

# STATUTORY RULES.

1918. No. 59.

## 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 make the following Regulations under the *War Precautions Act 1914-1916* to come into operation forthwith.

Dated this fifth day of March, 1918.

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

By His Excellency's Command,

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

### AMENDMENT OF THE WAR PRECAUTIONS (PRICES) REGULATIONS.

(Statutory Rules 1916, No. 156, as amended by Statutory Rules 1916, Nos. 188 and 286, Statutory Rules 1917, Nos. 2, 5, and 224, and Statutory Rules 1918, No. 19.)

1. Regulation 6 of the War Precautions (Prices) Regulations is amended— Amendment of regulation 6.

(a) by inserting after sub-regulation (1) the following sub-regulation:—

“(2) The Board and each Commissioner may impound or retain any documents books and papers produced to it or him or inspected by it or him or by any member of the Board or any other person in pursuance of this regulation, but the person otherwise entitled to such documents, books and papers, shall, in lieu thereof, be entitled to a copy certified as correct by the Chairman of the Board or a Commissioner, and such certified copy shall be received in all Courts as evidence and equal validity with the original”; and

(b) by omitting sub-regulation (3) thereof.

2. After regulation 15A of the War Precautions (Prices) Regulations the following regulation is inserted:—

“15<sup>c</sup> (1) Any person who has in his custody or under his control any foodstuff or necessary commodity in which he usually Refusal, &c., to sell at fixed prices.

trades, in respect of which a maximum price has been fixed by or under these Regulations who refuses or fails on—

- (a) demand of any quantity of the foodstuff or necessary commodity; and
- (b) tender of payment at the price so fixed for the quantity demanded,

to supply such foodstuff or necessary commodity in the quantity demanded, shall be guilty of an offence against the Act.

“(2) In any prosecution under this regulation it shall be a sufficient defence to show that, on the occasion in question—

- (a) the defendant supplied a reasonable quantity of the foodstuff or necessary commodity; or had not a sufficient quantity of the foodstuff or commodity in his custody or under his control to supply the quantity demanded, in addition to the quantity required to satisfy all other contracts, then subsisting, under which he was obliged to supply quantities of the foodstuff or commodity, and the ordinary requirements of his business; or
- (b) the defendant was a wholesale trader in the foodstuff or necessary commodity, and the person who demanded to be supplied was not a retail trader therein.

“(3) For the purposes of this regulation, in determining what is a reasonable quantity, regard shall be had to all the circumstances of the case, including the question whether the person who demanded to be supplied was or was not, at the time of the demand, carrying on business as a retail trader in the foodstuff or necessary commodity demanded, either alone or with other goods.

“(4) If any person carries on business of any class in connexion with which a necessary of life is usually sold or supplied or if he has been in the habit of selling or supplying the foodstuff or necessary commodity he shall for the purposes of this regulation be deemed usually to trade in that foodstuff or necessary commodity.”

3. After regulation 18 of the War Precautions (Prices) Regulations the following regulation is inserted:—

“18A. (1) A declaration of secrecy shall be made—

- (a) by each officer at present employed for the purposes of these Regulations—forthwith; and
- (b) by every person proposed to be employed for the purposes of these Regulations—before entering upon the duty of his office,

in the following form:—

“WAR PRECAUTIONS (PRICES) REGULATIONS.

*Declaration of Secrecy.*

I, \_\_\_\_\_ of \_\_\_\_\_ in the State of \_\_\_\_\_ in the Commonwealth of Australia, do solemnly and sincerely declare that, except in the course of my duty under the above Regulations, I will not directly or

