

# 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 eighth*  
day of *November*, 1941.

Governor-General.

By His Excellency's Command,



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

### AMENDMENTS OF BUTTER AND CHEESE ACQUISITION REGULATIONS.†

1. Any reference in these Regulations to a Regulation shall be <sup>Definition.</sup> read as a reference to a Regulation of the Butter and Cheese Acquisition Regulations.

2. Regulation 1 is amended by omitting the words "Butter and <sup>Citation.</sup> Cheese Acquisition Regulations" and inserting in their stead the words "National Security (Dairy Produce Acquisition) Regulations".

3. Regulation 2 is amended by inserting after the definition of <sup>Definitions.</sup> "cheese" the following definition:—

"'dairy produce' means milk and any produce derived from milk or from the constituent parts thereof, whether any other substance is added thereto or not, and includes butter and cheese;  
'milk' means cows milk;".

\* Notified in the *Commonwealth Gazette* on  
† Statutory Rules 1939, No. 145, as amended by Statutory Rules 1940, No. 64.  
5531.—22/5.11.1941.—PRICE 5D.

4. Regulation 3 is amended by omitting from sub-regulation (2.) the word "eight" and inserting in its stead the word "twelve". Dairy produce  
Control  
Committee.

5. Regulation 6 is amended by omitting from sub-regulation (3.) the word "five" and inserting in its stead the word "seven". Meetings of  
the Committee

6. Regulation 8 is amended by inserting after the word "Committee" the words "or to any person or member of a sub-committee appointed in pursuance of paragraph (c) of regulation 18 of these Regulations". Fees and  
expenses.

7. Regulation 10 is amended—

Acquisition of  
dairy produce.

- (a) by omitting from sub-regulation (1.) the words "butter and cheese" (first and last occurring) and inserting in their stead the words "dairy produce";
- (b) by omitting from sub-regulation (1.) the words "butter or cheese" (wherever occurring) and inserting in their stead the words "dairy produce";
- (c) by omitting paragraph (a) of sub-regulation (1.);
- (d) by omitting from paragraph (b) the words "butter and";
- (e) by omitting paragraph (c) of sub-regulation (1.) and inserting in its stead the following paragraph:—

“(c) such other dairy produce (including cheese not acquired under the last preceding paragraph) as the Minister, from time to time, by order published in the *Gazette*, declares to be dairy produce acquired by the Commonwealth.”; and

- (f) by omitting sub-regulation (2.) and inserting in its stead the following sub-regulation:—

“(2.) Where any dairy produce is or will be acquired by the Commonwealth by reason of the publication of any order in the *Gazette* in pursuance of paragraph (c) of the last preceding sub-regulation, the Committee, at any time after the publication of the order—

- (a) may, by notice in writing, require any person who at any time has or will have the possession, control or disposal of the dairy produce while it is the property of the Commonwealth, to deliver or consign that dairy produce (at the expense of the Committee) to such person and at such place and within such time as are specified in the notice, and any person so required shall comply with the terms of the notice accordingly; or
- (b) may authorize any person to take possession of the dairy produce, and any person so authorized shall, for that purpose, have all the powers of a constable under regulation 14 of these Regulations.”.

8. Regulation 11 is repealed and the following regulation inserted in its stead:— Compensation.

“11.—(1.) Upon the acquisition of any dairy produce in pursuance of paragraph (b) of sub-regulation (1.) of the last preceding regulation, or upon compliance with the terms of a notice issued

under paragraph (a) of sub-regulation (2.) of that regulation, or upon an authorized person taking possession of the dairy produce under paragraph (b) of that sub-regulation, as the case may be, every person having any right or interest in that dairy produce may forward to the Committee a claim for compensation and shall be entitled to be paid such amount of compensation as the Minister, on the recommendation of the Committee, determines.

(2.) It shall not be necessary for the Minister to make a determination in pursuance of sub-regulation (1.) of this regulation until, in his opinion, a sufficient quantity of any dairy produce of a like kind and quality acquired by the Commonwealth has been disposed of to enable the Committee to make a just recommendation, but the Minister may, in his absolute discretion, make any payment on account of any claim notwithstanding that no determination in respect of that claim has been made.”.

9. Regulation 12 is amended—

- (a) by omitting sub-regulation (1.) and inserting in its stead the following sub-regulation:—

Contracts for  
sale of dairy  
produce.

“(1.) Every contract relating to the sale of any dairy produce acquired by the Commonwealth, or the performance of which becomes impossible by reason of compliance with a notice issued by the Minister in pursuance of regulation 13B of these Regulations, entered into before the acquisition of that dairy produce or the issue of that notice, as the case may be, is hereby declared to be void and of no effect in so far as that contract has not been completed by delivery;” and

- (b) by omitting from sub-regulations (2.) and (3.) the words “butter or cheese” and inserting in their stead the words “dairy produce”.

10. Regulation 13 is repealed and the following regulations inserted in its stead:—

Licensed  
agents.

“13.—(1.) The Committee may license, subject to such conditions as are specified in the licence, any person, firm, company or authority to receive and deal in dairy produce, on behalf of the Committee, and may cancel or suspend any such licence.

“(2.) There shall be payable to any licensed agent, as remuneration for his services and for any facilities made available by him, and for any expenses properly incurred by him, such amount as is specified in the licence or, if no amount is specified, as the Minister determines.

“13A. The Minister may, by order published in the *Gazette*, require any person or class of persons to furnish such returns relating to dairy produce, or to contracts entered into in relation to any dairy produce, as are specified in the order, and any person and every member of any class of persons so specified in the order shall furnish a true and correct return accordingly.

“13B. The Minister may, by notice in writing, require any person—

Regulation  
of production.

- (a) to cease producing or manufacturing any dairy produce specified in the notice;

- (b) to cease producing or manufacturing any dairy produce specified in the notice in excess of such quantity as is specified in the notice;
  - (c) if, in the opinion of the Minister, that person is capable of producing or manufacturing any dairy produce specified in the notice, to produce or manufacture such quantities of that dairy produce as are, and within such time as is, specified in the notice; and
  - (d) who has or will have the ownership, possession, control or disposal of any milk, skim milk or cream (not being milk, skim milk or cream which is, at the time when the notice is issued, subject to a contract for the sale or delivery of that milk, skim milk or cream, to a person in another State) to deliver or consign that milk, skim milk or cream to such producer or manufacturer of dairy produce, within such time, and in consideration for such price, if any, as is specified in the notice,
- and that person shall comply with the requirements of the notice accordingly.”.

11. Regulation 14 is amended—

- (a) by omitting all the words before the word “authorized” and inserting in their stead the words “Any constable”; and
- (b) by omitting the words “butter or cheese” and inserting in their stead the words “dairy produce”.

Power to enter and search for dairy produce.

12. Regulations 15, 16 and 17 are amended by omitting the words “butter or cheese” (wherever occurring) and inserting in their stead the words “dairy produce”.

Amendment of regulations 15, 16 and 17.

13. Regulation 18 is amended by omitting paragraphs (a) and (b) and inserting in their stead the following paragraphs:—

Powers of Committee.

- “(a) purchase any dairy produce;
- “(b) export, sell or dispose of any dairy produce acquired or purchased by the Commonwealth or by the Committee on behalf of the Commonwealth;
- “(ba) manage and control all matters connected with the handling, storage, protection, treatment, transfer or shipment of any dairy produce acquired, purchased, exported, sold or disposed of by the Commonwealth or by the Committee on behalf of the Commonwealth;
- “(bb) erect ~~or take a lease of~~ premises for the purpose of storing dairy produce;
- “(bc) make payments or enter into agreements for the purpose of enabling any person to erect premises or install plant or machinery for the production or storage of dairy produce, or to convert any premises, plant or machinery used in the production of any kind of dairy produce into premises, plant or machinery suitable for the production of another kind of dairy produce;

“(bd) guarantee to the Commonwealth Bank of Australia any loan made to a person for any of the purposes set out in the last preceding paragraph;

“(be) undertake experiments for the purpose of assisting in the sale or disposal of any dairy produce the property of the Commonwealth for which a market is not readily available;”.

**14.** Regulation 19 is amended by omitting from sub-regulation (1.) the words “butter or cheese” and inserting in their stead the words “dairy produce”. Finance.

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