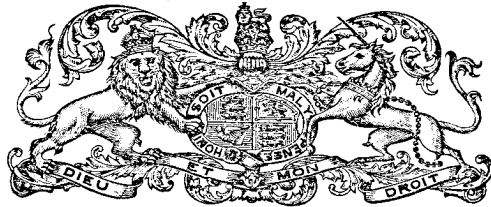


WESTERN PACIFIC HIGH COMMISSION.

No. 5 of 1916



[L.S.]

EYRE HUTSON,
Acting High Commissioner.

16th May, 1916.

KING'S REGULATION

TO PROVIDE PENALTIES FOR TRADING WITH THE ENEMY AND TO EXTEND THE RESTRICTION RELATING TO TRADING WITH THE ENEMY TO PERSONS TO WHOM, THOUGH NOT CARRYING ON BUSINESS IN ENEMY TERRITORY, IT IS BY REASON OF THEIR ENEMY NATIONALITY OR ENEMY ASSOCIATIONS EXPEDIENT TO EXTEND SUCH RESTRICTIONS.

Made by His Britannic Majesty's Acting High Commissioner for the Western Pacific under the provisions of the Pacific Order in Council, 1893.

In the name of His Majesty, George the Fifth, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India.

[16th May, 1916.]

1. This Regulation may be cited for all purposes as the SHORT TITLE
Trading with the Enemy Regulation 1916.

2. In this Regulation :— INTERPRETATION
“ High Commissioner ” means His Britannic Majesty's High Commissioner for the Western Pacific.
“ Protectorate ” means any islands and places under the jurisdiction of the High Commissioner, and includes the Kingdom of Tonga so far as regards acts of trading by British subjects and foreigners in that Kingdom.

3. Any person who, during the present war, trades, or has since the outbreak of war, traded with the enemy within the meaning of this Regulation shall be liable on conviction to imprisonment with or without hard labour for a term not exceeding twelve months or to a fine of five hundred pounds or to both such imprisonment and fine, and the Court may in any case order that any goods or money in respect of which the offence has been committed be forfeited. PENALTIES FOR ENEMY TRADING.

4. For the purposes of this Regulation a person shall be deemed to have traded with the enemy if he has entered into any transaction or done any act which was, at the ENEMY TRADING —WHAT IS

time of such transaction or act prohibited by or under any Proclamation issued by His Britannic Majesty or by the High Commissioner in His Majesty's name dealing with trading with the enemy for the time being in force, or which at common law or by statute constitutes an offence of trading with the enemy.

POWER TO PROHIBIT TRADING WITH PERSONS OF ENEMY NATIONALITY, &c.

5.—(1) The High Commissioner may by Proclamation prohibit all persons or bodies of persons, incorporated or unincorporated, resident, carrying on business, or being in a Protectorate from trading with any persons or bodies of persons not resident or carrying on business in enemy territory or in territory in the occupation of the enemy (other than persons or bodies of persons, incorporated or unincorporated, residing or carrying on business solely within His Majesty's Dominions) wherever by reason of the enemy nationality or enemy association of such persons or bodies of persons, incorporated or unincorporated, it appears to the High Commissioner expedient so to do, and if any person acts in contravention of any such Proclamation he shall be triable and punishable in like manner as for the offence of trading with the enemy.

(2) Any list of persons and bodies of persons, incorporated or unincorporated, with whom such trading is prohibited by a Proclamation under this Regulation may be varied or added to by a Proclamation made by the High Commissioner on the instruction of a Secretary of State.

(3) The provisions of this Regulation and of all enactments and proclamations relating to trading with the enemy, shall, subject to such exceptions and adaptations as may be prescribed by Proclamation by the High Commissioner apply in respect of such persons and bodies of persons as aforesaid as if for references therein to trading with the enemy there were substituted references to trading with such persons and bodies of persons as aforesaid, and for references to enemies there were substituted references to such persons and bodies of persons as aforesaid, and for references to offences under such enactments or proclamations or any of them, there were substituted references to offences under this Regulation.

(4) For the purposes of this Regulation a person shall be deemed to have traded with a person or body of persons to whom a Proclamation issued under this Regulation applies, if he enters into any transaction or does any act with, to, on behalf of, or for the benefit of, such a person or body of persons which if entered into or done with, to, on behalf of, or for the benefit of, an enemy would be trading with the enemy.

PUNISHMENT OF PARTY TO OFFENCE.

6. Any person who is privy or knowingly a party to any offence against this Regulation shall be liable on conviction to the punishment provided in section 3 hereof.

Published and exhibited in the Public Office of the High Commissioner for the Western Pacific this sixteenth day of May, one thousand nine hundred and sixteen.

By Command,

A. L. AYTON,
Acting Secretary to His Britannic Majesty's
High Commissioner for the Western Pacific.

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