

7. I have to add that the signatories to the Convention are under engagement to notify the names of such organizations as they may authorize to co-operate with the Naval and Military Forces of the Crown, and to use the emblem of the red cross. In order to enable His Majesty's Government to carry out this undertaking I shall be glad if your Ministers will be so good as to inform me from time to time of those organizations in New Zealand which may be so authorized, in order that they may be duly notified to the signatory Powers.

I have, &c.,

L. HARCOURT.

Governor His Excellency the Right Hon. the Earl of Liverpool,
K.C.M.G., M.V.O., &c.

Enclosures.

At the Court at Buckingham Palace, the 11th day of February, 1913. Present: The King's Most Excellent Majesty, Lord President, Master of the Horse, Earl of Desart, Lord Chamberlain, Sir Rufus D. Isaacs, Sir John A. Simon.

WHEREAS by the Geneva Convention Act, 1911, it is enacted that from the commencement of the said Act it shall not be lawful for any person to use for the purposes of his trade or business, or for any other purpose whatsoever, without the authority of the Army Council, the heraldic emblem of the red cross on a white ground formed by reversing the Federal colours of Switzerland, or the words "Red Cross" or "Geneva Cross," and that if any person acts in contravention of this provision he shall be guilty of an offence against the said Act, and shall be liable, on summary conviction, to a fine not exceeding ten pounds, and to forfeit any goods upon or in connection with which the emblem or words were used:

And whereas it is also enacted that proceedings under the said Act shall not in England or Ireland be instituted without the consent of the Attorney-General:

And whereas it is also enacted that the said Act shall extend to His Majesty's possessions outside the United Kingdom, subject to such necessary adaptations as may be made by Order in Council:

And whereas it is expedient that certain adaptations should be made in the said Act with regard to its application to the Commonwealth of Australia and the territory of Papua:

Now, therefore, by virtue and in exercise of the powers in this behalf by the said Act or otherwise vested in His Majesty, it is hereby ordered by His Majesty, by and with the advice of the Privy Council, as follows:—

1. This Order in Council may be cited for all purposes as the Geneva Convention Act, 1911 (Commonwealth of Australia), Order in Council, 1913.

2. The Geneva Convention Act, 1911, in its application to the Commonwealth of Australia and the territory of Papua shall be adapted as follows:—

(i.) The powers by the said Act vested in the Army Council shall be vested in the Minister of State for Defence of the Commonwealth.

(ii.) Proceedings under the said Act shall not be instituted without the consent of the Attorney-General of the Commonwealth.

3. This Order shall come into force on a date to be fixed by the Governor-General of the Commonwealth of Australia in Council.

ALMERIC FITZROY.

SIR,—

War Office, London S.W., November, 1911.

Referring to your letter of the 1st November, 1911, I am commanded by the Army Council to acquaint you that, having regard to the terms of the Geneva Convention Act, 1911, and to the provision (as regards registered marks) of section 1 (3), the limit of the period of grace within which the use of the emblem of the red cross or the words "Red Cross" or "Geneva Cross" will be authorized by the Council is four years from the date of the passing of the Act.

After full consideration the Council are prepared to recognize that it would not be equitable to require the discontinuance of the marks at varying dates, which might constitute a discrimination between users, and they have accordingly decided to raise within the specified limit of time no objection to the use of the marks and designs prohibited by the Act.

The concession of the full period will, in the Council's opinion, enable all users—whether wholesale or retail dealers—to dispose satisfactorily of existing stocks. At the close of the period the use of the emblem, including the words, will be reserved for the special purpose contemplated by the Legislature and the signatories to the Convention, and no permission to use it for any commercial purpose whatever will be accorded.

I am, &c.,

R. H. BRADE.

The Wouldham Cement Company (Limited),

35 Great St. Helens, London E.C., 29th December, 1911.

We beg to acknowledge receipt of your letter of the 30th November, with reference to the terms of the Geneva Convention Act, 1911, and propose after the period of four years (as mentioned in the Act) to alter the trade-mark registered by the company by deleting the words "Red Cross" and substituting therefor the words "Maltese Cross," retaining the same design and colours.