

Serial Number 1948/15



THE DAIRY-PRODUCE LEVY REGULATIONS 1948

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 11th day of
February, 1948

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL 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-produce Levy Regulations 1948.

(2) These regulations shall come into force on the 1st day of March, 1948.

(3) In these regulations, unless the context otherwise requires,—

“ Board ” means the New Zealand Dairy Board referred to in section 10 of the Agriculture (Emergency Powers) Act, 1934 :

“ Commission ” means the New Zealand Dairy Products Marketing Commission established by the Dairy Products Marketing Commission Act, 1947 :

“ Dairy-produce ” means butter and cheese :

“ Manufacturer ” means the owner or occupier of a manufacturing dairy within the meaning of the Dairy-produce Regulations 1938* which is registered or licensed as a creamery, cheese-factory, or whey-butter factory.

(4) The Dairy-produce Levy Regulations 1936† and the Dairy-produce Levy Regulations 1936, Amendment No. 1, are hereby revoked.

* Statutory Regulations 1938, Serial number 1938/91, page 396.

† Gazette, 30th July, 1936, Vol II, page 1491.

Amendment No. 1 : Statutory Regulations 1946, Serial number 1946/114, page 276.

2. All charges fixed by the Board pursuant to section 23 of the Agriculture (Emergency Powers) Act, 1934, and the provisions of the regulations hereby revoked and payable by way of levy on all dairy-produce manufactured for sale before the date of the commencement of these regulations shall, unless and until other charges by way of levy on such dairy-produce are fixed by the Board pursuant to the said section 23 and these regulations, continue to be payable on all dairy-produce manufactured for sale on or after that date in accordance with the provisions of these regulations.

3. The amount of the levy that may be imposed by the Board, with the approval of the Minister of Marketing, on dairy-produce manufactured for sale on or at any time after the date of the commencement of these regulations and intended for export from New Zealand, and on dairy-produce so manufactured and intended for consumption in New Zealand, shall not exceed—

- (a) In the case of butter, $\frac{1}{8}$ d. per pound; and
- (b) In the case of cheese, $\frac{1}{16}$ d. per pound.

4. (1) Every levy imposed under the authority of the last preceding regulation on dairy-produce intended for export from New Zealand shall become payable on the date on which the dairy-produce in respect of which the levy is imposed is acquired by the Commission pursuant to the provisions in that behalf of the Dairy Products Marketing Commission Act, 1947, and shall be payable by the person from whom the dairy-produce is so acquired.

(2) Every levy imposed under the authority of the last preceding regulation on dairy-produce intended for consumption in New Zealand shall become payable on the sale by the manufacturer for the purposes aforesaid of the dairy-produce in respect of which the levy is imposed.

5. (1) Every person, being a manufacturer of dairy-produce, shall furnish or cause to be furnished to the Commission not later than seven days after the close of each month a return in accordance with a form to be provided by the Commission giving the information referred to in subclause (2) of this regulation and such other information as the Commission thinks fit concerning the stocks, manufacture, supplies, sales, and disposals of dairy-produce during the month preceding the date of the return. The return shall be certified as correct by writing thereon signed by the person making the return.

(2) The return may be combined with the return required under Regulation 29 of the Butter and Cheese Marketing Regulations 1948, and shall in respect of butter and also in respect of cheese contain the information indicated in form No. 4 in the Third Schedule to those regulations.

6. All moneys payable in respect of any levies imposed under the authority of Regulation 3 hereof on dairy-produce intended for export from New Zealand shall be paid to the Commission, and shall be deducted by the Commission from moneys payable by it to the person liable for the payment of the levies in respect of the price of the dairy-produce acquired by the Commission from that person pursuant to the provisions in that behalf of the Dairy Products Marketing Commission Act, 1947.

7. All moneys payable in respect of any levies imposed under the authority of Regulation 3 hereof on dairy-produce intended for consumption in New Zealand shall be paid, on demand, to the Commission,

or such moneys may be deducted by the Commission from moneys payable by it to the person liable for the payment of the levies in respect of the price of any dairy-produce acquired by the Commission from that person pursuant to the provisions in that behalf of the Dairy Products Marketing Commission Act, 1947.

8. All moneys received by the Commission in respect of levies imposed under the authority of Regulation 3 hereof, less a deduction of 1 per centum thereof in respect of the services of officers of the Commission, shall from time to time be paid to the Board.

T. J. SHERRARD,
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 12th day of February, 1948.

These regulations are administered in the Marketing Department.