

STATUTORY RULES.

1941. No. 287.

REGULATION UNDER THE NATIONAL SECURITY ACT 1939-1940.*

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 *National Security Act 1939-1940*.

Dated this eleventh day of December, 1941.

GOWRIE

Governor-General.

By His Excellency's Command,

H. V. EVATT

for and on behalf of the Minister of State
for Defence Co-ordination.

AMENDMENT OF NATIONAL SECURITY (GENERAL) REGULATIONS.†

The National Security (General) Regulations are amended by inserting the following regulation after regulation 35:—

“35A.—(1) The Premier of any State may, after consultation with the Minister of State for Home Security or an officer of the Department of Home Security authorized by that Minister to act on his behalf and with the Commandant of a Military District or an officer authorized by the Minister of State for Defence Co-ordination or the Minister of State for the Army to act on behalf of such Commandant, by order—

POWERS OF
State Premiers.

- (a) direct any total or partial ‘blackout’ and may prohibit or regulate the display of lights of any description within the State; and
- (b) make such provision as he deems necessary to protect the persons and property of the civil population in that State or any part thereof in case of emergency.

All persons within any State or area (as the case may be) to which an order made under this regulation applies shall comply with the requirements of that order.

* Notified in the *Commonwealth Gazette* on 11th December, 1941.

† Statutory Rules 1939, No. 87, as amended by Statutory Rules 1939, Nos. 103, 174 and 177; 1940, Nos. 32, 34, 45, 67, 71, 90, 91, 98, 113, 118, 119, 120, 127, 171, 175, 187, 191, 243, 246, 261, 262, 265, 264 and 270; and 1941, Nos. 2, 8, 9, 40, 69, 112, 116, 125, 171, 174, 179, 208, 248, 266, 268 and 274.

(2.) Any such order may be made so as to apply either throughout the State or to any area, industry or premises therein, may make different provision with respect to different classes of premises, vehicles, vessels or aircraft, may provide for exempting any premises, vehicles, vessels or aircraft (either absolutely or conditionally) from the operation of any of the provisions of the order, and may contain such incidental and supplementary provisions as appear to the Premier to be necessary or expedient for the purposes of the order.

(3.) If any order made under this regulation is contravened or not complied with in the case of any premises, vehicle, vessel or aircraft, any constable or Commonwealth officer, or any member of an organization specified in the order, may enter the premises or board the vehicle, vessel or aircraft and take in relation thereto all steps reasonably necessary for the enforcement of the order, and (without prejudice to any proceedings which may be taken against any other person) the occupier of the premises, the person in charge of the vehicle, or the master of the vessel or pilot of the aircraft, as the case may be, shall be guilty of an offence against the Act:

Provided that, in any proceedings which, in pursuance of this sub-regulation, are taken against any person in respect of a contravention of, or non-compliance with, such an order on the part of another person, it shall be a defence for the defendant to prove that the contravention occurred without his knowledge and that he exercised all due diligence to secure compliance with the order.

(4.) In making any such order, the Premier shall be deemed to be acting as the Deputy of the Minister of State for Home Security for the time being."