



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, JULY 11, 1935.

Published by Authority.

WELLINGTON, TUESDAY, JULY 16, 1935.

The Dairy Factories (Licensing) Regulations, 1935.—
(Notice No. Ag. 3306.)

GALWAY, Governor-General.
ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 12th day of July, 1935.

Present:

THE HON. SIR ALFRED RANSOM PRESIDING IN COUNCIL.

PURSUANT to the Agriculture (Emergency Powers) Act, 1934, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS.

1. (1) These regulations may be cited as the Dairy Factories (Licensing) Regulations, 1935.

(2) These regulations shall come into force on the date of the publication thereof in the *Gazette*.

(3) In these regulations, unless inconsistent with the context,—

“Director” means the Director of the Dairy Division of the Department of Agriculture;

“Minister” means the Minister of Agriculture.

2. These regulations shall apply to all premises used as dairy factories with the exception of premises the buildings of which on the coming into force of these regulations are and continue to be duly registered pursuant to the Dairy-produce General Regulations, 1933, and which are not after the coming into force of these regulations totally or substantially rebuilt whether on the same or any other site, or altered whether structurally or by way of additions thereto.

3. No person shall use as a dairy factory any premises to which these regulations apply unless such person is the holder of a license in that behalf in respect of such premises granted pursuant to these regulations.

4. (1) Every person desiring to obtain a license in respect of premises to which these regulations apply shall make application in writing to the Director in or to the effect of the form numbered 1 in the Schedule hereto.

(2) Every such application shall be accompanied by plans of the existing or proposed building and/or proposed alterations, together with particulars of the site on which the building is or is to be erected and of the materials to be used in the carrying-out of any proposed work.

5. The Director may refer any such application to a committee consisting of three persons who shall be appointed by the Minister.

6. In respect of any application referred to a committee pursuant to the last preceding clause hereof, the committee shall make such investigations as it thinks fit and shall report the result thereof to the Director. In particular the committee shall advise the Director upon the following matters in relation to the application:—

(a) Whether or not there is any economic necessity or justification for the establishment of such premises as a dairy factory or an additional dairy factory in the locality in which the premises are to be erected or for the carrying-out of the proposed work.

(b) The prospect of carrying on successfully the manufacture of dairy-produce in the premises sought to be licensed having regard to all relevant circumstances.

(c) The probable or possible effect of competition from the premises sought to be licensed on the quality of the dairy-produce which might be manufactured therein or in any dairy duly registered pursuant to the Dairy-produce General Regulations, 1933, and proposed to be used in connection therewith or in competing dairies duly registered pursuant to the said regulations.

(d) Whether in the opinion of the committee the application for a license should be acceded to.

7. (1) If in respect of any application referred to a committee pursuant to clause 5 hereof the report of the committee is in favour of the application, or if in the opinion of the Director the application in any other case should be granted, the Director shall, subject to compliance by the applicant with the provisions of the Dairy-produce General Regulations, 1933, as to registration of manufacturing dairies grant a license to the applicant pursuant to these regulations in the form numbered 2 in the Schedule hereto.

(2) Every such license shall authorize the licensee to use the premises specified in the license as a dairy factory pursuant to these regulations.

8. The Director shall cause a Register to be kept of every license issued under these regulations.

9. (1) The holder of any license in respect of any premises licensed as a dairy factory under these regulations who desires to transfer such license shall make application for a transfer of the license in writing to the Director in or to the effect of the form numbered 3 in the Schedule hereto.

(2) Every such application shall be accompanied by the license to which the same relates.

(3) The Director on receipt of such application shall, upon being satisfied as to the facts, endorse on the license the words "Transferred to [Full name and address of transferee]," and shall sign such endorsement and shall thereupon record the transfer in his Register accordingly and forward the license duly endorsed as aforesaid to the new licensee in respect of the premises mentioned in the license.

(4) A license so endorsed shall enure for the purposes of these regulations as if it had been issued to the transferee named therein.

10. A copy certified by the Director of any entry in the Register shall be *prima facie* evidence of such entry and of the facts appearing therein, and a certificate under the hand of the Director of the absence of an entry in the Register shall be *prima facie* evidence of the facts stated in such certificate.

11. Every person who uses as a dairy factory any premises to which these regulations apply and who is not the holder of a license in respect of such premises granted pursuant to these regulations commits an offence and is liable to a penalty of £5 for every day on which such premises are so used.

SCHEDULE.

[Form No. 1 (Reg. 4 (1)).

The Dairy Factories (Licensing) Regulations, 1935.

APPLICATION FOR LICENSE IN RESPECT OF A DAIRY FACTORY.

The Director of the Dairy Division,
Department of Agriculture,
Wellington, C. 1.

Application is hereby made for a license under the above-entitled regulations to use as a dairy factory the premises particulars of which are set out below:—

1. Name of premises:
2. Particulars of site:
3. Name of owner:
4. If owner is a company, name of secretary:
5. Postal address:

6. Name of and distance to the nearest—

- (a) Post-office:
- (b) Telegraph or telephone office:
- (c) Railway-station:
- (d) Shipping port:

7. Average number of cows from which the daily milk-supply will be obtained:

8. Average number of milk and/or cream suppliers:

9. State kind of dairy-produce to be manufactured in premises:

Dated at _____, this _____ day of _____, 19 _____,
[Signature of owner or secretary].

[Form No. 2 (Reg. 7 (1)).

The Dairy Factories (Licensing) Regulations, 1935.

LICENSE IN RESPECT OF A DAIRY FACTORY.

_____ of _____, is hereby licensed to use as a dairy factory under the above-entitled regulations pursuant to an application in that behalf dated the day of _____, 19 _____, the undermentioned premises,—

[Situation and description of premises.]

Dated at Wellington, this _____ day of _____, 19 _____,

Director of the Dairy Division,
Department of Agriculture,

[Form No. 3 (Reg. 9 (1)).

The Dairy Factories (Licensing) Regulations, 1935.

APPLICATION FOR TRANSFER OF LICENSE IN RESPECT OF A DAIRY FACTORY.

The Director of the Dairy Division,
Department of Agriculture,
Wellington, C. 1.

Application is hereby made for a transfer of the attached license to use as a dairy factory the premises situate at _____, of which license the undersigned is the holder to [Name and address of proposed transferee].

Dated at _____, this _____ day of _____, 19 _____.

[Signature of present holder of license.]

I agree to accept a transfer of the above license.

[Signature of transferee.]

A. W. MULLIGAN,
Acting Clerk of the Executive Council.