

# STATUTORY RULES.

1916. No. 126.

## PROVISIONAL REGULATIONS UNDER THE WAR PRECAUTIONS ACT 1914-1916.

**I** SIR ARTHUR STANLEY, Governor of the State of Victoria and its Dependencies, in the Commonwealth of Australia, acting as the Deputy of the Governor-General in accordance with the provisions of the Constitution, acting with the advice of the Federal Executive Council, hereby certify that, on account of urgency, the following Regulations under the *War Precautions Act 1914-1916* should come into immediate operation, and make the Regulations to come into operation forthwith as Provisional Regulations.

Dated this twenty-eighth day of June, 1916.

A. L. STANLEY,  
Deputy of the Governor-General.

By His Excellency's Command,

G. F. PEARCE,  
Minister of State for Defence.

### WAR PRECAUTIONS (PASSPORTS) REGULATIONS 1916.

1. These Regulations may be cited as the War Precautions (Passports) Regulations 1916. Short title.

2. In these Regulations—

“Passport” means a passport issued or renewed not more than two years previously by, or on behalf of, the Government of the country of which the person to whom it relates is a subject or citizen, and which is still in force, or some other document satisfactorily establishing the nationality and identity of the person to whom it relates, to which passport or document there is attached a photograph of the person to whom it relates. Interpretation.

“Competent naval or military authority” has the same meaning as in the War Precautions Regulations 1915.

3. After the first day of September, 1916, no person whose age exceeds or appears to an officer to exceed fifteen years shall land at any place in the Commonwealth from any place beyond the Commonwealth unless he is in possession of a passport which, in the case of a person coming from a foreign country, has been issued or viséd by the British Ambassador or a British Consul in that country, and in the case of a person coming from another part of the British Dominions has been issued or viséd by the proper authorities in that part of the Dominions. Persons entering Commonwealth to have passports.

4. After the first day of August, 1916, no person whose age exceeds or appears to an officer to exceed fifteen years shall embark at any place in the Commonwealth for any place beyond the Commonwealth unless he is in possession of a passport. Persons leaving Commonwealth to have passports.

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## Exemptions.

5. (1) Regulations 3 and 4 of these Regulations shall not apply to—
- (i) Any member of the Naval or Military Forces of any part of the British Dominions entering or leaving the Commonwealth on duty;
  - (ii) any member of the crew of any vessel who has signed an in any country outside the Commonwealth and who leaves the Commonwealth in continuation of the same voyage in the same vessel, or any member of the crew of any vessel who signs on in Australia for an oversea voyage who satisfies a competent naval or military authority that he is by occupation a seafaring man;
  - (iii) any person visiting or returning from New Zealand, if he is in possession of a permit to visit New Zealand issued by or under the authority of the Department of External Affairs, and if he travels in a vessel trading solely between the Commonwealth and New Zealand;
  - (iv) any person visiting the Commonwealth from New Zealand or returning to New Zealand, if he is in possession of a permit to visit the Commonwealth issued by the proper authorities in New Zealand;
  - (v) any person going to or returning from Papua or Norfolk Island who is employed by the Administration of either of those places;
  - (vi) all *bona-fide* residents or tourists travelling to or from Papua or Norfolk Islands who hold return tickets;
  - (vii) any person to whom a certificate exempting him from the dictation test under the *Immigration Act* 1901-1912 has been issued by or under the authority of the Department of External Affairs so long as the certificate remains in force; and

(2) (a) The Minister for Defence, or any officer or other person authorized by him to grant exemptions, may exempt any person from any or all of the provisions of Regulations 3 and 4 of these Regulations.

(b) If such exemption is granted subject to any condition and the person to whom it is granted fails to comply with such condition he shall be guilty of an offence.

Power to detain  
passports.

6. (1) Any officer of the Naval or Military Forces and any officer of Customs or police, and any person authorized in that behalf by a competent naval or military authority may take possession of any passport in the possession of any person entering the Commonwealth.

(2) Any passport taken under the power conferred by these Regulations may be detained by any person authorized by the Minister in that behalf until the person from whom it was taken embarks from any place in the Commonwealth.

Attempting or  
aiding or  
abetting  
contravention of  
Regulations.

7. Any person who—

- (a) attempts to commit, or procures, aids or abets, or does any act preparatory to, the commission of any act prohibited by these Regulations, or
- (b) knowingly harbors any person whom he knows or has reasonable grounds for supposing to have acted in contravention of these Regulations,

shall be guilty of an offence against the Act.

8. If any person obstructs or otherwise interferes with or impedes any officer who is carrying out the orders of the competent naval or military authority, or who is authorized in that behalf by the Minister, or who is otherwise acting in accordance with his duty under these Regulations, he shall be deemed to have acted in contravention of these Regulations. Obstructing officers in performance of duties.
9. It shall be the duty of every person who knows that some other person is acting in contravention of these Regulations to inform a competent naval or military authority of the fact, and if he fails to do so he shall be deemed to have acted in contravention of these Regulations. Duty of disclosing contravention of Regulations.
10. Any person who acts in contravention of these Regulations or who is reasonably suspected of having so acted or being about so to act, may be taken into custody without warrant by any officer of Customs or police or by any person authorized in that behalf by a competent naval or military authority. Arrest.
- 11 (1) Any person who for the purpose of obtaining a passport makes any false or misleading statement whether in writing or verbally shall be guilty of an offence. Penalty for making false statements.
- (2) Any person who in recommending any other person for or submitting any document in support of an application for a passport for such person makes any false or misleading statements therein either in regard to such person or to himself shall be guilty of an offence.
12. (1) Regulation 17c of the War Precautions Regulations 1915 (Statutory Rules 1915, No. 130, as amended by Statutory Rules 1916, No. 67) is repealed as from the date of the making of these Regulations. Repeal.
- (2) Regulation 56n of the War Precautions Regulations 1915 (Statutory Rules 1915, No. 130, as amended by Statutory Rules 1916, No. 47) is repealed, as from the date specified in Regulation 4 of these Regulations.