

STATUTORY RULES.

1940. No. 109.

REGULATIONS UNDER THE NATIONAL SECURITY ACT 1939.*

I, THE DEPUTY OF 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 *National Security Act 1939*.

Dated this fifteenth day of June, 1940.

WINSTON DUGAN

Deputy of the Governor-General.

By His Excellency's Command,

ROBERT G. MENZIES

Minister of State for Defence Co-ordination.

NATIONAL SECURITY (SUBVERSIVE ASSOCIATIONS) REGULATIONS.

1. These Regulations may be cited as the National Security (Subversive Associations) Regulations. Citation.

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

“print” means make or produce a copy or copies by any method of making, duplicating or multiplying copies;

“the Act” means the *National Security Act 1939*;

“unlawful doctrines” includes any doctrines or principles which were advocated by a body which has been declared to be unlawful, and any doctrines or principles whatsoever which are prejudicial to the defence of the Commonwealth or the efficient prosecution of the war.

3. Any body corporate or unincorporate, the existence of which the Governor-General, by order published in the *Gazette*, declares to be in his opinion, prejudicial to the defence of the Commonwealth or the efficient prosecution of the war, is hereby declared to be unlawful. Subversive associations.

4. Any body in respect of which a declaration is made in pursuance of the last preceding regulation shall, by force of that declaration, be dissolved. Dissolution of subversive associations.

* Notified in the *Commonwealth Gazette* on 15th June, 1940.

Minister
may require
information.

5.—(1.) If a Minister believes that any person has in his possession any information or documents relating to a body which has been declared to be unlawful, he may by order require the person, or, in the case of a corporation, any person holding a specified office in the corporation—

- (a) to answer questions;
- (b) to furnish information; and
- (c) to allow the inspection of documents belonging to or in the possession of that person or that corporation, as the case may be,

relating to—

- (d) any money, property or funds which, immediately prior to the dissolution of the body belonged to or were held by or on behalf of the body, or as to which there is reasonable cause to believe that they so belonged to or were held by or on behalf of the body;
- (e) any payments made directly or indirectly by, to, or on behalf of, the body, or as to which there is reasonable cause to believe that they have been so made; or
- (f) any transactions to which the body was or is reasonably believed to have been a party.

(2.) Any member of the Police Force of the Commonwealth, or of a State or Territory of the Commonwealth, if not below the rank of sergeant, or if thereto authorized in writing by a member of the Force not below that rank, shall at all times have full and free access to, and may if need be by force and with such assistance as is necessary break open, enter and search, any house, premises or place, in which he suspects that there are any books, documents or papers relating to a body which has been declared to be unlawful, and may take possession of, remove and impound any books, documents and papers in any such house, premises or place.

Surrender of
property of
body declared
unlawful.

6.—(1.) Any person (including a bank) having in his possession or custody any property which immediately prior to the dissolution of a body which has been declared to be unlawful belonged to that body or belonged to or was held by trustees for and on behalf of that body, shall on demand deliver that property to a person thereto authorized by a Minister.

(2.) The acknowledgment in writing by the person so authorized of the receipt of any such property shall be a sufficient discharge to the person delivering the property to him.

(3.) A bank having in its possession or custody any such property shall not suffer or permit or be a party to any dealing with such property.

(4.) The Minister may by order direct all property which belonged to a body immediately prior to its being dissolved by or under these Regulations or held by any person for or on behalf of that body to be forfeited to the King for the use of the Commonwealth.

7. A person shall not—

(a) print, publish, distribute or circulate any book, periodical, pamphlet, "dodger", circular, handbill, card, poster or newspaper; or

Printing and
publication
of certain
matter.

(b) broadcast by means of wireless telegraphy or wireless telephony any message or other communication, containing any matter advocating any unlawful doctrines.

8.—(1.) A person shall not hold or convene any meeting, or with any other person assemble, in any place, for the purpose of advocating any unlawful doctrines.

Unlawful
meetings.

(2.) In any prosecution in respect of any contravention of this regulation the averment of the prosecutor contained in the information or indictment that the purpose for which a meeting was held or convened was the purpose of advocating any unlawful doctrines shall be *prima facie* evidence of the purpose for which the meeting was held or convened.

9.—(1.) A person shall not make any appeal for or collect, or receive or pay, any funds for the purpose of promoting any unlawful doctrines.

Appeals for
funds for
furtherance
of unlawful
doctrines.

(2.) In any prosecution in respect of any contravention of this regulation the averment of the prosecutor contained in the information or indictment that the purpose for which an appeal was made for any funds, or any funds were collected, received or paid was the purpose of promoting any unlawful doctrines shall be *prima facie* evidence of the purpose for which the appeal was made or the funds were collected, received or paid.

10.—(1.) A Minister may by order published in the *Gazette* prohibit the publication in any periodical or newspaper of any particulars with respect to any proceedings taken for the contravention of any provision of these Regulations or of any order made in pursuance of any of these Regulations other than particulars—

Power to
prohibit
publication
of certain
matters.

(a) specifying the subject-matter of the proceedings;

(b) giving a brief statement of the submissions made by any party; and

(c) indicating the decision of the court.

(2.) A person shall not publish in any periodical or newspaper any particulars the publication of which is prohibited by an order under this regulation.

11.—(1.) A Minister may by order published in the *Gazette* prohibit the holding of any meeting specified in the order or the holding of meetings of all kinds or of such kinds as are specified in the order, in any place so specified at which a Minister is satisfied it is likely that unlawful doctrines will be advocated.

Prohibition
of meetings.

(2.) A person shall not attend, or continue in attendance at, any meeting the holding of which is prohibited under this regulation.