

No. 47.

New Zealand, No. 542.

MY LORD,—

Downing Street, 18th July, 1916.

With reference to my telegram of the 10th July, I have the honour to transmit to Your Excellency, for the information of your Ministers, copies of the Supplement to the *London Gazette* of the 7th July, containing an Order in Council dated the 7th July, withdrawing the Declaration of London Order in Council No. 2, 1914, and all Orders subsequent thereto amending that Order, and laying down provisions for the exercise of belligerent rights at sea in strict accordance with the law of nations.

I have, &c.,

A. BONAR LAW.

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

Enclosure.

At the Court at Buckingham Palace, the 7th day of July, 1916. Present: The King's Most Excellent Majesty in Council.

WHEREAS by an Order in Council, dated the 20th day of August, 1914, His Majesty was pleased to declare that during the present hostilities the provisions of the Declaration of London should, subject to certain additions and modifications therein specified, be adopted and put in force by His Majesty's Government:

And whereas the said Declaration was adopted as aforementioned in common with His Majesty's Allies:

And whereas it has been necessary for His Majesty and for his Allies from time to time to issue further enactments modifying the application of the articles of the said Declaration:

And whereas Orders in Council for this purpose have been issued by His Majesty on the 29th day of October, 1914, the 20th day of October, 1915, and the 30th day of March, 1916:

And whereas the issue of these successive Orders in Council may have given rise to some doubt as to the intention of His Majesty, as also as to that of his Allies, to act in strict accordance with the law of nations, and it is therefore expedient to withdraw the said Orders so far as they are now in force:

Now, therefore, His Majesty, by and with the advice of his Privy Council, is pleased to order, and it is hereby ordered, that the Declaration of London Order in Council No. 2, 1914, and all Orders subsequent thereto amending the said Order, are hereby withdrawn:

And His Majesty is pleased further to declare, by and with the advice of his Privy Council, and it is hereby declared, that it is and always has been his intention, as it is and has been that of his Allies, to exercise their belligerent rights at sea in strict accordance with the law of nations:

And whereas on account of the changed conditions of commerce and the diversity of practice doubts might arise in certain matters as to the rules which His Majesty and his Allies regard as being in conformity with the law of nations, and it is expedient to deal with such matters specifically:

It is hereby ordered that the following provisions shall be observed:—

- (a.) The hostile destination required for the condemnation of contraband articles shall be presumed to exist, until the contrary is shown, if the goods are consigned to or for an enemy authority, or an agent of the enemy State, or to or for a person in territory belonging to or occupied by the enemy, or to or for a person who, during the present hostilities, has forwarded contraband goods to an enemy authority, or an agent of the enemy State, or to or for a person in territory belonging to or occupied by the enemy, or if the goods are consigned "to order," or if the ship's papers do not show who is the real consignee of the goods.
- (b.) The principle of continuous voyage or ultimate destination shall be applicable both in cases of contraband and of blockade.
- (c.) A neutral vessel carrying contraband with papers indicating a neutral destination, which, notwithstanding the destination shown on the papers, proceeds to an enemy port, shall be liable to capture and condemnation if she is encountered before the end of her next voyage.
- (d.) A vessel carrying contraband shall be liable to capture and condemnation if the contraband, reckoned either by value, weight, volume, or freight, forms more than half the cargo.

And it is hereby further ordered as follows:—

- (i.) Nothing herein shall be deemed to affect the Order in Council of the 11th March, 1915, for restricting further the commerce of the enemy, or any of His Majesty's Proclamations declaring articles to be contraband of war during the present hostilities.