

Serial Number 1941/226.



**THE INDUSTRIAL EFFICIENCY (PHARMACY)
REGULATIONS 1938, AMENDMENT NO. 2.**

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

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 5th day of
December, 1941.

Present :

THE RIGHT HON. P. FRASER PRESIDING IN COUNCIL.

PURSUANT to the provisions of the Industrial Efficiency Act, 1936, and section 26 of the Board of Trade Act, 1919, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and acting so far as the regulations hereby made enure under the Board of Trade Act, 1919, on the recommendation of the Minister of Industries and Commerce, and deeming the provisions hereinafter contained to be necessary in the public interest for divers of the purposes set out in section 26 of the Board of Trade Act, 1919, and for the purpose of section 9 of the Industrial Efficiency Act, 1936, doth hereby make the following regulations.

REGULATIONS.

1. These regulations may be cited as the Industrial Efficiency (Pharmacy) Regulations 1938, Amendment No. 2.
2. These regulations shall be read together with and form part of the Industrial Efficiency (Pharmacy) Regulations 1938* (hereinafter called the principal regulations).
3. These regulations shall come into force on the day following notification in the *Gazette* of the making thereof.†
4. The regulations to be cited as the Industrial Efficiency (Pharmacy) Regulations 1938, Amendment No. 1‡, are hereby revoked.

* Statutory Regulations 1938, Serial number 1938/183, page 769.

† See end note.

‡ Statutory Regulations 1939, Serial number 1939/212, page 865.

5. Clause 3 of the principal regulations is hereby revoked, and the following substituted :—

“ 3. These regulations shall apply in relation to the industry referred to in a notice given by the Minister of Industries and Commerce pursuant to section 14 of the Industrial Efficiency Act, 1936, on the 4th day of December, 1936, and published in the *Gazette* on the 10th day of December, 1936, as amended by the Industry Licensing (Pharmacy) Amendment Notice 1941, and by the joint effect of the two aforesaid notices described as—

“ ‘ The business of a pharmaceutical chemist carried on in any shop or place of business.’ ”

6. Clause 34 of the principal regulations is hereby revoked, and the following substituted :—

“ 34. Before any license is issued there shall be payable for the purposes hereinafter specified in respect of each pharmacy owned by each licensee an annual license fee of £1 per annum and an annual levy computed as follows :—

“ Pharmacies with a sales turnover not exceeding £1,000 : £4.

“ Pharmacies with a sales turnover exceeding £1,000 : £4, plus 10s. for each £500 or part thereof of sales turnover exceeding £1,000.

“ Provided that the levy shall not be payable in respect of any pharmacy the sales turnover of which does not exceed £500 which is wholly owned on a co-operative basis, whether as a partnership or as an incorporated company limited by shares by pharmacists to whom licenses have been issued in respect of other pharmacies, and which is open for business only during hours not ordinarily observed by the pharmacists in the locality.”

7. Clauses 39 to 44 inclusive of the principal regulations are hereby revoked, and the following substituted :—

“ 39. Every fee and levy may be paid by lodging the same at the bank where for the time being the Public Account is kept to the credit of the Bureau of Industry Bank Account, or may be paid in cash at the office of the Bureau of Industry.

“ 40. Every person making any payment in respect of a license fee or levy shall forthwith notify the Bureau in a form prescribed by the Bureau of Industry of the amount of such payment and the amount of turnover on which the levy payment is based.

“ 41. (i) Every application for a license to carry on the said industry shall be accompanied by an application fee of £1.

“ (ii) Every application for leave to transfer a license made pursuant to section 20 of the Industrial Efficiency Act, 1936, shall be in writing signed by or on behalf of the licensee and the proposed transferee, and shall be accompanied by a transfer fee of £2.

“ (iii) Every appeal under section 21 of the said Act shall be in writing signed by or on behalf of the appellant, and shall be accompanied by a fee of £2. If in the opinion of the Minister the appellant is substantially successful in his appeal, the said fee of £2 shall be refunded to the appellant.

“ 42. An account (hereinafter referred to as the Pharmacy Industry Account) shall be established in respect of all levies and fees payable under these and the principal regulations, and the moneys belonging to the Pharmacy Industry Account shall be lodged in the Bureau of Industry Bank Account established under the Licensed Industries General Regulations 1940, and accordingly Part VII of the Licensed Industries General Regulations 1940 shall apply to the said industry but subject to the express provisions herein contained.

“ 43. The moneys belonging to the Pharmacy Industry Account and lodged in the Bureau of Industry Bank Account shall be withdrawn for such of the purposes set out in clause 44 hereof as the Bureau may direct.

“ 44. The moneys belonging to the Pharmacy Industry Account may with the approval of the Minister given after considering any recommendation made by the Committee and the Bureau, be applied in defraying the expenditure incurred in the carrying out of these regulations, and of the plan herein referred to, including the expenses of the Committee, and in the general administration of the Industrial Efficiency Act, 1936, so far as it relates to the pharmacy industry.”

T. R. AICKIN,
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 5th day of December, 1941.

These regulations are administered in the Department of Industries and Commerce, Tourist and Publicity.