

Serial Number 1940/43.



THE HIDES EMERGENCY REGULATIONS 1940.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 7th day of March, 1940.

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 Hides Emergency Regulations 1940.
2. In these regulations, unless the context otherwise requires,—
 - “ Broker ” means a person whose ordinary business includes the sale of hides as the agent of the owner :
 - “ By-products company ” means a person or persons, whether incorporated or not, whose ordinary business includes the treatment and marketing of by-products derived from the slaughter of stock :
 - “ Committee ” means the Hides Committee appointed by the Minister in accordance with these regulations :
 - “ Dealer ” means a person whose ordinary business includes the purchase of hides for resale in New Zealand, and who was engaged in such business immediately prior to the commencement of these regulations :
 - “ Department ” means the Marketing Department :
 - “ Exporter ” means a person whose ordinary business includes the export of hides from New Zealand :
 - “ Factory Controller ” means the person for the time being holding office as the Factory Controller under the Factory Emergency Regulations 1939 :
 - “ Freezing company ” means the proprietor or occupier of any freezing-works, whether incorporated or not, and includes a meat-exporter on whose account stock intended for export is slaughtered by any freezing company :

- “Hides” means the salted or dried skins of any bovine animals, not being the skins of calves that have been killed for “bobby” meat :
- “Minister” means the Minister of Marketing, and includes any other Minister of the Crown acting for the purposes of these regulations with the authority or concurrence of the Minister of Marketing :
- “New Zealand Standard Specification” means the New Zealand Standard Specification No. 161 (being the standard specification issued by the New Zealand Standards Institute for the treatment, grading, and classification of hides), and includes any amendment thereof that may hereafter be issued or any specification that may hereafter be issued in substitution therefor :
- “Person” includes a firm of persons, or any company or other corporation :
- “Scale of standard domestic values” means the scale of values for hides as fixed by the Minister in accordance with these regulations :
- “Tanner” means a member of the New Zealand Tanners’ Association who is for the time being engaged in the business of tanning hides.

THE HIDES COMMITTEE.

3. (1) For the purposes of these regulations there shall be a Committee, to be called “the Hides Committee,” consisting of—
- (a) The Director of the Export Division of the Marketing Department :
 - (b) The Director-General of the Department of Agriculture :
 - (c) Eight other persons to be appointed by the Minister to represent respectively the New Zealand Meat-producers Board and the New Zealand Sheepowners’ Federation jointly, the New Zealand Tanners’ Association, the New Zealand Farmers’ Union (Inc.), the North Island and the South Island Freezing Companies’ Associations jointly, the New Zealand Hide Exporters’ Association, the New Zealand Woolbrokers’ Association, the New Zealand Master Butchers’ Association, and the Live-stock Butchers’ Association.
- (2) The members of the Committee referred to in paragraph (c) of the last preceding subclause shall hold office during the pleasure of the Minister.
- (3) If the Director of the Export Division of the Marketing Department or the Director-General of Agriculture is unable to be present at any meeting of the Committee, he may be represented thereat by any officer of his Department authorized by him in that behalf. If any other member of the Committee is unable to be present at any meeting of the Committee he may, by writing addressed to the Secretary or other executive officer of the Committee, appoint a substitute (not being a barrister or a solicitor) to attend that meeting in his stead. Any such person, while attending a meeting of the Committee as a substitute for a member, shall be deemed to be a member of the Committee.

(4) The Committee shall have the functions conferred on it by these regulations and shall regulate its own procedure.

(5) No member of the Committee shall be entitled to receive any salary or other remuneration or any travelling allowance or expenses in respect of his services as a member of the Committee.

4. (1) Any member of the Committee or any person acting with the authority of the Committee may, at any reasonable time, enter upon any premises in which any hides are stored or believed to be stored (whether for sale or not) and may inspect any hides found thereon or therein.

(2) In the exercise of its functions under these regulations the Committee may, by writing under the hand of its Chairman or of its Secretary or other executive officer, require any person to answer in writing, within such time and in such form as the Committee may require, any questions or to furnish any returns relative to hides, or to produce, for the inspection of any person appointed by the Committee for the purpose, any books or documents in his possession or control relating to hides, and to allow copies of or extracts from such books or documents (in so far as they relate to hides) to be made by the person so inspecting them.

SCALE OF STANDARD DOMESTIC VALUES.

5. (1) For the purposes of these regulations there shall be a scale of values for hides to be known as "the Scale of Standard Domestic Values."

(2) Subject to the following provisions of this clause, the Scale of Standard Domestic Values shall be in accordance with the provisions of the Schedule hereto.

(3) The Scale of Standard Domestic Values may from time to time be amended by the Minister, after consultation with the Hides Committee, or may in like manner be revoked by the Minister and a new scale may be substituted therefor.

(4) Notice of any alteration of the Scale of Standard Domestic Values as prescribed in these regulations shall be published by the Minister in the *Gazette* and in such other manner (if any) as he thinks fit.

GENERAL PROVISIONS RELATING TO THE SALE OF HIDES.

6. (1) This clause of these regulations shall apply with respect to the sale of hides by any broker, by-products company, dealer, freezing company, or exporter, but shall not apply to sales by any other person.

(2) At any sale to which this clause applies all hides offered for sale shall be prepared, displayed, and catalogued in accordance with the New Zealand Standard Specification, and shall be classified in accordance with the classification appearing in the Scale of Standard Domestic Values. The Committee may direct the withdrawal from sale of any hides in respect of which the requirements of this subclause have not been complied with.

(3) Adequate notice of every sale to which this clause relates shall be given by or on behalf of the owner to the Hides Committee and to the New Zealand Tanners' Association, the North Island Freezing

Companies' Association, the South Island Freezing Companies' Association, and the New Zealand Hide Exporters' Association. The Committee may direct the postponement of any sale if, in its opinion, adequate notice of the sale has not been given in accordance with this subclause.

(4) All sales to which this clause relates shall be either by public auction or by public tender.

(5) At any such sale no bid or tender shall be accepted from or on behalf of any person who is not an exporter.

(6) Any hides offered for sale in accordance with this clause may be withdrawn from sale, but the withdrawal of such hides from sale shall not, unless the Committee otherwise directs, affect the right of any tanner to acquire those hides or a proportion of them in accordance with the next succeeding clause.

SALES OF HIDES TO TANNERS.

7. (1) Every sale of hides by auction or tender in accordance with the last preceding clause shall be a provisional sale, and shall be subject to the rights conferred on tanners by this clause.

(2) Subject to the provisions of this clause, any tanner may for the purposes of his business acquire as of right—

(a) Any complete lot or lots of hides that are offered by freezing companies and exporters for sale by public tender in accordance with the last preceding clause :

(b) Two-thirds of any other lot of hides offered for sale by public auction or public tender in accordance with the last preceding clause.

(3) The proportion of any lot of hides which a tanner may acquire as of right in accordance with the last preceding paragraph of this clause may from time to time be varied by the Minister after consultation with the Committee.

(4) Notwithstanding anything to the contrary in the foregoing provisions of this clause, the Committee may, with the approval of the Factory Controller, direct that the proportion of all or any lots of hides offered for sale by any individual broker, by-products company, dealer, exporter, or freezing company which may be acquired by tanners as of right shall be reduced for such period as the Committee may determine if in the opinion of the Factory Controller such reduction is necessary to protect the export trade of the Dominion in hides and sufficient hides of the appropriate quality are reasonably available to tanners from other brokers, by-products companies, dealers, exporters, and freezing companies.

(5) The purchase-price to be paid by tanners for any hides acquired by them in accordance with these regulations shall be computed as follows :—

(a) In respect of hides that have been withdrawn from sale in accordance with subclause (6) of the last preceding clause, the price shall (in the case of hides that were originally offered for sale by tender by or on account of any freezing company or exporter) be computed in accordance with the Scale of Standard Domestic Values for the time being in force, and in any other case the price shall be the fair market value of the hides as fixed by the Committee :

(b) In respect of hides acquired from any freezing company or exporter on sale by tender, the price shall be computed in accordance with the Scale of Standard Domestic Values for the time being in force :

(c) In every other case the price shall be computed in accordance with the highest bid or the highest tender received for those hides at the sale at which the right to acquire hides is exercised.

(6) Where two or more tanners wish to acquire the same hides, the Factory Controller shall determine how those hides shall be allocated, having regard to the requirements of the several claimants.

(7) Where any tanner, pursuant to the right conferred by this clause, acquires some only of the hides included in any lot, he shall make his selection in the order in which the hides are displayed for sale.

(8) The right to acquire hides conferred on tanners by this clause shall be exercised as follows :—

(a) In the case of hides offered for sale by auction, the tanner or his representative shall inform the auctioneer immediately any lot of hides has been knocked down that he intends to purchase all the hides comprised in the lot, or some of those hides, as the case may be :

(b) In the case of hides offered for sale by tender, the tanner or his representative shall, before the time fixed for the close of tenders, inform the vendor in writing that he intends to acquire the hides, or some of them, as the case may be.

(9) Notwithstanding anything in the foregoing provisions of this clause, no tanner shall have the right to purchase hides thereunder in excess of the reasonable requirements of his business of tanning hides required in the manufacture of leather for use in New Zealand. If any question arises under this subclause as to what are the reasonable requirements of any tanner, it shall be decided by the Factory Controller on complaint made through the Committee by any freezing company, exporter, or other person.

(10) If in respect of any hides the Factory Controller certifies to the Committee that in his opinion they have been acquired or are intended to be acquired by a tanner in excess of the reasonable requirements of his business, the Committee may direct that they be returned to the original owner or be otherwise disposed of by the tanner in accordance with the directions of the Committee, or, as the case may be, that the tanner shall not be entitled to purchase them under these regulations.

8. It shall not be lawful for any tanner to purchase any hides except pursuant to these regulations or to sell any hides that have been purchased by him pursuant to these regulations except by direction or with the authority of the Committee.

RESTRICTION ON EXPORT OF HIDES.

9. (1) Except as provided in the next succeeding subclause, no hides shall be exported from New Zealand after the commencement of these regulations unless the following conditions have been complied with, namely—

(a) The hides have been offered for sale by public auction or public tender in accordance with these regulations :

- (b) A *bona fide* contract has been entered into for the sale of those hides to an overseas purchaser :
- (c) The levy fixed in respect of those hides by the next succeeding clause of these regulations has been duly paid to the Collector of Customs at the port of shipment or a certificate from the Committee is presented to that Collector that the levy has been paid or that satisfactory arrangements for the payment of the levy have been made.

(2) If in respect of any hides the Committee is satisfied that a *bona fide* contract for the sale of those hides to an overseas purchaser has been entered into before the commencement of these regulations, it may allow those hides to be exported notwithstanding that they may not have been offered for sale as required by paragraph (a) of the last preceding subclause, and may also, if in its opinion it is equitable so to do, exempt those hides wholly or in part from the levy imposed under the next succeeding clause, or authorize the refund in whole or in part of any levy that has been paid in respect of those hides.

EQUALIZATION FUND.

10. (1) The Committee shall from time to time fix the rate of a levy to be charged in accordance with this clause on hides exported from New Zealand.

(2) Subject to the provisions of subclause (2) of the last preceding clause, the levy, computed at the rate for the time being fixed by the Committee, shall be charged on all hides that are exported from New Zealand after the commencement of these regulations.

(3) The levy shall be fixed by reference to the f.o.b. export value of the hides to which it relates.

(4) The levy shall, in accordance with the general directions of the Committee or with its special directions in any case, be paid in the first instance to the Committee or the Department or to the Collector of Customs at the port of shipment.

(5) From the amount collected by any Collector of Customs there shall be deducted, as Customs revenue, such commission as the Minister of Customs shall direct. Save as aforesaid, the levy shall be paid into an Equalization Fund to be held in a special account in the Marketing Account or into such other account as the Committee, with the approval of the Minister, may determine.

11. (1) The Equalization Fund shall be administered by the Hides Committee, and any moneys belonging to the Equalization Fund may be disbursed in accordance with the directions of the Committee.

(2) All expenses incurred by or with the authority of the Committee in the administration of these regulations (including the salaries or other remuneration of the Secretary or any other officers employed by the Committee and any charges payable in respect of the services of any Department of State) shall be a first charge on the Equalization Fund and shall be paid out of the Fund.

(3) The residue of the Fund shall be available for the payment of duly authenticated claims made in accordance with the next succeeding clause.

12. (1) Every tanner who, in accordance with these regulations, has bought any hides at a price in excess of a price computed in accordance with the Scale of Standard Domestic Values for the time being in force shall be entitled to receive from the Equalization Fund an amount equal to the difference between the price paid by him and the price computed as aforesaid.

(2) Any person who, in accordance with these regulations, has sold hides to any tanner at a price computed in accordance with the Scale of Standard Domestic Values shall be entitled to receive from the Equalization Fund an amount equal to the difference between that price and the fair market value of the hides as ascertained by auction or tender in accordance with the foregoing provisions of these regulations.

(3) Every claim under this clause shall be made to the Hides Committee, and the Committee shall determine the amount (if any) to be paid out of the Equalization Fund on any such claim.

(4) The decision of the Committee on any such claim shall be final.

(5) No person shall have any claim against the Department or the Crown for any loss incurred by him in respect of the sale of hides in accordance with these regulations, or by reason of the fact that the Equalization Fund may not be adequate to meet all the claims made under these regulations and allowed by the Committee.

AUDIT OF ACCOUNTS.

13. (1) The accounts of the Committee shall be audited by the Audit Office, and the Audit Office shall have the same powers in respect thereof as it would have if the accounts of the Committee related to public moneys within the meaning of the Public Revenues Act, 1926.

(2) The Audit Office shall be entitled to charge for its services such fees as the Minister of Finance may from time to time approve.

(3) If at any time the Audit Office certifies to the Committee that the levy as fixed by the Committee is not likely to be sufficient to meet the claims on the Equalization Fund for the ensuing period of six months, it shall be the duty of the Committee to increase the rate of the levy in accordance with the recommendations of the Audit Office.

OFFENCES.

14. Every person commits an offence against these regulations and shall be liable accordingly under the Emergency Powers Act, 1939, who obstructs or interferes with any member of the Committee or with any other person in the exercise of any powers conferred by these regulations, or who, being duly required by the Committee to answer any questions or to furnish any returns or to produce any books or other documents, refuses or wilfully fails or neglects so to do or who furnishes any information that is false or misleading in any material particulars or who otherwise commits a breach of or fails to comply with any of the requirements of these regulations.

MISCELLANEOUS.

15. (1) The Committee may, subject to the provisions of this clause, appoint any person employed in any Government Department to be an officer of the Committee.

(2) Any such person may hold concurrently his office in such Department and his office with the Committee.

(3) No person shall be appointed an officer of the Committee as aforesaid except with the approval of the Public Service Commissioner (in the case of any officer under the control of the Commissioner) or, in any other case, except with the approval of the Minister in charge of the Department concerned.

16. The Committee may, with the consent of the Minister of Marketing and on terms to be approved by him, borrow moneys in anticipation of the levy for the purposes of the Equalization Fund and may charge that Fund with the repayment of any moneys so borrowed and with the payment of interest thereon.

17. If and when the levy imposed by these regulations is abolished and all claims against the Equalization Fund have been settled, any surplus that may be left in the Fund shall be paid by the Committee to the New Zealand Meat-producers Board and shall form part of the funds of that Board as if it had been received by way of a levy on meat in accordance with the Meat Export Control Act, 1921-22.

SCHEDULE.

SCALE OF STANDARD DOMESTIC VALUES.

FREEZER STANDARD HIDES AND YEARLINGS.

Weight Range Classification.	First Grade, per Pound.	Second Grade, per Pound.
<i>Ox-hides.</i>		
70 lb. and up	d. 9 $\frac{5}{8}$	d. 9 $\frac{1}{8}$
59-69 lb.	8 $\frac{7}{8}$	8 $\frac{1}{4}$
53-58 lb.	8 $\frac{3}{8}$	8
45-52 lb.	8 $\frac{1}{8}$	7 $\frac{5}{8}$
30-44 lb.	8 $\frac{1}{8}$	7 $\frac{5}{8}$
Under 30 lb.	8 $\frac{1}{8}$	7 $\frac{5}{8}$
Tare : 4 per cent.		
<i>Cow-hides.</i>		
51 lb. and up	d. 8 $\frac{1}{8}$	d. 7 $\frac{5}{8}$
40-50 lb.	8 $\frac{1}{8}$	7 $\frac{5}{8}$
30-39 lb.	8 $\frac{1}{8}$	7 $\frac{5}{8}$
Under 30 lb.	8 $\frac{1}{8}$	7 $\frac{5}{8}$
Tare : 4 per cent.		
<i>Bull-hides.</i>		
Under 45 lb.	d. 5 $\frac{3}{8}$	d. 5 $\frac{1}{8}$
45-69 lb.	5 $\frac{3}{8}$	5 $\frac{1}{8}$
70 lb. and up	5 $\frac{3}{8}$	5 $\frac{1}{8}$
Tare : 4 per cent.		
<i>Yearlings.</i>		
25-30 lb.	d. 8 $\frac{3}{4}$	d. 8 $\frac{1}{4}$
17-24 lb.	10 $\frac{1}{4}$	9 $\frac{3}{4}$
9-16 lb.	11 $\frac{3}{8}$	10 $\frac{7}{8}$
Tare : 4 per cent.		

All prices bagged free on board coastal steamer for direct shipment to tanners port of discharge. When delivery is required other than bagged f.o.b., an allowance is to be made in accordance with the nature of the delivery.

HIDES, YEARLINGS, AND CALF-SKINS OTHER THAN FREEZER HIDES, YEARLINGS,
AND CALF-SKINS.

Weight Range Classification.	Abattoir Standard.		Country Butcher Standard.		Farmers' Standard.	
	First Grade, per Pound.	Second Grade, per Pound.	First Grade, per Pound.	Second Grade, per Pound.	First Grade, per Pound.	Second Grade, per Pound.

Ox-hides.

	d.	d.	d.	d.	d.	d.
70 lb. and up ..	$8\frac{3}{4}$	$8\frac{1}{4}$	$8\frac{1}{4}$	$7\frac{3}{4}$	$7\frac{3}{4}$	$7\frac{1}{4}$
59-69 lb. ..	$7\frac{5}{8}$	$7\frac{3}{8}$	$7\frac{3}{8}$	$6\frac{7}{8}$	$6\frac{7}{8}$	$6\frac{3}{8}$
53-58 lb. ..	$7\frac{5}{8}$	$7\frac{3}{8}$	$7\frac{1}{4}$	$6\frac{5}{8}$	$6\frac{5}{8}$	$6\frac{1}{4}$
45-52 lb. ..	$7\frac{1}{4}$	$6\frac{3}{4}$	$6\frac{3}{4}$	$6\frac{1}{4}$	$6\frac{1}{4}$	$5\frac{3}{4}$
30-44 lb. ..	$7\frac{1}{4}$	$6\frac{3}{4}$	$6\frac{3}{4}$	$6\frac{1}{4}$	$6\frac{1}{4}$	$5\frac{3}{4}$
Under 30 lb. ..	$7\frac{1}{4}$	$6\frac{3}{4}$	$6\frac{3}{4}$	$6\frac{1}{4}$	$6\frac{1}{4}$	$5\frac{3}{4}$

Third-grade hides to be valued at $\frac{1}{2}$ d. per pound below second-grade hides.

Tare : Under 30 lb., 2 lb. per hide ; 30-69 lb., 4 lb. per hide ; 70's and over, 6 lb. per hide.

Cow-hides.

	d.	d.	d.	d.	d.	d.
51 lb. and up ..	$7\frac{1}{4}$	$6\frac{3}{4}$	$6\frac{3}{4}$	$6\frac{1}{4}$	$6\frac{1}{4}$	$5\frac{3}{4}$
40-50 lb. ..	$7\frac{1}{4}$	$6\frac{3}{4}$	$6\frac{3}{4}$	$6\frac{1}{4}$	$6\frac{1}{4}$	$5\frac{3}{4}$
30-39 lb. ..	$7\frac{1}{4}$	$6\frac{3}{4}$	$6\frac{3}{4}$	$6\frac{1}{4}$	$6\frac{1}{4}$	$5\frac{3}{4}$
Under 30 lb. ..	$7\frac{1}{4}$	$6\frac{3}{4}$	$6\frac{3}{4}$	$6\frac{1}{4}$	$6\frac{1}{4}$	$5\frac{3}{4}$

Thirds to be valued $\frac{1}{2}$ d. per pound below seconds.

Tare : Under 30 lb., 2 lb. per hide ; 30-69 lb., 4 lb. per hide ; 70 lb. and over, 6 lb. per hide.

Bull-hides.

	d.	d.	d.	d.	d.	d.
Under 45 lb. ..	$4\frac{3}{4}$	$4\frac{1}{4}$	$4\frac{1}{4}$	$3\frac{3}{4}$	$3\frac{3}{4}$	$3\frac{1}{4}$
45-69 lb. ..	$4\frac{3}{4}$	$4\frac{1}{4}$	$4\frac{1}{4}$	$3\frac{3}{4}$	$3\frac{3}{4}$	$3\frac{1}{4}$
70 lb. and up ..	$4\frac{3}{4}$	$4\frac{1}{4}$	$4\frac{1}{4}$	$3\frac{3}{4}$	$3\frac{3}{4}$	$3\frac{1}{4}$

Thirds to be valued $\frac{1}{2}$ d. per pound below seconds.

Tare : 4 lb. per hide up to 69 lb. ; 6 lb. per hide for 70 lb. and over.

Yearlings.

	d.	d.	d.	d.	d.	d.
25-30 lb. ..	72	$7\frac{3}{8}$	$6\frac{7}{8}$	$6\frac{3}{8}$	$5\frac{7}{8}$	$5\frac{3}{8}$
17-24 lb. ..	$9\frac{5}{8}$	$8\frac{7}{8}$	$8\frac{3}{8}$	$7\frac{7}{8}$	$7\frac{3}{8}$	$6\frac{7}{8}$
9-16 lb. ..	$10\frac{1}{2}$	10	$9\frac{1}{2}$	9	$8\frac{1}{2}$	8

Third farmers' standard to be valued 1d. per pound below second farmers' standard.

Tare : 9-16's, 1 lb. per skin ; 17-30's, 2 lb. per skin.

Calf-skins (all Calf other than Freezers).

Weight Range Classification.	First- grade Sound.	Second- grade Sound.	Third- grade Sound.	First- grade Cut.	Second- grade Cut.	First- grade Slippy.	Second- grade Slippy.
6-8 lb.	d. 13	d. 12	d. 11	d. 12	d. 10	d. 10	d. 8
4-5 $\frac{3}{4}$ lb.	13	12	11	12	10	10	8
Under 4 lb.	13	12	11	12	10	10	8

Tare : Nil up to 5 $\frac{3}{4}$ lb. ; 1 lb. per skin on skins 6-8 lb.

All the foregoing prices are for hides loose on the floor at Auckland, Wellington, Christchurch, and Dunedin. The prices for hides loose on floor at other centres are $\frac{1}{4}$ d. per pound lower.

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

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 8th day of March, 1940.

These regulations are administered in the Export Division of the Marketing Department.