

TRADING WITH THE ENEMY.

No. 75 of 1947.

An Act to amend the *Trading with the Enemy Act 1939-1940* and for other purposes.

[Assented to 5th December, 1947.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

- 1.**—(1.) This Act may be cited as the *Trading with the Enemy Act 1947*. Short title and citation.
- (2.) The *Trading with the Enemy Act 1939-1940** is in this Act referred to as the Principal Act.
- (3.) The Principal Act, as amended by this Act, may be cited as the *Trading with the Enemy Act 1939-1947*.
- 2.** This Act shall come into operation on the first day of January, One thousand nine hundred and forty-eight. Commencement.
- 3.** Section five of the Principal Act is amended— Offences.
- (a) by inserting after sub-section (2.) the following sub-section:—
 “(2A.) Any person who contravenes, or fails to comply with, any provision of any regulations made under, or in force by virtue of, this Act shall be guilty of an offence.”; and
- (b) by inserting in sub-section (5.), after the word “against”, the words “sub-section (1.) or (2.) of”.
- 4.** Section thirteen of the Principal Act is amended by inserting in paragraph (a) of sub-section (1.), after the word “against”, the words “sub-section (1.) or (2.) of”. Appointment of controller of firm or corporation.
- 5.** After section thirteen of the Principal Act the following sections are inserted:—
- “13A. The powers conferred on the High Court by the last preceding section shall be deemed to include, and to have included at all times since the commencement of the *Trading with the Enemy Act 1939*, power to authorize payments for the sustenance and maintenance— Powers of High Court in relation to control of firms and corporations.
- (a) of any person in respect of whom the High Court has appointed a controller under that section; and

(b) of any person being a partner, director, manager or employee, or former partner, director, manager or employee, of any firm or corporation in respect of which the High Court has appointed a controller under that section,

and for the sustenance and maintenance of the dependants of any such person.

Powers of
bodies
corporate
appointed
controllers of
enemy
corporations.

“ 13B. Where the High Court appoints, or has, before the commencement of this section, appointed, a body corporate to be a controller of a person, firm or corporation under section thirteen of this Act, the powers and functions of that body corporate shall, by virtue of this section, be enlarged to such extent as is necessary to enable it to act as controller accordingly.”

6.—(1.) After section fifteen of the Principal Act the following section is inserted :—

Control of
enemy property.

“ 15A.—(1.) The National Security (Enemy Property) Regulations as in force immediately prior to the commencement of this section shall, subject to this section, be in force by virtue of this section.

“ (2.) The regulations in force by virtue of this section—

(a) shall be amended by inserting in the definition of ‘ the previous Regulations ’, after the word ‘ amended ’, the words ‘ or under the *Defence (Transitional Provisions) Act 1946* ’; and

(b) may be amended or repealed by regulations made under this Act.

“ (3.) The power to amend the regulations in force by virtue of this section shall include the power to make such amendments as are necessary or convenient for carrying out or giving effect to Article six of the Agreement on Reparation from Germany, on the Establishment of an Inter-Allied Reparation Agency and on the Restitution of Monetary Gold, the terms of which Agreement were recommended for signature by the Paris Conference on Reparation, which concluded its meeting on the twenty-first day of December, One thousand nine hundred and forty-five, and to which Agreement Australia is a party.

“ (4.) Regulations made by virtue of the last preceding sub-section may provide for—

(a) vesting property in any person or authority or enabling any person or authority to deal with, and transfer the title to, property ;

(b) conferring original jurisdiction on the High Court in any matter arising under the regulations ;

(c) defining the jurisdiction of any federal court, other than the High Court, with respect to any matter arising under the regulations ; and

(d) investing any court of a State with federal jurisdiction with respect to any matter arising under the regulations.”

(2.) Each notice, declaration, order, appointment, delegation, direction, liability, requirement, right, authority or consent subsisting immediately prior to the commencement of this section and made, given, issued, arising or established under the National Security (Enemy Property) Regulations as in force at any time prior to the commencement of this section shall be in force and subsisting as if made, given, issued, arising or established under those Regulations as in force by virtue of this section and those Regulations as so in force shall apply to it accordingly.

7. All declarations made by the Minister of State for Trade and Customs by notice published in the *Gazette* in pursuance of regulation thirty-eight of the National Security (Supplementary) Regulations shall remain in full force and effect in accordance with the provisions of that regulation notwithstanding that that regulation has ceased to be in operation.

Declarations under regulation 38 of the National Security (Supplementary) Regulations to remain in force.

EGG EXPORT CONTROL.

No. 76 of 1947.

An Act relating to the Export of Eggs.

[Assented to 11th December, 1947.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1. This Act may be cited as the *Egg Export Control Act 1947*. Short title.
2. This Act shall come into operation on a date to be fixed by Proclamation. Commencement.
3. In this Act, unless the contrary intention appears:— Definitions.
 - “eggs” means hen eggs in shell and includes the following products of hen eggs, namely, liquid whole egg, liquid egg white, liquid egg yolk, dried whole egg, sugared dried egg and dried egg white;
 - “producer” means a person defined by any State Act as a producer of eggs;
 - “the Board” means the Australian Egg Board constituted by this Act;
 - “the Chairman” means the Chairman of the Board;
 - “the Fund” means the Egg Export Fund established under this Act.
4. The National Security (Egg Industry) Regulations are repealed. Repeal.
- 5.—(1) For the purposes of this Act, there shall be an Australian Egg Board. Australian Egg Board.