

STATUTORY RULES.

1941. No. .

REGULATIONS 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 Regulations under the *National Security Act* 1939-1940.

Dated this *Twenty-ninth*
day of *October*, 1941.

Governor-General.

By His Excellency's Command,

John Curtin
Minister of State for Defence Co-ordination.

AMENDMENTS OF THE NATIONAL SECURITY (GENERAL) REGULATIONS.†

1. After regulation 7A of the National Security (General) Regulations, the following regulation is inserted:—

“7B.—(1.) For the purpose of reviewing decisions given under sub-regulations (3.) and (4.) of the last preceding regulation, there shall be a Reviewing Authority who shall be appointed by, and hold office during the pleasure of, the Minister, and who shall receive fees and allowances at such rates as are fixed by the Minister.

Appointment
and powers of
Reviewing
Authority.

“(2.) Any person who is dissatisfied with any decision given by any authority under sub-regulation (3.) or (4.) of the last preceding regulation may, within thirty days after the date of commencement of this regulation or of the decision, whichever is the later, post to or lodge with the authority who gave the decision objected to an objection in writing against the decision, stating fully and in detail the grounds on which he relies.

“(3.) On receipt of the objection, the authority receiving it shall refer the objection and all the relevant papers to the Reviewing Authority who may confirm, revoke or vary the decision objected to.

* Notified in the *Commonwealth Gazette* on . . . 1941.
† Statutory Rules 1939, No. 87, as amended by Statutory Rules 1939, Nos. 103, 174 and 177; 1940, Nos. 8, 32, 44, 45, 67, 71, 91, 93, 113, 118, 119, 120, 127, 191, 243, 248, 261, 262, 263, 264, and 270; and 1941, Nos. 2, 8, 9, 40, 69, 112, 116, 125, 171, 174, 179 and 208.

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The Reviewing Authority shall return the papers, with his decision endorsed thereon, to the authority from whom the papers were received and that authority shall take such action as is necessary to give effect to the decision of the Reviewing Authority.

“(4.) A refusal, by a person empowered to issue permits, to issue a permit under the last preceding regulation shall be deemed for the purposes of this regulation to be a decision under sub-regulation (3.) of that regulation.

“(5.) A Reviewing Authority shall have all the powers, rights and privileges vested in a Commissioner under the National Security (Inquiries) Regulations.

“(6.) The Reviewing Authority shall act according to equity, good conscience and the substantial merits of the case, without regard to technicalities or legal forms, and shall not be bound by any rules of evidence, but may inform his mind in such manner as he thinks just.”.

2. Regulation 25 of the National Security (General) Regulations is amended by adding at the end of sub-regulation (3.) the words “except that the application shall be made within fourteen days after the applicant receives notice of the Minister so approving.”. Restriction on movements of suspected persons.

3. Regulation 26 of the National Security (General) Regulations is amended by adding at the end of sub-regulation (3a.) the following proviso:— Restriction orders and detention orders.

“Provided that an Advisory Committee may consider an application which is not submitted within the prescribed time if it is satisfied that it was not practicable for the applicant to submit the application within that time and that he submitted it as soon as practicable thereafter.”.

4. Regulation 45 of the National Security (General) Regulations is amended by inserting after sub-regulation (1.) the following sub-regulation:— General control of navigation.

“(1A.) A navigation order may make provision for such incidental and supplementary matters as appear to the Minister to be necessary or expedient.”.

5. After regulation 45B of the National Security (General) Regulations the following regulation is inserted:—

“45c. If it appears to the Minister of State for the Navy that it is necessary or expedient with a view to facilitating any operations of the Forces of the King or the Commonwealth or the movement of persons and supplies in connexion with such operations, he may, by order, make provision as to the carriage of passengers or life saving appliances by any ship or class of ships during any voyage specified in the order.”. Carriage of passengers and life saving appliances in certain ships.

6. Regulation 54 of the National Security (General) Regulations is amended— Taking possession of land.

(a) by inserting in sub-regulation (1.), after the word “may” (first occurring), the words “, on behalf of the Commonwealth,”; and

(b) by omitting from sub-regulation (2.) the words “a Minister” and inserting in their stead the words “the Commonwealth”.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.