

# STATUTORY RULES.

1941. No. 322.

## 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 twenty-fourth day of December, 1941.

GOWRIE

Governor-General.

By His Excellency's Command,

H. V. EVATT

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

## AMENDMENT OF THE NATIONAL SECURITY (SUBVERSIVE ASSOCIATIONS) REGULATIONS.†

After regulation 8 of the National Security (Subversive Associations) Regulations, the following regulation is inserted:—

" 8A.—(1) Where proceedings are pending in any court challenging the legality or validity of any order made or purporting to be made in pursuance of regulation 3 of these Regulations, then any meeting

- (a) of the body in respect of which the order was made;
- (b) of any body purporting to carry on any activities in the name of, or holding itself out to be, that body;
- (c) of persons who were among those persons who constituted that body; or
- (d) of persons who purport, or hold themselves out, to be members of that body or to be adherents of the doctrines or principles which were advocated by that body,

shall be unlawful if it takes place or is held without the consent of an authorized person.

" (2.) Consent to the holding of any such meeting shall not be granted except pursuant to an application in writing made, to an authorized person in the State or Territory in which it is proposed to hold the meeting, by some person concerned with the organization or convening of the meeting.

\* Notified in the *Commonwealth Gazette* on 24th December, 1941.  
† Statutory Rules 1940, No. 109, as amended by Statutory Rules 1940, Nos. 130 and 162.

"(3.) An authorized person, upon receipt of any such application, shall forthwith consider it and may, in his absolute discretion—

- (a) refuse to grant consent; or
- (b) grant consent, either unconditionally or subject to such conditions and restrictions as he thinks fit.

"(4.) A person shall not—

- (a) promote, organize or hold, or aid or abet, or be in any way directly or indirectly knowingly concerned in, the promotion, organization or holding of; or
- (b) attend,

any meeting the holding of which would, by reason of this regulation, be unlawful.

"(5.) For the purposes of the last preceding sub-regulation, where consent to the holding of a meeting has been given subject to conditions or restrictions, and the conditions or restrictions are not observed in connexion with the promotion, organization or holding of the meeting, the holding of the meeting shall be deemed to be unlawful.

"(6.) Where a meeting is promoted, organized or held in contravention of this regulation an authorized person may, in addition to any other powers which he may have, and with such assistance as is deemed necessary—

- (a) disperse the meeting;
- (b) occupy the premises or place at which the meeting was being held or is proposed to be held; or
- (c) seize all property on such premises or at such place, and all vehicles and all means of transport whatever which he has reason to believe were used or to be used in connexion with the meeting.

"(7.) For the purposes of this regulation—

'authorized person', in relation to any meeting, means the Commissioner of Police or Senior Officer of the Police Force of the State or Territory of the Commonwealth in which the meeting is held or is proposed to be held, or any person authorized by the Commissioner or Senior Officer to consent under this regulation to the holding of meetings; and

'meeting' includes conference and convention."