

Serial Number 227/1937.



**THE INDUSTRY LICENSING (MOTOR-SPIRITS SALE NO. 2)
NOTICE.**

Enacting authority : The Minister of Industries and Commerce.

Date of enactment : 5th day of May, 1937.

Date of publication in *Gazette* : 6th day of May, 1937.*

PURSUANT to the authority conferred on me by section 14 of the Industrial Efficiency Act, 1936, and of all other powers enabling me in that behalf, I hereby revoke the notice published under the said Act in the *Gazette* of the 10th December, 1936, in so far as it relates to the retail sale and distribution of motor-spirit, and in lieu thereof doth hereby give notice that the said industry may, on and after the taking effect of this notice, be carried on only pursuant to a license issued under Part III of the said Act.

This notice shall take effect in accordance with the following provisions, namely :—

- (a) In the case of persons who, on the date of the publication of this notice in the *Gazette*, are lawfully engaged in carrying on business in the industry to which this notice relates, this notice shall (except as hereinafter mentioned) take effect on the 1st day of December, 1938, or on such earlier or later date (if any) as may hereafter be specified by a further notice under the section hereinbefore referred to. The foregoing provisions of this paragraph in respect of any particular business shall apply only with respect to the carrying on of that business with the same plant and in substantially the same manner as at the date of this notice. If any person to whom this paragraph relates desires to increase the number of pumps used by him in carrying on his business, or to alter substantially any method heretofore used by him in delivering motor-spirit, or to effect any change in the site of any pump, or to effect any substantial extension or alteration of his premises for the purposes of his business, he shall give notice of his intention to the Bureau of Industry, and he shall not effect any such change except with the consent of the Bureau or pursuant to a license under Part III of the said Act.
- (b) In all other cases this notice shall take effect on the date of its publication in the *Gazette*.

The foregoing provisions of this notice shall be subject to the following general conditions, namely :—

(1) Where any person who, on the 10th day of December, 1936, was lawfully engaged in carrying on business in the industry to which this notice relates, has since the said date and before the date of this notice, without the consent of the Bureau, increased the number of pumps used by him in carrying on his business, or substantially altered any method used by him in delivering motor-spirit, or has effected any change in the site of any pump, or has effected any substantial extension or alteration of his premises for the purposes of his business, he shall not be deemed for the purposes of paragraph (a) of this notice to be lawfully engaged in carrying on his business on the date of the publication of this notice in the *Gazette* unless and until he obtains the consent of the Bureau to the changes that have been so effected by him.

(2) Where any business to which this notice relates is lawfully carried on without a license, it may, with the consent of the Bureau, but not otherwise, continue to be carried on in like manner by any person to whom the business may hereafter be assigned or may hereafter pass by operation of law.

(3) Where any business to which this notice relates is carried on by an incorporated company (whether with or without a license), the Bureau may, at any time after notice in writing to the company of its intention so to do, regard the company as a different entity if, in its opinion, there has been a substantial change in the beneficial ownership of the shares of the company, and thereafter it shall not be lawful for the company to carry on such business except pursuant to a license or to a new license (as the case may be) issued under Part III of the said Act.

The industry to which this notice relates is the following :—

The retail sale and distribution of motor-spirit.

Applications for licenses required in accordance with this notice may be made to the Secretary of the Bureau of Industry, D.I.C. Buildings, Wellington.

* Reprinted in this Series by direction.

Issued under the authority of the Regulations Act, 1936.

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