

Serial Number 1946/89



**THE BOARD OF TRADE (FOOTWEAR MARKING)
REGULATIONS 1946**

MICHAEL MYERS,
Administrator of the Government

ORDER IN COUNCIL

At the Government House at Wellington, this 12th day of
June, 1946

Present :

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN
COUNCIL

PURSUANT to the provisions of section 26 of the Board of Trade Act, 1919, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, and 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 the said section, doth hereby make the following regulations for the purposes of the said Act.

REGULATIONS

1. (1) These regulations may be cited as the Board of Trade (Footwear Marking) Regulations 1946.

(2) These regulations shall come into force three months after notification in the *Gazette* of the making thereof.

2. In these regulations, unless the context otherwise requires,—

“Footwear” includes boots, shoes, slippers, sandals and clogs, and footwear of whatsoever kind :

“Inspector” means a person appointed as an Inspector for the purposes of these regulations :

“Minister” means the Minister of Industries and Commerce :

“Standard mark” means a standard mark within the meaning of the Standards Act, 1941.

3. No person shall manufacture any footwear unless—

(a) The name of the manufacturer, or a representation thereof approved by the Minister, is legibly and indelibly marked or branded on the upper surface of the arch of the insole of the footwear, or on such other part thereof as may be approved by the Minister ; or

(b) A standard mark is marked or branded thereon pursuant to and in accordance with the terms of a license to use a standard mark granted under the Standards Act, 1941.

4. (1) No person shall sell, offer or expose for sale, or have in his possession for sale, any footwear unless—

- (a) In the case of footwear manufactured in New Zealand, it is marked or branded as required by Regulation 3 hereof; or
- (b) In the case of footwear imported into New Zealand, the name of the importer, or a representation thereof approved by the Minister, is legibly and indelibly marked or branded on the upper surface of the arch of the insole of the footwear, or on such other part thereof as may be approved by the Minister.

(2) Notwithstanding anything contained in subclause (1) of this regulation, it shall be lawful for any person at any time within nine months after the commencement of these regulations to sell, offer or expose for sale, or have in his possession for sale any footwear the sale of which is otherwise lawful, if he proves that at the commencement of these regulations the footwear was part of the existing stock-in-trade in New Zealand of any person carrying on business there. For the purposes of this subclause any footwear purchased before the commencement of these regulations for importation into New Zealand shall be deemed to be part of the purchaser's stock-in-trade in New Zealand.

5. (1) There may from time to time be appointed as officers of the Public Service such Inspectors as may be deemed necessary for the purposes of these regulations.

(2) Any Inspector may at any reasonable time enter any place where footwear is manufactured or partly manufactured or sold or exposed or kept for sale, or any place where he has reason to believe any of such things is done, and may inspect any articles in such place; and he shall at the request of any person apparently in charge of such place or of any work carried on therein produce a certificate or other evidence of his appointment as an Inspector.

(3) Any Inspector may in any such place as aforesaid take any footwear, whether manufactured or partly manufactured, paying a just price therefor.

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

- (a) Acts in contravention of, or fails to comply in any respect with, any provision of these regulations;
- (b) Obstructs, impedes, hinders, resists, or opposes any Inspector who is exercising or attempting to exercise any powers conferred on him under these regulations.

W. O. HARVEY,
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 13th day of June, 1946.

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