

STATUTORY RULES.

1919. No. 98.

REGULATION UNDER THE WAR PRECAUTIONS ACT 1914-1918.

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulation under the *War Precautions Act* 1914-1918, to come into operation forthwith.

Dated this twenty-third day of April, 1919.

R. M. FERGUSON,
Governor-General

By His Excellency's Command,
W. A. WATT,
for Minister of State for Defence.

AMENDMENT OF WAR PRECAUTIONS (SHIPPING) REGULATIONS 1918.

(Statutory Rules 1918, No. 87, as amended by Statutory Rules 1918, Nos. 90, 112, 131, 135, and 284.)

After regulation 17A of the War Precautions (Shipping) Regulations the following regulation is inserted:—

“17AA.—(1) Where in pursuance of the last preceding regulation a certificate has been given that the bringing of any action or counterclaim or the taking of any step in relation to any action or counterclaim brought is, in the opinion of the Attorney-General or Solicitor-General, unfair, the Prime Minister may if he thinks fit refer to the Inter-State Commission for inquiry and report the question whether in all the circumstances of the case the contract or agreement in relation to which the certificate was issued should be—

Contracts may be referred to Inter-State Commission for inquiry.

- (a) cancelled; or
- (b) varied, and, if so, to what extent,

and upon receipt of the report of the Inter-State Commission thereon, may make an order cancelling or varying the contract or agreement accordingly.

“(2) If the Prime Minister makes any such order the order shall be forthwith published in the *Gazette* and shall thereupon have full force and effect.

“(3) No action or counterclaim shall be brought or made, nor shall any step be taken in relation to any action or counterclaim brought or made, for the breach or non-performance of the contract or agreement so cancelled or varied or for damages in respect of such breach or non-performance whether the claim arose or accrued before or after the commencement of this regulation:

Provided that where the contract or agreement has been so varied nothing in this regulation shall be deemed to prevent the bringing of any action or counterclaim for any breach or non-performance of the contract or agreement as so varied, or the taking of any step in relation to such action or counterclaim:

Provided further that nothing in this regulation shall affect the rights or obligations of the parties in relation to goods actually delivered under the contract or agreement which has been so cancelled or varied.

“(4) Any person, firm or company who or which brings any action or counterclaim, or takes any step in relation to any action or counterclaim brought, in contravention of this regulation shall be guilty of an offence.

“(5) For the purposes of inquiry into any question referred to it in pursuance of this regulation the Inter-State Commission and the individual members thereof shall have all the powers which are conferred on them by regulation 33 of the War Precautions (Supplementary) Regulations (Statutory Rules 1917, No. 254) for the purposes of investigations relating to prices and rent.”