person under this clause of these Regulations shall, in any proceedings under these Regulations, be admissible in evidence against that person.

(4) Any person who—

(a) fails to comply with any of the requirements of any such notice; or

(b) wilfully furnishes any false or misleading return—

shall be guilty of a contravention of these Regulations.

13. (1) The Board may, by writing under the hand of the chairman of the Board, delegate any of its powers and functions (except this power of delegation) in relation to any matter or class of matters so that the delegated powers and functions may be exercised by the delegate with respect to the matter or class of matters specified in the instrument of delegation.

Delegation.

(2) Any such delegation shall be revocable by the Board at will and no such delegation shall prevent the exercise of any power or function by the Board.

And the Honorable Albert Arthur Dunstan, His Majesty's Premier for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

