

Serial Number 1940/279.



**THE LICENSED INDUSTRIES GENERAL REGULATIONS 1940.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 24th day of  
October, 1940.

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 : 1.** These regulations may be cited as the Licensed Industries General Regulations 1940.

**1 : 2.** These regulations shall apply to any industry referred to in a notice heretofore or hereafter issued under section 14 of the said Act, subject to and so far as not inconsistent with the express provisions of any special regulations at any time in force relating to such industry.

**1 : 3.** In these regulations and in any special regulations, if not inconsistent with the context,—

“ The said Act ” means the Industrial Efficiency Act, 1936 :

“ Bureau ” means the Bureau of Industry established under the said Act :

“ Committee ” means any Industrial Committee that may be appointed or recognized under section 10 of the said Act in connection with the said industry :

“ Factory ” means any premises in which the said industry is carried on :

“ Distribution ” means any method whereby goods or commodities are transferred from the custody or ownership of one person to another :

“ General regulations ” means these regulations :

“ Industry ” and “ the said industry ” means any industry referred to in a notice issued under section 14 of the said Act :

“ License ” means a license to carry on the said industry :

- “Licensee” includes the person for the time being entitled to the benefit of a license :
- “Minister” means the Minister of Industries and Commerce :
- “Plan” means a plan in force under Part II of the said Act :
- “Production” includes any activity, process, or method whereby value is added to materials, products, equipment, or commodities or which increases economic wealth :
- “Retailer” includes (a) any licensee so far as such licensee sells otherwise than by wholesale to any person, and (b) any person otherwise than a licensee who purchases goods from a licensee for sale otherwise than by wholesale :
- “Sale” means disposition of goods for valuable consideration in the usual course of business, and includes disposition by way of bailment, but does not include disposition by way of security only, or by way of consignment for sale or return ; and “sell” and “purchase” have corresponding meanings :
- “Special regulations” means any regulations in force under the said Act relating to any particular industry or industries :
- “Terminal month” means the named month of the year in which a notice is issued under section 14 of the said Act referring to the said industry :
- “Wholesaler” includes (1) any licensee so far as such licensee sells by wholesale to a retailer, and (2) any person other than a licensee who purchases from a licensee for the purpose of sale by wholesale.

#### PART II.—INDUSTRIAL COMMITTEE : PROCEDURE.

**2 : 1.** The first meeting of the Committee shall be held at such time and place as the Chairman may fix and notify to the other members.

**2 : 2.** Subsequent meetings of the Committee shall be held at such times and places as the Committee may from time to time decide :

Provided that the Chairman may at any time call a meeting of the Committee to be held at such time and place as he may fix and notify to the other members.

**2 : 3.** The Committee may from time to time fix the number of its members who, when present at a meeting regularly convened, shall constitute a quorum for the transaction of business.

**2 : 4.** The Committee may from time to time elect one of its members who, when his election has been approved in writing by the Minister, shall be the Deputy Chairman of the Committee.

**2 : 5.** In the absence of the Chairman from any meeting, the Deputy Chairman, and in the absence of both of them, a member elected by the Committee from amongst the members present, shall preside at the meeting and may exercise at the meeting all the powers of the Chairman.

**2 : 6.** The fact that any member of the Committee discharges any functions of the Chairman shall be sufficient evidence that he is the Deputy Chairman duly elected and for the time being in office and that a case has arisen authorizing him to exercise those functions.

**2 : 7.** At all meetings the Chairman, or other member presiding, shall be entitled to exercise a casting vote as well as his deliberative vote.

**2 : 8.** The Committee may make by-laws for the conduct of its business, subject, however, to the provisions of the said Act and the special regulations and to the provisions herein contained.

**2 : 9.** The powers of the Committee shall be exercisable as soon as the Committee has been appointed or recognized and shall not thereafter be affected by any vacancy in the membership thereof.

**2 : 10.** Notwithstanding any provision contained in this Part of these regulations, the Bureau, subject to the approval of the Minister, may require—

- (a) That the meetings of the Committee shall be held at such times and places as it may determine or approve :
- (b) That the number of members of the Committee to constitute a quorum for the transaction of business shall be approved by a resolution of the Bureau :
- (c) That the by-laws made by the Committee and the general procedure governing the conduct of its business shall be subject to the approval of the Bureau :
- (d) That meetings of the Committee be called to be held at such time and place as the Bureau may fix and cause to be notified to the members.

**2 : 11.** No member of the Committee shall vote upon any matter in which he is interested, whether directly or indirectly, and whether on his own behalf or on behalf of any other person, nor shall he take part in any discussion upon such a matter except after disclosing his interest and at the request of another member :

Provided that a member shall not be deemed to be interested in any matter solely because he is engaged in the industry and may by a decision of the Committee be affected in like manner as other persons so engaged.

**2 : 12.** If in the opinion of the Minister any member of the Committee has acted in breach of the last preceding regulation, then, without prejudice to the rights of any person arising out of such breach, the Minister may require that the matter be reconsidered by the Committee or may direct the Bureau to consider the matter and may substitute the decision of the Bureau for the decision of the Committee.

**2 : 13.** The members of the Committee shall not be personally liable for any act or default of the Committee done or omitted to be done in good faith in the course of the business of the Committee.

### PART III.—POWERS AND FUNCTIONS OF COMMITTEE.

**3 : 1.** The Committee shall, when so required by the Bureau or may at any time with the consent of the Bureau, make proposals for the greater efficiency or welfare of the industry or those engaged therein, and for that purpose consider the investigation or adoption of any particular technique, practices, procedure, or methods in the industry.

**3 : 2.** Without limiting the general authority of the last preceding regulation, the Committee shall, if required by the Bureau, formulate proposals in connection with any or all of the following matters in particular and submit to the Bureau recommendations for their adoption or otherwise :—

- (a) The granting or declining of applications for licenses or transfers of licenses and the terms and conditions to which licenses should be subject :

- (b) The stimulation and expansion of production and sales :
- (c) The application of efficient methods and co-ordination to production and distribution, including the full utilization of established advances in technique, practices, procedure, and methods :
- (d) The encouragement of scientific research and, if it is deemed practicable and desirable, the institution of an organization to undertake research within the industry :
- (e) The transfer or amalgamation of units ; the allotment and delimitation of production and distribution ; the elimination of inefficient or redundant units on such terms as may be equitable :
- (f) The establishment and maintenance of a basis for equitable competition within the industry :
- (g) The institution of price-control or price-fixation measures, the procedure to be adopted in connection with the institution and enforcement thereof, and the actual maximum or minimum, or fixed prices, the establishment of which may be proposed :
- (h) The formulation of standard specifications and standard codes of defined practices, processes, methods of procedure, standard trade descriptions and definitions, and simplified practices in so far as practicable and reasonable :
- (j) The methods and forms which persons marketing products conforming to provisions contained in the last preceding paragraph of this regulation shall employ to certify that the goods they offer for sale conform to the requirements of any standard or other provision which may be formulated pursuant to the preceding clause :
- (k) A survey of the industry and the assembly of information relating to any consideration which may affect the industry :
- (l) The formulation of uniform methods for cost accounting and for the preparation of statistics, forms, or procedure :
- (m) The development or use of facilities and schemes for the training of workers for employment in the industry :
- (n) The formulation of methods for improving the environment and amenities of premises and for promoting and adopting schemes of social welfare and general betterment and advantage to persons engaged in the industry, and for giving encouragement and assistance to licensees in adopting such schemes or methods so as to increase efficiency, promote better relationships between employers and employees, and advance the welfare of persons engaged in the industry :
- (o) Methods of marketing, delivering, packing, and display :
- (p) Terms and conditions of sale of goods, including provisions relating to discounts, guarantees, returns, maintenance, and replacement of products and incidence of charges :
- (q) In respect to terms and conditions that would constitute a satisfactory settlement of any dispute affecting any contract, agreement, or transaction between licensees, and between licensees and other persons which may be referred to the Bureau and with which it is concerned pursuant to the said Act or regulations thereunder :

- (r) The development and institution of combined purchasing, and other common services :
- (s) The adoption of any other reasonable means of securing conservation of resources, the most economic utilization of raw materials, plant, labour, and capital, and the elimination of waste resulting from the production, distribution, or sale of goods in redundant types, dimensions, or grades, or waste otherwise arising.

**3 : 3.** The Committee may of its motion, and shall if so required by the Bureau, make any other recommendations to the Bureau regarding any other matter for the benefit of the industry that is in accordance with the intention and purpose of the said Act, or these regulations, or any special regulations.

**3 : 4.** Upon consideration of any proposal or recommendation received from the Committee, the Bureau shall notify to the Committee the result of such consideration.

**3 : 5.** Subject to the approval of the Bureau, the Committee shall have power from time to time to carry out inspection by duly authorized persons of the premises of licensees.

**3 : 6.** Subject to the approval of the Bureau, the Committee shall have power from time to time to require licensees to supply any information that may reasonably be required to enable the Committee to carry out a survey of the industry or the assembly of information relating to any consideration which may affect the industry :

Provided that no such information shall be communicated to any person except as provided in section 24 of the said Act.

**3 : 7.** Nothing contained in this Part of these regulations shall be deemed to limit or affect the duties and powers of the Minister or the Bureau under the said Act.

#### PART IV.—CONDITIONS OF LICENSES.

**4 : 1.** In every license, unless in any particular case the Bureau otherwise decides, there shall be implied the following conditions whether or not the terms thereof be expressly set out therein :—

- (a) That the licensee shall not carry on the said industry at any other address or place than the address or place stated in the license :
- (b) That in any sale or negotiations for sale of his business, the licensee shall not receive or seek to receive a price for goodwill, plant, premises, or stocks in excess of what could reasonably have been expected if a notice relating to the said industry had not been issued under section 14 of the said Act :
- (c) That the licensee shall comply with any requirements which the Bureau may from time to time prescribe and notify, either in writing to the licensee or by notice published in the *Gazette*, relating to the use by the licensee in his business of standard specifications and any standard or uniform methods, processes, or procedure :

- (d) That the licensee shall keep proper accounts and records of his business transactions to the satisfaction of the Bureau, and shall from time to time, when the Bureau so requires, furnish to the Bureau, in such form and detail as the Bureau may prescribe, copies of periodical balance-sheets, profit and loss accounts, and trading accounts, and such other returns, statistics, and information relating to the business as the Bureau may reasonably require :
- (e) That the licensee shall maintain his premises, plant, economic production, and service to customers up to such standards as in the opinion of the Bureau are reasonable in the circumstances of the case :
- (f) That the licensee shall not, except on reasonable grounds, withhold supplies or make supplies available of goods, the production, manufacture, or sale by him of which is subject to the license in any way which in the opinion of the Bureau discriminates against the legitimate interest of any trader, or tends to militate against the public interest, and shall not in any sale of such goods impose terms or conditions which in the opinion of the Bureau would not have been, or ought not to have been, imposed had the industry not been the subject of a notice issued under section 14 of the said Act.

**4 : 2.** Any license shall, if the Bureau so decides, be subject to the following conditions or any of them :—

- (a) That the licensee shall not carry on the said industry outside any area specified in the license :
- (b) That the licensee shall not sell any goods the sale by him of which is subject to the license at a price in excess of a price at which the licensee was accustomed or willing to sell goods of a similar character at the date of issue of the license, or as the case may be, in excess of such other price as the Bureau from time to time prescribe and notify either in writing to the licensee or by notice published in the *Gazette* :
- (c) That the licensee shall not without the prior written consent of the Bureau make any additions to his factory buildings, factory site, or factory plant which will increase the productive capacity thereof :

Provided that this condition shall not forbid replacement of machines or parts of machines or other apparatus or equipment which does not have the effect of increasing the total output capacity of the factory or factories operated by the licensee :

- (d) That the licensee shall not purchase goods or raw material for use by him in the said industry except from the sources of supply specified in the license :
- (e) That the licensee shall not effect sales of any goods the sale by him of which is subject to the license otherwise than by the agents and according to the methods of sale specified :
- (f) That the licensee shall supply goods on reasonable terms and conditions to such purchasers as are specified in the license :

- (g) That the licensee shall from time to time when required by the Bureau deliver to the Bureau specimens of goods or commodities manufactured or sold by the licensee, under the authority of the license, so that such specimens may be available for testing the standard of goods or commodities subsequently so manufactured or sold by the licensee :
- (h) That the licensee shall not, except with the special permission of the Bureau, offer for sale goods or commodities, the sale by him of which is subject to the license, if the quality of such goods or commodities is inferior to a quality from time to time prescribed by the Bureau and notified to the licensee :
- (i) That if the licensee, or any assignee or successor of the licensee, be an incorporated company, then, except with the prior authority of the Bureau of Industry,—
- (i) No transfer or transfers of shares exceeding in nominal value in the aggregate one-half of the total nominal value of the issued share capital for the time being shall be registered by the company in favour of any person after the date hereinafter specified ;
- (ii) No new shares exceeding in nominal value in the aggregate one-half of the total nominal value of the issued share capital immediately prior to the first new issue shall be issued by the company to any person after the date hereinafter specified ;
- (iii) For the purpose of this clause the date hereinbefore referred to shall, where the licensee is an incorporated company, be the date of issue of the license, and where an assignee or successor of the licensee is an incorporated company, be the date on which the authority of the Bureau was sought for a transfer of the license.

#### PART V.—APPLICATIONS FOR LICENSES.

**5 : 1.** Every application made under section 15 of the said Act for a license to carry on the said industry shall in the case of a body corporate be in writing under the common seal thereof, and in the case of any other person be in writing signed by or on behalf of the applicant, and shall set out the full name and address of the applicant :

Provided that an application may be made by any person on behalf of an intended registered company.

**5 : 2.** Where an application is made by an agent on behalf of an applicant the agent shall furnish to the Bureau such evidence as the Bureau may think sufficient of his authority to make the application, and any person who makes an application for a license on behalf of any other person without being duly authorized in that behalf commits an offence against these regulations.

**5 : 3.** Where an application is made by a body corporate or on behalf of an intended registered company the application shall be accompanied by certified copies of the memorandum of association and articles of association or other constating documents of incorporation and of any prospectus or intended prospectus inviting public subscription for shares, debentures, or other rights of or against such body corporate or intended company.

**5 : 4.** An application made on behalf of an intended registered company may be considered by the Bureau prior to the incorporation of the company, but no license shall be issued before the company is incorporated and no person shall use or make known the decision of the Bureau in connection with any negotiation, transaction, or contract conducted on behalf of the intended company, except in such terms as may be authorized by the Bureau.

**5 : 5.** The applicant shall furnish to the Bureau such information as the Bureau may in any case require relating to the extent to which the applicant is personally qualified to engage in the said industry, his technical and financial resources, and any other matters relevant to the application.

**5 : 6.** The application shall be delivered at the office of the Bureau.

**5 : 7.** The Bureau may decline to consider any application in respect of which Regulations 5 : 1 to 5 : 5 hereof inclusive have, in the opinion of the Bureau, not been complied with.

**5 : 8.** Opportunity to produce evidence or make representations to the Bureau with respect to the subject-matter of an application may be given to an applicant and to all other persons by notice published in the *Gazette* at least fourteen days prior to the consideration of the application by the Bureau.

**5 : 9.** Every application for leave to transfer a license may be made either by the licensee or by the proposed transferee.

**5 : 10.** Regulations 5 : 1 to 5 : 6 hereof shall, so far as applicable, apply to an application for leave to transfer a license, an application to vary, add to, or revoke the conditions of a license, or any other similar application to be made to the Bureau under the said Act, or these regulations, or the special regulations.

#### PART VI.—APPEALS.

**6 : 1.** Every appeal under section 21 of the said Act shall be in writing in the form numbered 1 in the Schedule hereto, signed by or on behalf of the appellant and delivered at the office of the Bureau, accompanied by the appeal fee hereinafter prescribed :

Provided that if leave to appeal be granted under subsection (2) of the said section 21 upon application made pursuant to Regulation 6 : 3 hereof no further instrument of appeal shall be required.

**6 : 2.** Every appeal on the part of an applicant for a license, an applicant for a transfer of license, or the holder of a license shall be accompanied by a statement containing the information indicated in the form numbered 2 in the Schedule hereto, so far as applicable, signed by or on behalf of the appellant.

**6 : 3.** Every application for leave to appeal under subsection (2) of the said section 21 shall be in writing in the form numbered 3 in the Schedule hereto, signed by or on behalf of the applicant, and delivered at the office of the Bureau, accompanied by the appeal fee hereinafter prescribed, which shall be received as a deposit and refunded to the applicant if leave to appeal be not granted.



**6 : 4.** If, in the opinion of the Minister, the grounds of an appeal rest upon submissions that were not placed, or were inadequately placed, before the Bureau before or during its consideration of the matter in connection with which it reached the decision appealed against, the Minister may refer the matter to the Bureau for consideration of such submissions, and the Bureau may affirm, vary, or reverse the original decision :

Provided that the appeal against such decision shall not be thereby prejudiced, but shall if proceeded with be deemed to be an appeal against the final decision of the Bureau.

**6 : 5.** If the Minister, or any person appointed by the Minister to inquire into and report to him upon the subject-matter of an appeal or upon any matter in relation thereto, so directs, the appellant may call and examine witnesses before the Minister or before such person as aforesaid, and in that event any person appearing to represent the Bureau may examine the appellant's witnesses and may call and examine witnesses, and the appellant may examine the Bureau's witnesses.

#### PART VII.—FEES AND LEVIES.

**7 : 1.** Every application for a license to carry on the said industry shall be accompanied by an application fee of £1.

**7 : 2.** Every licensee shall pay an annual license fee of £1 and an annual levy of one-eighth of 1 per cent. of his sales turnover as herein defined.

**7 : 3.** For the purposes of computing the annual levy, the sales turnover shall be deemed to be the total sales for the financial year which is adopted in preparing income-tax returns and which ended next before the due date for payment of the annual levy :

Provided, first, that if any 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 annual levy, the annual turnover shall be deemed to be a sum proportionate to the turnover for the period for which the business has been carried on :

Provided, secondly, that if any business has not been carried on prior to the due date for payment of the annual levy the amount of the annual levy shall be £4, reduced by £1 for each complete three-monthly period expired since the due date for payment of the last preceding annual levy.

**7 : 4.** The annual license fee and the annual levy 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 last day of the terminal month next following ; and upon every subsequent occasion of becoming due shall be deemed to be for annual periods computed from the date last mentioned.

**7 : 5.** The annual license fee and the annual levy 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 day next following the last day of the terminal month.

**7 : 6.** Every application for leave to transfer a license shall be accompanied by a transfer fee of £1.

**7 : 7.** Every appeal shall be accompanied by an appeal fee of £2.

**7 : 8.** The appeal fee shall be refunded in full if in the opinion of the Minister the appellant is substantially successful in his appeal and if the Minister accordingly so directs.

**7 : 9.** Every person making any payment in respect of a fee which is not paid in cash at the office of the Bureau shall forthwith notify the Bureau of the amount of such payment and the nature of the fee in respect of which the payment is made, and till such notice is given such fee shall not be deemed to have been duly paid.

**7 : 10.** Every fee or levy which is not paid on the due date thereof may be recovered in any Court of competent jurisdiction as a debt due to the Crown without prejudice to the liability of any person to be proceeded against hereunder for the offence of non-payment thereof.

**7 : 11.** An account shall be established in respect of the said industry (hereinafter referred to as the Industry Account) under such appropriate name as the Bureau may select, and the moneys belonging to the industry account shall be lodged in a bank account to be opened at the bank where for the time being the public account is kept (hereinafter referred to as the Industry Bank Account) under the same or some similar name to be selected by the Bureau.

**7 : 12.** The Industry Bank Account shall be operated on as the Bureau may direct for the purposes set out in clause 7 : 16 hereof by such two or more officers of the Department of Industries and Commerce, Tourist and Publicity, as the Bureau, with the approval of Treasury, may from time to time appoint for that purpose.

**7 : 13.** No banker or payee or other person shall be concerned to inquire whether the drawing of any cheque on the Industry Bank Account by persons for the time being appointed for that purpose as aforesaid has been authorized by the Bureau under these regulations.

**7 : 14.** Any moneys payable to the Industry Account by any person under these regulations as applied to the said industry may either be paid to the Bureau of Industry or be lodged by that person to the credit of the Industry Bank Account.

**7 : 15.** There shall be paid to the Industry Account all moneys received under the authority of these regulations as applied to the said industry, whether as fees, levies, or otherwise except as hereinafter provided, and no such moneys shall be paid into the Public Account :

Provided that this clause shall not apply to fines or penalties, and fines and penalties shall be paid into the Public Account as provided by section 25 of the said Act.

**7 : 16.** The moneys belonging to the Industry Account may, with the approval of the Minister given after considering any recommendations made by the Committee (if any) and the Bureau, be applied for any of the following purposes, namely :—

- (a) In defraying the expenditure incurred in the preparation of any plan relating to the said industry and in the carrying-out of that plan, including the cost of any purchases thereunder and the amount of any commission or other charges :

- (b) In defraying the administration expenses of the Committee (if any), including the remuneration of any person or organization employed by or assigned to the Committee for the purpose of carrying out its functions :
- (c) In payment of compensation to persons suffering financial detriment from any decision or determination of the Bureau :
- (d) In payment to the Crown of the expenses of the administration of the said Act by the Department of Industries and Commerce, Tourist and Publicity and by the Bureau of Industry so far as such expenses relate to the said industry, the amount of such expenses to be estimated from time to time as the Minister may from time to time direct, and every such estimation to be approved by the Controller and Auditor-General :
- (e) In making to persons from whom annual license fees or levies have been received or to their representatives any refunds, rebates, or other payments out of moneys in the said account which in the opinion of the Bureau and the Committee (if any) are not required for any of the purposes aforesaid, such refunds, rebates, or other payments to be computed in respect of periods to be fixed from time to time by the Minister and to be computed according to such basis of distribution as the Minister may from time to time direct.

PART VIII.—OFFENCES AND PENALTIES.

**8 : 1.** Every person commits an offence under these regulations who—

- (a) Delays or fails or neglects to pay as herein prescribed or as prescribed in the special regulations any fee or levy lawfully payable by such person :
- (b) Fails to make, in accordance with these regulations or the special regulations, any return or statement thereby required to be made or fails to make any return or statement which may by competent authority under these regulations or the special regulations be required to be made, or who makes any such return or statement which is false or misleading in any material particular :
- (c) Makes any false or misleading statement in any application or any representation to the Bureau or to the Committee or in evidence or otherwise in connection with any appeal proceedings :
- (d) Obstructs or impedes any member or officer of the Bureau or of the Committee in the course of an inspection or in the course of his inquiries, or otherwise acting in the execution of his duties in accordance with these regulations or special regulations :
- (e) In any way fails to comply with any provision of these regulations or the special regulations or fails to comply with any duty imposed upon him by these regulations or the special regulations :
- (f) Fails to comply with the terms and conditions of any license issued under the said Act.

**8 : 2.** Any person guilty of an offence is liable to a penalty not exceeding £10 or, in the case of a continuing offence, to a penalty not exceeding £10 for every day on which such offence is committed or continued.

SCHEDULE.

[Form No. 1.

APPEAL BY APPLICANT FOR LICENSE, APPLICANT FOR TRANSFER, OR HOLDER OF LICENSE.

N.B.—*This appeal must be lodged within one month after the decision of the Bureau has been communicated to the appellant.*

*This appeal must be accompanied by the prescribed appeal fee of £2.*

To the Minister of Industries and Commerce.

PURSUANT to section 21 of the Industrial Efficiency Act, 1936, I hereby appeal against the decision of the Bureau of Industry given in the matter of [*Describe subject of application to Bureau*], and communicated to me on the ..... day of ....., 19..

The decision appealed against was to the following effect, namely: [*Set out effect of decision*].

I claim to be aggrieved by the said decision and pray that the decision of the Bureau of Industry be (reversed) (modified as follows, namely: .....), (*or as the case may be*).

A statement of information in the prescribed form is lodged herewith.

My full postal address for communications relating to this appeal is .....

Dated at ....., this ..... day of ....., 19..

Signature : .....

[Form No. 2.

STATEMENT OF INFORMATION RELATING TO APPELLANT'S BUSINESS.

N.B.—*This statement must accompany the appeal, and is required when the appellant is an applicant for a license, an applicant for a transfer of a license, or the holder of a license. The information is to refer to the business only in so far as it constitutes an industry for the carrying-on of which a license is by law required.*

- (1) Full name of appellant : .....
- (2) Address of premises in which the industry is carried on (or proposed to be carried on) : .....
- (3) Date on which business was established, or is proposed to be established : .....
- (4) Number of people employed (or proposed to be employed) in the industry : .....
- (5) Nature of Business (*e.g.*, manufacturing or primary production or distributive, and whether wholesale or retail) : .....
- (6) Nature of Ownership :—
  - (i) Whether owned by a sole proprietor, registered company, partnership or other incorporated society or association : .....
  - (ii) If application to Bureau was made by or on behalf of persons not partners and not incorporated or associated under any statutory authority, set out the name and address of each of the several persons by or on behalf of whom the application was made and particulars of proportions of ownership : .....
  - (iii) If business is owned by a private company, set out particulars of shareholdings : .....

Name of Registered Shareholder.	Number and Total Nominal Value of Shares.	Name of Beneficial Owner.
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

- (7) Financial particulars (attach copies of balance-sheet, manufacturing and profit and loss accounts for the last financial year) : .....

- (8) Tenure of premises :—  
 (a) Freehold area : .....  
 (b) Leasehold area : .....  
 (c) If leasehold, state term and principal conditions of lease : .....  
 (d) If leasehold, state annual rental payable : .....
- (9) Location of premises (*e.g.*, whether (a) on a residential site of the appellant, (b) in a residential area, (c) adjacent to residential area, (d) in an industrial area (*or as the case may be*)) : .....
- (10) Plant :—  
 (a) Value of plant : .....  
 (b) Production-capacity of plant : .....  
 (c) Date of original installation of plant and extent to which replacement and modernization has been maintained : .....
- (11) To whom goods are supplied (*e.g.*, to manufacturers or general wholesale, or retail trade, or direct to users, and whether supplies are deemed to be essential to the maintenance of any service or function) : .....
- (12) Particulars of the adequacy or inadequacy of the existing capacity of the industry to which the appeal relates (local or general, as the nature of the appeal requires) in relation to the existing or potential demand : .....
- (13) Particulars of any special processes employed or which it is intended to employ, and of financial resources, special equipment, or technical knowledge and experience, or any patent right or any other consideration which involves the public interest, the interest of the appellant, or the interest of any other person or persons : .....
- (14) In the case of an appeal against a refusal to grant a license, whether the appellant engages, or intends to engage, in the whole of the industry if a license is granted, or whether activities will be confined to one or more branches of the industry named : .....
- (15) Whether the appeal is supported by any trade or other organization, or by any other person; if so, supply names and addresses of such trades, organizations, and persons, and attach any written representations made by them : .....
- (16) Any additional special circumstances or reasons in support of the appeal.

Signature : .....

[Form No. 3.

APPLICATION FOR LEAVE TO APPEAL BY A PERSON OTHER THAN APPLICANT FOR LICENSE, APPLICANT FOR TRANSFER OR HOLDER OF LICENSE.

N.B.—*No leave to appeal can be given at any time later than three months from the date of the decision of the Bureau.*

*This application must be accompanied by the prescribed appeal fee of £2.*

To the Minister of Industries and Commerce.

PURSUANT to section 21 of the Industrial Efficiency Act, 1936, I hereby apply for leave to appeal against the decision of the Bureau of Industry given in the matter of [*Describe subject of application to Bureau*] on the ..... day of ....., 19..

The decision appealed against was to the following effect, namely: [*Set out effect of decision*].

I claim to be materially affected by the decision of the Bureau by reason of the following facts—namely, that I am (engaged in) (a user of the products of) (a supplier of materials to) the industry to which the decision relates (*or as the case may be*), and pray that the decision of the Bureau of Industry be (reversed) (modified as follows, namely : .....,) (*or as the case may be*).

My full postal address for communications relating to this application and to the appeal (if leave to appeal be granted) is .....

Dated at ....., this ..... day of ....., 19..

Signature : .....

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

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 25th day of October, 1940.

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