

STATUTORY RULES.

1916. No. 165.

REGULATIONS UNDER THE WAR PRECAUTIONS ACT 1914-1916.

I THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *War Precautions Act 1914-1916*, to come into operation forthwith.

Dated this twenty-eighth day of July, 1916.

R. M. FERGUSON,
Governor-General.

By His Excellency's Command,

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

WAR PRECAUTIONS (ALIENS REGISTRATION) REGULATIONS 1916.

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

These Regulations shall come into force on the first day of October One thousand nine hundred and sixteen. Change of date.

3. In these Regulations, unless the contrary intention appears— Definitions.

"Alien" means any alien friend or alien enemy over the age of fifteen years and includes the wife of an alien;

"Aliens Registration Officer" means any aliens registration officer appointed for the purposes of these Regulations;

"Minister" means the Minister of State for Defence.

"Officer" means a member of the police force, or an officer of Customs, or a competent naval or military authority under the War Precautions Regulations 1916, or any person authorized by a competent naval or military authority to exercise the powers conferred on officers by these Regulations.

4. For the purposes of these Regulations the members of the police force in charge of the respective Police Stations throughout the Commonwealth shall be Aliens Registration Officers. Aliens Registration Officers.

G.9938—P.1103-3D.

Authorised Version C1916L00165 registered 10/09/2022

5. (1) Not later than the thirty-first day of October, One thousand nine hundred and sixteen, every alien resident in the Commonwealth shall, unless he is exempted by or under these Regulations, register himself as an alien in accordance with these Regulations, and every alien who refuses or fails to do so within the time allowed shall be guilty of an offence.

Obligation on alien to register.

(2) Every alien entering the Commonwealth after the thirty-first day of October, One thousand nine hundred and sixteen, shall, within seven days after so entering the Commonwealth, unless he is exempted by or under these Regulations, register himself as an alien in accordance with these Regulations, and every alien who refuses or fails to do so within the time allowed shall be guilty of an offence.

(3) Every child of an alien resident in the Commonwealth, not being a child who is by birth a natural-born British subject, shall within one month after he attains the age of fifteen years register himself, or be registered by his parent or by the person standing to him *in loco parentis*, as an alien in accordance with these Regulations, unless he is exempted by or under these Regulations, and every child who refuses or fails to register himself, and every parent of any such child or person standing *in loco parentis* to any such child who refuses or fails to register the child within the time allowed, shall be guilty of an offence:

Penalty (on child, and also on parent or person *in loco parentis*):
One hundred pounds or imprisonment for six months.

6. On every voyage to Australia of any overseas vessel, the master, if an alien, and any member of the crew who is an alien, shall, at the first port of call in Australia of the vessel, unless he is exempted under these Regulations, register himself as an alien in accordance with these Regulations, and any such master or member of the crew who refuses or fails so to register himself shall be guilty of an offence.

Obligation on alien master or member of crew of vessel to register.

7. Registration as an alien in accordance with these Regulations shall be effected by the alien properly completing a notice (in duplicate) in accordance with Form A in the Schedule to these Regulations, and attending in person with such notice before the Aliens Registration Officer nearest to his usual place of abode or, in the case of a member of the crew of a vessel, before the Aliens Registration Officer nearest to the vessel.

Member of effect of registration.

8. Upon the registration of an alien in accordance with these Regulations, a certificate of registration in accordance with Form B in the Schedule to these Regulations shall be issued to him.

Issue of certificate of registration.

9. (1) Every alien, whether registered in accordance with these Regulations or not, who changes his place of abode, shall within seven days after so changing his place of abode notify that fact to the Aliens Registration Officer nearest to his new place of abode, and every alien who refuses or fails to do so shall be guilty of an offence.

Obligation on alien to notify change of abode.

(2) The notification shall be given by the alien properly completing a notice (in duplicate) in accordance with Form C in the Schedule to these Regulations, and attending in person with such notice before that Aliens Registration Officer.

(3) This paragraph does not apply to an alien who travels in the Commonwealth, or who travels in a vessel between Commonwealth ports as a member of the crew or as a passenger without changing his usual change of residence.

10. (1) It shall be the duty of the keeper of every hotel, inn, boardinghouse, and lodginghouse in Australia, to ascertain and enter in a register kept for the purpose the names and nationalities of all aliens staying at the hotel, inn, boardinghouse, or lodginghouse, together with the dates of their arrival and departure, their destinations on departure, and such other particulars as may be required by the Minister by notice published in the Gazette, and if the keeper of an hotel, inn, boardinghouse, or lodginghouse, fails to do so, or if he makes any entry in any such register which he knows, or could by the exercise of reasonable diligence have ascertained to be false, he shall be guilty of an offence.

Register of
aliens to be
kept by
hotel-keepers,
&c.

(2) The keeper of every hotel, inn, boardinghouse, or lodginghouse shall also, if directions for the purpose are issued by an Aliens Registration Officer, make to that Officer such returns as to the particulars aforesaid, at such times or intervals, and in such form, as may be specified in such directions, and if he fails to do so or makes any false return, he shall be guilty of an offence.

(3) It shall be the duty of every person who stays at an hotel, inn, boardinghouse, or lodginghouse, to furnish to the keeper thereof, and sign, a statement containing such information as such keeper may require for the purpose of compiling such register as aforesaid, and if any person fails to do so, or gives any false information, he shall be guilty of an offence.

(4) Every register kept under this paragraph shall at all reasonable hours be open to inspection by any Officer or Aliens Registration Officer, or any other person authorized by an Aliens Registration Officer.

(5) For the purposes of this paragraph the expression "keeper of a lodginghouse" shall include any person who for reward receives any other person to lodge with him or in his house; and where any hotel, inn, boardinghouse, or lodginghouse is under the management of a manager, the expression "keeper" shall in relation thereto include the manager.

11. The following aliens shall be exempt from the provisions of these Regulations:—

Aliens exempt
from
Regulations.

- (a) All Consuls representing any foreign country, and their staffs in so far as the staffs comprise persons who have been sent by the Government of the foreign country for employment upon the staff of the Consulate;
- (b) All aliens exempted by the Minister by writing under his hand; and
- (c) The master and crew of any public vessel of any Government.

12. Every alien shall on demand made by an officer produce to the officer his certificate of registration:

Penalty: One hundred pounds or imprisonment for six months.

Aliens to
produce
certificates of
registration on
demand.

13. Any officer may at any time require any person believed by him to be an alien to answer any question as to his name, nationality, place of living, movements, or business, and any person who refuses or fails to answer any question or who gives a false or misleading answer to any question shall be guilty of an offence.

Aliens or
persons believed
to be aliens to
answer
questions.

14. An officer may at any time arrest without warrant any person whom he has reasonable ground to believe to have committed an offence against these Regulations.

Arrest.

15. In any proceedings for an offence against these Regulations the burden of proving an exemption shall lie upon the person charged.

Onus of proof.

THE SCHEDULE.

FORM A.

THE WAR PRECAUTIONS (ALIENS REGISTRATION) REGULATIONS 1916.

Form of Application for Registration.

Name (in full)
 Nationality
 Birthplace Date of birth
 Sex
 Occupation
 Personal description Height
 Complexion Notable marks
 Photograph
 Place of residence
 Place of business
 Date of entry to Commonwealth
 Signature of alien
 Date

FORM B.

THE WAR PRECAUTIONS (ALIENS REGISTRATION) REGULATIONS 1916.

Certificate of Registration.

No. File in local Register No.
 File in central Register No.
 Holder's name Nationality
 Signator
 Photograph
 Signature of Aliens Registration Officer, District No.
 Date

FORM C.

THE WAR PRECAUTIONS (ALIENS REGISTRATION) REGULATIONS 1916.

To

Aliens Registration Officer,

Take notice that I (name in full), formerly residing at (former place of abode), (occupation), have changed my place of abode to

* I am registered as an alien of _____ nationality under the War Precautions (Aliens Registration) Regulations 1916, the number of the certificate issued to me being _____

This paragraph to be omitted if the alien is not registered.

Date

Signature of alien