

STATUTORY RULES.

1943. No. 35.

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 February, 1943.

GOWRIE

Governor-General.

By His Excellency's Command,

H. V. EVATT

for and on behalf of the Minister of
State for Defence.

AMENDMENT OF THE NATIONAL SECURITY (SUPPLEMENTARY) REGULATIONS.†

The National Security (Supplementary) Regulations are amended by adding at the end thereof the following regulation:—

“91.—(1.) A person shall not, except with the permission in writing of the Minister of State for Defence or the Attorney-General, and on such terms and conditions as are specified by the Minister or Attorney-General—

Records of
war service.

(a) by himself or by any agent or canvasser invite or induce any person; or

(b) send or deliver, or cause to be sent or delivered, to any person, except in response to a written request by that person, any circular or other document, or issue or publish, or cause to be issued or published, any advertisement containing an invitation, inducement or suggestion,

to pay in advance any amount in payment for, or in respect of, the purchase of any record of war service.

“(2.) The Minister or Attorney-General may at any time, by notice in writing, revoke or vary any permission granted by him under the last preceding sub-regulation.

* Notified in the *Commonwealth Gazette* on 11th February, 1943.

† Statutory Rules 1940, No. 126, as amended to date. For previous National Security (Supplementary) Regulations see footnote † to Statutory Rules 1942, No. 515, and see also Statutory Rules 1942, Nos. 517, 524 and 536; and 1943, Nos. 7 and 13.

"(3.) Where the Attorney-General has reason to believe that any person has, before the commencement of this regulation, received in advance any amount in payment for, or in respect of, the purchase of, any record of war service, and gives notice in writing or by telegram to the manager of the branch of any bank in which that person has moneys standing to his credit in any account, that payment of moneys

DEFENCE (NATIONAL SECURITY)—

out of the account is to be stopped, the manager shall forthwith stop payment of any moneys out of the account and shall transfer the moneys standing to the credit of that account to a trust account to be opened in the name of a person specified by the Attorney-General.

“(4.) Where any person in respect of whom notice is given under the last preceding sub-regulation receives any such amount after the commencement of this regulation he shall forthwith pay it into the trust account opened in pursuance of the last preceding sub-regulation.

“(5.) Every such trust account shall be operated on only by cheque signed by or on behalf of the person in whose name the trust account is opened.

“(6.) A person authorized in that behalf by the Attorney-General may with such assistance as is necessary enter and search any premises or place in which he has reason to believe there are any goods or money, books, papers or documents used in or relating to the business of any person in respect of whom notice has been given under sub-regulation (2.) of this regulation and may take possession of, and remove from the premises or place, the goods, money, books, papers and documents therein.

“(7.) The moneys standing to the credit of a trust account opened in pursuance of sub-regulation (3.) of this regulation shall be applied in accordance with the directions of the Attorney-General, and in the first place for the purpose of reimbursing, as far as practicable, those persons who paid amounts in advance for the purchase of a record of war service from the person from whose account moneys were transferred to the trust account.

“(8.) No claim, action, suit, cause or proceeding shall be made, taken or brought against any person in respect of any action taken under this regulation.

“(9.) In this regulation, ‘record of war service’ means any publication being, or purporting to be, a record of service in any part of the Defence forces of the Commonwealth or of His Majesty’s Forces raised in the United Kingdom or in any other part of the King’s dominions.

“(10.) For the purposes of this regulation, moneys shall be deemed to be standing to the credit of a person in respect of whom notice has been given under sub-regulation (2.) of this regulation in any account over which that person has control, notwithstanding that that account is not in his name, and that account shall be deemed to be his account.”