

Serial Number 1941/109.



**THE INDUSTRIAL EFFICIENCY (FISH) REGULATIONS 1941.**

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

**ORDER IN COUNCIL.**

At the Government House at Wellington, this 1st day of  
July, 1941.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Industrial Efficiency Act, 1936, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

**REGULATIONS.**

**PART I.—PRELIMINARY.**

1. These regulations may be cited as the Industrial Efficiency (Fish) Regulations 1941.

2. These regulations shall be deemed to be special regulations within the meaning of the Licensed Industries General Regulations 1940\* (hereinafter called the general regulations), which shall apply as hereby modified to the industries referred to in the next succeeding regulation hereof.

3. These regulations shall apply to the industries referred to in the notices mentioned in the first column of the Schedule hereto and therein respectively described as set out in the second column of the said Schedule.

4. In these regulations, if not inconsistent with the context, the terms set out in the third column of the Schedule hereto mean respectively licenses to carry on the industries referred to in the notices mentioned in the first column of the said Schedule, and "license" means any of the licenses enumerated in the third column of the said Schedule.

5. The Industrial Efficiency (Fish) Regulations 1939† are hereby revoked.

6. All licenses, and generally all acts of authority and all applications and other documents, matters, acts, and things, and all periods of time which originated or had effect under the regulations hereby revoked so far as these regulations had application to the industries referred

\* Statutory Regulations 1940, Serial number 1940/279, page 969.

† Statutory Regulations 1939, Serial number 1939/258, page 1018.

to in Regulation 3 hereof and which are of continuing effect at the time of coming into force of these regulations and are of a kind capable of originating under these regulations, shall enure for the purposes of these regulations as if they had originated under these regulations, and shall, where necessary, be deemed to have so originated.

7. The following clauses of the general regulations shall not apply to the industries to which these regulations relate: 7:1, 7:2, 7:3, 7:4, 7:5, and 7:6.

#### PART II.—FEES.

8. Every application for a license to carry on any of the said industries shall be accompanied by an application fee of 10s.:

Provided that if the application be granted the amount of the first annual license fee payable by the licensee as hereinafter provided shall be deemed to have been satisfied or reduced, as the case may be, by the payment of the said application fee.

9. Every person carrying on at more than one shop the industry referred to in the Industry Licensing (Fish Retailing) Notice 1939\* shall be required to hold a Fish Retailer's License in respect of each shop at which he carries on the industry:

Provided that no additional license shall be required in respect of the hawking of fish by the holder of a Fish Retailer's License held in respect of a shop.

10. In respect of every license issued for the purposes hereinafter specified, other than a Fish Wholesaler's License, there shall be payable by each licensee an annual license fee in accordance with the following scale:—

	£	s.	d.
(a) Industrial Fishing License .. ..	0	10	0
(b) Industrial Oyster-dredging License ..	10	0	0
(c) Fish Exporter's License .. ..	1	0	0
(d) Fish Retailer's License .. ..	2	0	0
(e) Fish Canner's License .. ..	1	0	0

Provided that where the holder of a Fish Retailer's License (other than a license held in respect of a shop) is also the holder of an Industrial Fishing License in respect of a locality in which it is not deemed by the Bureau to be desirable to require fish to be distributed through a holder of a Fish Wholesaler's License, the annual license fee in respect of the Fish Retailer's License shall be reduced to 10s.

11. In respect of every Fish Wholesaler's License issued there shall be payable by each licensee an annual license fee computed as follows:—

Licencees with an annual fish turnover not exceeding one million pounds weight .. ..	£	10
Licencees with an annual fish turnover exceeding one million but not exceeding two million pounds weight .. ..	20	
Licencees with an annual fish turnover exceeding two million pounds weight .. ..	30	

\* Statutory Regulations 1939, Serial number 1939/181, page 763.  
Amendment No. 1, Statutory Regulations 1940, Serial number 1940/147, page 515.

12. For the purpose of the last preceding regulation the annual fish turnover shall be deemed to be the total weight (at the time of delivery into the wholesaler's premises, whether green or in any state of preparation for sale) of fish (as defined in the Industry Licensing (Fish Wholesalers) Notice 1939)\* received by a wholesaler, whether purchased from fishermen, at auctions, or from any other source, or caught by the fishing-boats of the wholesaler, and intended for sale by wholesale, for the financial year of the business according to which accounts are prepared for the purpose of income-tax returns and which ended next before the due date for payment of the license fee :—

Provided always—

First, that in respect of the sale by wholesale of shell-fish, including oysters (other than rock-oysters), the weight shall be calculated on the following basis—

In respect of shell-fish other than oysters	.. ..	70 lb. per sack :
In respect of oysters (other than rock-oysters)	.. ..	50 lb. per sack :

Secondly, that if any fish wholesale business has not been carried on, whether by the same or a previous owner, for a complete financial year immediately prior to the due date for payment of the first license fee payable for the license, the annual fish turnover shall be deemed to be a weight bearing the same proportion to the fish turnover for the period for which the business has been carried on as one year bears to the said period :

Thirdly, that, except as provided by Regulation 16 hereof, the fee for a Fish Wholesaler's License shall nevertheless in no case be less than £10.

13. Every wholesaler making any payment in respect of a license fee based on turnover as prescribed in Regulation 11 hereof shall forthwith notify the Bureau of the amount of fish turnover on which the amount of the license fee was calculated, and in support thereof shall forward to the Bureau a statement setting out the sources of supply, the kinds, and the respective quantities of fish comprised in such fish turnover.

14. The annual license fee shall be deemed upon the first occasion of becoming due under any particular license to be for a period commencing on the day on which the license is granted, or any later day named in the license for the license to take effect and ending on the 30th day of November next following ; and upon every subsequent occasion of becoming due shall be deemed to be for annual periods computed from the date last mentioned.

15. The annual license fee shall on the first occasion of becoming due under any particular license be payable within one month from the date on which the license was granted, and shall on every subsequent occasion of becoming due be payable in each year on the 1st day of December.

\* Statutory Regulations 1939, Serial number 1939/182, page 765.

Amendment No. 1, Statutory Regulations 1940, Serial number 1940/148, page 516.

16. If the period in respect of which the first license fee payable in respect of any business is deemed to be paid is six but less than nine months, the fee hereinbefore prescribed shall be reduced by one-fourth; if it is three but less than six months, by one-half; if it is less than three months, by three-fourths of the respective fee hereinbefore prescribed.

17. Every application for leave to transfer a license shall be accompanied by a transfer fee of £2, save that every application for leave to transfer an Industrial Fishing License shall be accompanied by a transfer fee of 10s.

SCHEDULE.

Notice.	Industry.	License.
*The Industry Licensing (Fishing) Notice 1939	The taking by a fisherman for sale of fish as defined	Industrial Fishing License.
†The Industry Licensing (Oyster-dredging) Notice 1939	The taking from oyster-beds of oysters as defined	Industrial Oyster-dredging License.
‡The Industry Licensing (Fish-export) Notice 1939	The export of fish as defined ..	Fish Exporter's License.
§The Industry Licensing (Fish-canning) Notice 1939	The preservation for sale in hermetically sealed cans, jars, or other containers of fish as defined	Fish Canner's License.
The Industry Licensing (Fish Wholesalers) Notice 1939, as amended by the Industry Licensing (Fish Wholesalers) Notice 1939, Amendment No. 1	The sale by wholesale of fish as defined	Fish Wholesaler's License.
The Industry Licensing (Fish Retailing) Notice 1939, as amended by the Industry Licensing (Fish Retailers) Notice 1939, Amendment No. 1	The sale by retail of fish as defined	Fish Retailer's License.

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

- \* Statutory Regulations 1939, Serial number 1939/183, page 766.  
 † Statutory Regulations 1939, Serial number 1939/178, page 759.  
 ‡ Statutory Regulations 1939, Serial number 1939/179, page 761.  
 § Statutory Regulations 1939, Serial number 1939/180, page 762.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 10th day of July, 1941.

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