

Serial Number 1947/158



**THE CHEESE SUBSIDY REMOVAL (EMERGENCY
REGULATIONS 1947**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 15th day of
October, 1947

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Emergency Regulations Act, 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations for the purpose of imposing a levy on traders in respect of stocks of cheese on which subsidies have been paid and in respect of which an increased price will be authorized owing to the removal of subsidies.

REGULATIONS

1. These regulations may be cited as the Cheese Subsidy Removal Emergency Regulations 1947.

2. In these regulations, unless the context otherwise requires,—

“Cheese” means Cheddar cheese manufactured in New Zealand and intended for consumption in New Zealand :

“The said date” means the 20th day of October, 1947 (being the date from which subsidies on cheese will be removed and increased prices authorized) :

“Trader”, in relation to cheese, means any person who carries on the business of supplying cheese, whether as a wholesaler or a retailer, and includes any person who uses cheese in any manufacturing process, but does not include the proprietor of a factory in which cheese is manufactured.

3. (1) Every trader who is the owner of more than 160 lb. of cheese at midnight on the day immediately preceding the said date shall, within seven days from the said date, furnish to the Rationing Controller at Wellington appointed under the Rationing Emergency Regulations 1942* a return showing the amount of cheese so owned by him.

(2) A return made under this regulation shall include the amount of any cheese that is owned by the trader and stored or held by any other person on his behalf.

* Statutory Regulations 1942, Serial number 1942/111, page 253.

Reprinted with Amendments: Statutory Regulations 1944, Serial number 1944/130, page 372.

4. (1) Every trader who is required to furnish a return under Regulation 3 hereof shall pay into the Public Account an amount calculated at the rate of 4½d. a pound for all cheese in respect of which he is required to furnish a return as aforesaid.

(2) Any amount that is required to be paid under this regulation shall be paid by the trader into a branch of the Bank of New Zealand, and the bank receipt shall be forwarded by him to the Rationing Controller.

5. Any amount required by Regulation 4 hereof to be paid shall be deemed to be a debt due from the trader to the Crown, and may be recovered accordingly in any Court of competent jurisdiction.

6. (1) Every proprietor of a factory in which cheese is manufactured shall within seven days from the said date furnish to the Director of the Internal Marketing Division of the Marketing Department a return showing the following particulars,—

- (a) The amount of cheese manufactured by the proprietor from milk received at the factory after the 31st day of July, 1947, and sold by him before the said date :
- (b) The amount of cheese manufactured by the proprietor from milk received at the factory before the 1st day of August, 1947, and held in stock, unsold, at midnight on the day immediately preceding the said date, whether the cheese is held by him or on his behalf.

(2) Every such proprietor shall pay into the Public Account, in manner provided by subclause (2) of Regulation 4 hereof, an amount calculated at the rate of 4½d. a pound for all cheese in respect of which he is required, pursuant to paragraph (b) of the last preceding subclause, to furnish a return, and shall forward the bank receipt for the amount so required to be paid with the return.

7. Every person commits an offence against these regulations who—

- (a) Without lawful excuse fails to furnish any return required by these regulations to be furnished :
- (b) With intent to deceive, makes any false or misleading statement or any material omission in any return required to be furnished as aforesaid.

8. Every person who commits an offence against these regulations shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £100, and (if the offence is a continuing one) to a further fine not exceeding £10 for every day during which the offence continues.

W. O. HARVEY,
Clerk of the Executive Council.