

Serial Number 1942/179



THE EGG MARKETING EMERGENCY REGULATIONS 1942

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 17th day of
June, 1942.

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.

REGULATIONS.

1. These regulations may be cited as the Egg Marketing Emergency Regulations 1942.
2. In these regulations, unless the context otherwise requires,—
 - “ Minister ” means the Minister of Marketing :
 - “ Special egg marketing area ” means an area for the time being declared under Regulation 3 hereof to be a special egg marketing area for the purposes of these regulations :
 Expressions defined in the Egg Marketing Regulations 1940* have the meanings so defined :
 References to any regulations cited by their title include references to all subsequent regulations made in amendment thereof or in substitution therefor and for the time being in force.
3. The Minister may from time to time, by notice in writing, declare any specified area to be a special egg marketing area for the purposes of these regulations. Any notice under this regulation may be at any time in like manner amended or revoked.
4. (1) The Minister may from time to time give such directions as he thinks fit for the purpose of regulating, controlling, or prohibiting the sale or purchase of eggs within any special egg marketing area (whether by wholesale or retail) by any person specified in the directions or by a person of any class so specified.

* Statutory Regulations 1940, Serial number 1940/146, page 505.
Amendment No. 1 : Statutory Regulations 1941, Serial number 1941/117, page 375.

(2) Without limiting the general power hereinbefore conferred, it is hereby declared that directions may be given under this regulation in respect of any special egg marketing area for all or any of the following purposes :--

- (a) Prescribing the persons or class of persons to whom any sale of eggs within the area is required or authorized to be made :
 - (b) Prescribing the persons or class of persons from whom any purchase of eggs within the area is required or authorized to be made :
 - (c) Prescribing the quantities or the maximum or minimum quantities of eggs that are required or authorized to be included in any sale, purchase, or delivery made within the area :
 - (d) Requiring that any eggs or class of eggs sold within the area shall be branded or marked in such manner, by such persons, and within such times as may be specified in the directions, and prohibiting the sale or purchase within the area of eggs not branded or marked in accordance with the directions :
 - (e) Prescribing conditions upon or subject to which any sale or purchase of eggs within the area is required or authorized to be made.
- (3) Nothing in this regulation shall apply with respect to—
- (a) The sale of any eggs by the occupier of the poultry-run on which they are produced to any consumer purchasing for his own use, and not in any case for resale ; or
 - (b) The purchase of any eggs by any consumer for his own use from the occupier of the poultry-run on which they are produced,—

if actual delivery is made directly to the purchaser on that poultry-run.

5. (1) The Minister may give public notice of the exercise of any of his powers under these regulations or of any direction given by him under these regulations, and all persons shall be bound thereby.

(2) For the purposes of these regulations, except where otherwise specially provided, the term “ public notice ” means a notice published in the *Gazette* or in a newspaper circulating in the locality in which the matter of the notice arises or to which it relates.

(3) The Minister may, without public notice, give notice to any person of any such direction, and every person to whom the notice is given shall be bound thereby.

(4) Except where otherwise specially provided, any notice required to be given to any person for the purposes of these regulations may be given by causing it to be delivered to that person, or to be left at his usual or last known place of abode or business or at the address specified by him in any application or other document received from him by the Minister, or to be posted in a letter addressed to him at that place of abode or business or at that address.

(5) If any such notice is sent to any person by registered letter, it shall be deemed to have been delivered to him when it would have been delivered in the ordinary course of post, and in proving the delivery it shall be sufficient to prove that the letter was properly addressed and posted.

(6) Except where otherwise specially provided, any notice required to be given for the purposes of these regulations shall be sufficient if it purports to be given by or on behalf of the Minister, and is authenticated by the signature or name of the Minister.

(7) Every public notice or notice under these regulations shall take effect when it is published or given, or at such later time as may be specified in that behalf in the notice.

(8) Any notice under these regulations may be at any time varied or revoked by a subsequent notice.

6. The provisions of these regulations shall be in addition to and not in derogation of the provisions of the Egg Marketing Regulations 1940.*

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

- (a) Without lawful excuse acts in contravention of or fails to comply in any respect with any provision of these regulations or any direction given under these regulations :
- (b) With intent to deceive, makes any false or misleading statement or any material omission in any communication with or application to the Minister or any other person (whether in writing or otherwise) for the purposes of those regulations or for any other purpose relating to the sale or purchase of eggs within any special egg marketing area.

8. In any proceedings for an offence against these regulations in respect of any eggs that are proved or admitted to have been in the possession of any retailer, the burden of proving that the eggs were not sold to or purchased by the retailer in contravention of a direction given under these regulations shall be upon the defendant.

9. Every person who commits an offence against these regulations shall be liable on summary conviction—

- (a) In the case of an individual to imprisonment for a term not exceeding three months, or to a fine not exceeding £200 :
- (b) In the case of a body corporate, to a fine not exceeding £1,000.

C. A. JEFFERY,
Clerk of the Executive Council.

* Statutory Regulations 1940, Serial number 1940/146, page 505.