

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,
23rd October, 1935.

Right Hon. Mr. Forbes.

LEAGUE OF NATIONS SANCTIONS (ENFORCEMENT IN NEW ZEALAND).

ANALYSIS.

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A BILL INTITULED

AN ACT to confer on the Governor-General in Council
Power to make Regulations to enable the Dominion
of New Zealand, as an Original Member of the League
of Nations, to fulfil the Obligations undertaken by it
in Terms of Article 16 of the Covenant of the League.

WHEREAS the Dominion of New Zealand is an original
member of the League of Nations and as such is bound
by the Covenant of the League: And whereas Article 16
of the Covenant is in the following terms:

“ Article 16.

“ 1. Should any Member of the League resort to
war in disregard of its covenants under Articles 12,
13 or 15, it shall *ipso facto* be deemed to have
committed an act of war against all other Members

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in New Zealand)*

of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not. 5

“ 2. It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military, naval or air force the Members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League. 10 15

“ 3. The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimise the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will take the necessary steps to afford passage through their territory to the forces of any of the Members of the League which are co-operating to protect the covenants of the League. 20 25

“ 4. Any Member of the League which has violated any covenant of the League may be declared to be no longer a Member of the League by a vote of the Council concurred in by the Representatives of all the other Members of the League represented thereon ”: 30

And whereas it is desirable that provision should now be made to enable the Dominion of New Zealand to fulfil its obligations as a Member of the League: 35

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. This Act may be cited as the League of Nations Sanctions (Enforcement in New Zealand) Act, 1935. 40

Commencement of this Act.

2. (1) This Act shall come into force on a date to be appointed in that behalf by the Governor-General by a Proclamation approved in the Executive Council and published in the *Gazette*. 45

(2) At any time after this Act has come into force in accordance with the *last preceding* subsection, the Governor-General may in like manner suspend its operation; and from time to time thereafter, as the
5 exigencies of international affairs may render desirable or expedient, he may in like manner revive or suspend its operation, as the case may require.

Act may be suspended.

3. For the purpose of enabling the Dominion of New Zealand to fulfil its obligations under Article 16 of the
10 Covenant of the League of Nations (being obligations voluntarily accepted by the said Dominion as an original member of the League) the Governor-General may by Order in Council make all such regulations as he from time to time thinks necessary:

Governor-General may make regulations to enable effect to be given in New Zealand to sanctions imposed by the League of Nations under Article 16 of the Covenant of the League.

15 Provided that nothing in this section shall be construed to authorize the making of regulations—

- (a) Requiring any person to undergo compulsory training for service in any military, naval, or
20 air force; or
- (b) Requiring any person to serve in New Zealand or overseas as a member of any military, naval, or air force; or
- (c) Prohibiting the publication in a fair and
25 reasonable manner of any expression of opinion as to the expediency of any regulation made under the authority of this Act or the expediency of anything authorized or directed or prohibited thereby, or the expediency of any
30 of the provisions contained in any of the Articles of the Covenant of the League of Nations.

4. (1) Any person who commits, or attempts to
commit, or does any Act with intent to commit, or
counsels, procures, aids, abets, or incites any other
35 person to commit, or conspires with any other person (whether in New Zealand or elsewhere) to commit any offence against a regulation made under this Act shall be liable on summary conviction before a Magistrate to imprisonment for a term not exceeding
40 *twelve* months or to a fine not exceeding *one hundred* pounds.

Liability for breach of regulations.

(2) The publication in the *Gazette* of any Order in Council, Proclamation, regulation, notice, warrant, license, or other act of authority under this Act, shall for

Publication in *Gazette* to be notice to all persons concerned.

all purposes be deemed to be notice thereof to all persons concerned, and in any prosecution under this Act the liability of the accused shall be determined accordingly.

Validity of regulations.

5. No regulation under this Act shall be deemed invalid because it deals with any matter already provided for by any Act in that behalf, or because of any repugnancy to any such Act. 5

Penal provisions of other Acts not affected.

6. Nothing in this Act shall be so construed or shall so operate as to take away or restrict the liability of any person for any offence punishable independently of this Act. 10

Regulations to be confirmed by Parliament.

7. (1) All regulations made under the authority of this Act shall be laid before Parliament within twenty-eight days after the making thereof if Parliament is then in session, and, if not, then within twenty-eight days after the commencement of the next ensuing session thereof. 15

(2) Except as otherwise provided in this subsection, all regulations laid before Parliament in any session pursuant to the *last preceding* subsection shall expire immediately on the expiration of two months after they have been so laid before Parliament except so far as they are expressly validated or confirmed by an Act of Parliament. This subsection shall not apply with respect to any regulations laid before Parliament within seven days before the end of any session of Parliament, but any such regulations, unless sooner revoked, shall continue in force for two months after the commencement of the next succeeding session, and shall then expire unless in the meantime they have been expressly validated or confirmed by an Act of Parliament. 20
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