

1957/122



THE LICENSED INDUSTRIES REGULATIONS 1957

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 5th day of June 1957

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Industries and Commerce Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

PART I—PRELIMINARY

1. (1) These regulations may be cited as the Licensed Industries Regulations 1957.

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

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

“The Act” means the Industries and Commerce Act 1956:

“Appeal Authority” means the Licensed Industries Appeal Authority constituted under Part VI of these regulations:

“Committee” means the Licensed Industries Committee established under these regulations:

“Licence” means a licence issued or deemed to be issued under these regulations:

“Minister” means the Minister of Industries and Commerce:

“Multi-walled paper bag” means any container—

(a) The walls of which are composed of two or more plies of paper of not less weight than 20 lb. (24 by 36, 480); and

(b) Which is designed either to hold commodities such as cement, fertiliser, fruit, cereals, or the like, or to be an outside container for packaged or bottled commodities; and

(c) In which each ply of paper forms an individual tube so fabricated into the bag that the longitudinal seams are not in alignment and so nested into the bag that before the ends are fastened it is movable relatively to the other tubes; and

(d) In which either the bottom ends or the bottom ends and top ends respectively of each of the tubes are closed and also fastened to the corresponding ends of the other tubes whether by sewing, stapling, or sticking with adhesives, or by two or more of those methods so as substantially to close any such end or ends, except that a valve or other opening may be provided for filling or emptying:

“Paper and board” means a matted or felted sheet, whether homogeneous or laminated, made of pulp material and formed on screening equipment from a water suspension, and in particular includes the products generally described as paper, bristol, cardboard, paperboard, wallboard, hardboard, and insulating board:

“Production” includes any activity, process, or method whereby value is added to materials, products, equipment, or commodities or which increases economic wealth:

“Pulp” means the crude fibre which is produced either mechanically or chemically from fibrous cellulose materials, whether raw or waste, and from which by suitable treatment paper and board, plastics, or rayon may be made:

“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” has a corresponding meaning.

PART II—APPLICATION OF REGULATIONS

3. These regulations shall apply to the following industries:

- (a) The manufacture of—
 - (i) Pulp; or
 - (ii) Paper and board; or
 - (iii) Multi-walled paper bags:
- (b) The manufacture of paua (*Haliotis iris*) shell for sale:
- (c) The manufacture of pneumatic rubber tyres and tubes for motor vehicles.

4. For the purposes of these regulations the manufacture of paua (*Haliotis iris*) shell for sale shall be deemed to include the manufacture of paua shell into any article of jewellery and the inclusion of paua shell in any article for all purposes of ornamentation except purposes of ornamentation by way of inlay in carved woodwork of Maori design.

PART III—LICENSED INDUSTRIES COMMITTEE

5. (1) There is hereby established a committee to be called the Licensed Industries Committee.

- (2) The Committee shall consist of:
 - (a) The Secretary of the Department of Industries and Commerce, who shall be the Chairman; and
 - (b) Two other members to be appointed by the Minister and to hold office during his pleasure.

(3) The Chairman may from time to time appoint a senior officer of the Department of Industries and Commerce to act as the deputy of the Chairman during his absence or incapacity. Any such deputy shall while he acts as such have all the powers of the Chairman.

(4) In any case in which the Minister is satisfied that a member of the Committee, other than the Chairman, is incapacitated by illness, absence, or other sufficient cause from performing the duties of his office, the Minister may appoint a deputy to act for that member during his incapacity.

(5) The powers of the Committee shall not be affected by any vacancy in the membership thereof.

(6) Any deputy appointed under this regulation shall, while he acts as such, be deemed to be a member of the Committee.

(7) No appointment of a deputy and no acts done by him as such, and no act done by the Committee while any deputy is acting as such, shall in any proceedings be questioned on the ground that the occasion for the appointment had not arisen or had ceased.

6. No member of the Committee shall be personally liable for any act done or omitted to be done by the Committee or any member thereof in good faith in pursuance or intended pursuance of the powers and authority of the Committee.

7. (1) Meetings of the Committee shall be held at such times and places as the Chairman from time to time appoints.

(2) At all meetings of the Committee the quorum necessary for the transaction of business shall be two members.

(3) The Chairman shall preside at all meetings of the Committee.

(4) All questions arising at any meeting of the Committee shall be decided by a majority of the valid votes recorded thereon.

(5) At any meeting of the Committee, the Chairman of the meeting shall have a deliberative vote. In the case of an equality of votes, the Chairman shall also have a casting vote.

(6) Except as otherwise provided by these regulations, the Committee shall regulate its procedure in such manner as it thinks fit.

8. (1) For the purpose of any inquiry or investigation to be held or made by the Committee, the Committee shall be deemed to be a Commission of Inquiry under the Commissions of Inquiry Act 1908.

(2) The Committee shall have all of the powers and authorities necessary, conducive, or incidental to the performance of its functions.

9. An officer of the Department of Industries and Commerce shall be appointed as Secretary of the Committee.

10. The Committee may request investigations relating to its functions to be made by the Department of Industries and Commerce and reports to be made of the results of any such investigation, and it shall be the duty of that Department to comply with any such request.

11. All information obtained by the Committee or by any member or officer thereof or by any other person in the course of the administration of these regulations shall be treated as confidential except for purposes connected with the administration of these regulations.

12. The functions of the Committee shall be to consider and determine applications for the granting, transfer, or amendment of licences and to carry out such other functions in respect of licences as are prescribed in these regulations and for any of those purposes to hold such inquiries and make such investigations as it thinks necessary or expedient.

PART IV—LICENSING

13. It shall not be lawful after the commencement of these regulations to carry on any industry to which these regulations apply otherwise than pursuant to and in conformity with the terms and conditions of a licence issued in accordance with these regulations:

Provided that any person who immediately before the 1st day of April 1957 was lawfully carrying on any such industry and was the holder of a licence in respect thereof issued under Part III of the Industrial Efficiency Act 1936 shall be deemed to be the holder of a licence issued in accordance with these regulations.

14. (1) Every application for a licence or for the transfer of a licence, or for an addition, variation, or removal of a condition attaching to a licence shall be forwarded to the Secretary of the Committee, at the Head Office of the Department of Industries and Commerce, Wellington.

(2) On receiving an application under subclause (1) of this regulation, the Secretary of the Committee shall give notice of the receipt of the application and of the time and place at which a sitting will be held by the Committee for the purpose of considering the application.

(3) Notice of the proposed sitting shall be published in the *Gazette* at least fourteen clear days before the date fixed for the sitting and, if the Committee so directs, notice shall also be given in writing to any person likely to be materially affected by its decision in respect of the application.

(4) At any such sitting the Committee shall hear all evidence tendered and shall consider all representations made which it deems relevant to the subject matter of the application.

15. In considering an application by any person for the grant of a licence under these regulations, the Committee shall have regard to such of the following matters as in its opinion are relevant to the application, namely:

- (a) The efficiency of businesses already being carried on by persons licensed or deemed to be licensed under these regulations to carry on the industry concerned:
- (b) The financial resources, technical knowledge, and experience of the applicant:
- (c) The existing and potential demand for the class of goods proposed to be manufactured:
- (d) The present and potential output of businesses, licensed or deemed to be licensed under these regulations in respect of the industry concerned:
- (e) Any possible displacement of workers, whether employed in the industry to which the application relates or in any other industry:
- (f) The extent to which the service proposed to be rendered by the applicant is necessary or desirable in the public interest:
- (g) The extent to which the economic welfare of New Zealand will be affected by the grant or refusal of the application:
- (h) Such other matters as may appear to the Committee to be relevant to the application.

16. The applicant shall furnish to the Committee such information as the Committee 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.

17. (1) On any application for the grant of a licence the Committee, after due consideration of all matters relevant to the application, may in its discretion, but subject to the right of appeal conferred by Part VI of these regulations, grant or refuse to grant a licence or may grant a licence subject to such terms and conditions as it thinks fit to impose.

(2) Any terms or conditions attaching to a licence may at any time be varied, added to, or revoked by the Committee.

(3) If in any case the Committee refuses to grant an application for a licence it shall, in notifying its decision to the applicant, state the grounds of its decision.

(4) Every licence continued in force by the proviso to regulation 13 hereof shall be deemed to be subject to the terms and conditions expressly set out in the licence except so far as any such term or condition is inconsistent with the provisions of these regulations:

Provided that nothing in this subclause shall be construed to prevent the Committee from varying or adding to any such terms and conditions or from revoking the licence.

18. (1) Subject to the right of appeal provided in regulation 27 of these regulations, the Committee, on giving to the licensee not less than two months' notice of its intention so to do, may revoke any licence in any of the cases following, namely:

(a) If the licensee fails to comply with any of the provisions of these regulations; or

(b) If the licensee commits a breach of any of the terms or conditions of his licence.

(2) Every licence granted under these regulations, unless it is surrendered by the licensee, shall continue in force until it is revoked in accordance with this regulation.

19. (1) No licence shall be transferred by the licensee except with the authority of the Committee.

(2) Application for leave to transfer a licence may be made to the Committee either by the licensee or by the proposed transferee.

(3) The Committee, after duly considering the application and any objections thereto, and after considering such matters as are required to be considered by it before granting a licence, may grant or refuse the transfer of the licence.

20. (1) The Secretary of the Committee shall keep a register of all licences issued or deemed to be issued under these regulations.

(2) Evidence of the contents of the register may be given in any proceedings by a certificate under the hand of the Secretary of the Committee, and every such certificate shall be *prima facie* evidence of the matters stated therein.

(3) A certificate under the hand of the Secretary of the Committee that on a date specified in the certificate the name of any person did not appear in any register as the holder of a licence shall, until the contrary is proved, be sufficient evidence that that person was not the holder of any such licence on that date.

21. Every licence issued under these regulations shall take effect from the date specified in that behalf in the licence and shall continue until revoked, varied, or transferred in accordance with these regulations.

22. Every application made under these regulations for a licence to carry on any 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:

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

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

24. Where an application for a licence 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 relevant documents of incorporation and of any prospectus or intended prospectus inviting public subscription for shares, debentures, or other rights of or against the body corporate or intended company.

25. An application made on behalf of an intended registered company may be considered by the Committee before the incorporation of the company, but no licence shall be issued before the company is incorporated and no person shall use or make known the decision of the Committee in connection with any negotiation, transaction, or contract conducted on behalf of the intended company, except in such terms as may be authorised by the Committee.

PART V—CONDITIONS ATTACHING TO LICENCES

26. In every licence to carry on an industry issued or deemed to be issued under these regulations there shall be implied, unless in any particular case the Committee decides otherwise, the following conditions:

- (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 licence:
- (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 the seller had not been the holder of a valid licence to engage in a licensed industry:
- (c) That the licensee shall keep proper accounts and records of his business transactions to the satisfaction of the Committee and shall, when the Committee so requires, furnish such information as the Committee may reasonably require:
- (d) That if the licensee, or any assignee or successor of the licensee, be an incorporated company, then, except with the prior authority of the Committee,—
 - (i) No transfer of shares exceeding in nominal value in the aggregate half 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 specified date:
 - (ii) No new shares exceeding in nominal value in the aggregate half the total nominal value of the issued share capital immediately before the first new issue shall be issued by the company to any person after the specified date:

(iii) For the purpose of this paragraph the specified date shall, where the licensee is an incorporated company, be the date of issue of the licence, and where an assignee or successor of the licensee is an incorporated company, be the date on which the authority of the Committee was sought for a transfer of the licence.

PART VI—APPEALS

27. (1) For the purposes of these regulations the Minister may from time to time appoint any suitable person or persons to be the Licensed Industries Appeal Authority.

(2) The functions of the Appeal Authority shall be to sit as a judicial authority for the determination of appeals from any decision of the Committee.

(3) Every person, being an applicant for a licence or for the transfer of a licence, or being the holder of a licence, who is aggrieved by any decision of the Committee in respect of his application or licence, may, at any time within twenty-eight days after publication of the decision of the Committee, appeal to the Appeal Authority in respect of the decision.

(4) Any other person, who, in the opinion of the Appeal Authority, is materially affected by a decision of the Committee may, with the leave of the Appeal Authority but not otherwise, appeal from the decision, but no leave to appeal shall be given under this subclause at any time later than twenty-eight days after the date of publication of the decision of the Committee.

28. (1) In determining any appeal the Appeal Authority shall have regard to all matters which may appear to it to be relevant.

(2) The Appeal Authority may receive in evidence any statement, document, information, or matter that may in its opinion assist it to deal effectively with the matter before it, whether or not the same would be otherwise admissible in a Court of law.

(3) The Appeal Authority may, as it thinks fit, confirm, modify, or reverse the decision appealed against, and its decision shall be binding on the appellant and on the Committee.

29. (1) The Appeal Authority shall, within the scope of its jurisdiction, be deemed to be a Commission of Inquiry under the Commissions of Inquiry Act 1908, and, subject to the provisions of these regulations, all the provisions of that Act shall apply accordingly.

(2) Proceedings before the Appeal Authority shall not be held bad for want of form.

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

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

31. If the Appeal Authority so directs, the appellant may call and examine witnesses before the Appeal Authority.

32. If the Appeal Authority is of opinion that an appeal is frivolous or vexatious it may order the appellant to pay the whole or any part of the costs of the appeal, and in any such case the costs so ordered to be paid shall be recoverable as a debt due to the Crown.

33. Every appeal under these regulations shall be in writing in form 1 in the First Schedule hereto, signed by or on behalf of the appellant and delivered at the office of the Committee accompanied by the appeal fee hereinafter prescribed:

Provided that if leave to appeal is granted under subclause (4) of regulation 27 of these regulations, no instrument of appeal, other than the application for leave to appeal, shall be required.

34. Every appeal on the part of an applicant for a licence, an applicant for a transfer of licence, or the holder of a licence shall be accompanied by a statement in writing in form 2 in the First Schedule hereto, signed by or on behalf of the appellant.

35. Every application for leave to appeal under subclause (4) of regulation 27 hereof shall be in writing in form 3 in the First Schedule hereto, signed by or on behalf of the applicant, and delivered at the office of the Committee, accompanied by the appeal fee hereinafter prescribed, which shall be received as a deposit and refunded to the applicant if leave to appeal is not granted.

36. Pending the determination of any appeal under these regulations, the licensee may carry on the business to which the appeal relates in the manner in which and to the extent to which he was lawfully carrying it on at the time when the original decision of the Committee was given, or, in the case of a decision granting a new licence to him or extending the provisions of his existing licence, in accordance with the terms of that decision.

PART VII—FEES

37. Every application for a licence to carry on a licensed industry shall be accompanied by an application fee of £1.

38. Every licensee shall pay an annual licence fee, the amount of which shall be—

- (a) For a licence to manufacture pulp, paper and board, or multi-walled paper bags, the sum of £25 per annum;
- (b) For a licence to manufacture paua (*Haliotis iris*) shell for sale, the sum of £2 per annum;
- (c) For a licence to manufacture pneumatic tyres and tubes for motor vehicles, the sum of £25 per annum.

39. The annual licence fee shall be deemed upon the first occasion of becoming due under any particular licence to be for a period commencing on the day on which the licence is granted, or any later day named in the licence for the licence to take effect, and ending on the last day of the month in the following year corresponding to the month in which the licence commenced to operate and upon every subsequent occasion of becoming due shall be deemed to be for annual periods computed from the date last mentioned.

40. The annual licence fee shall on the first occasion of becoming due under any particular licence be payable within one month from the date on which the licence was granted, and shall on every subsequent occasion of becoming due be payable in each year on the day next following the date of its termination.

41. Every application for leave to transfer a licence shall be accompanied by a transfer fee of £1.

42. (1) Every appeal shall be accompanied by an appeal fee of £2.

(2) The appeal fee shall be refunded in full if in the opinion of the Appeal Authority the appellant is substantially successful in his appeal and if the Appeal Authority accordingly so directs.

43. Fees payable by any person under these regulations shall be paid to the appropriate officer at the Head Office of the Department of Industries and Commerce for payment by him to the Public Account.

44. Every fee 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.

PART VIII—OFFENCES AND PENALTIES

45. If any person carries on any industry or is engaged in carrying on any industry to which these regulations apply contrary to the provisions of these regulations he commits an offence, and shall be liable on summary conviction to a fine of £200 and to a further fine of £20 for every day during which the offence continues.

46. (1) Every person commits an offence against these regulations who—

- (a) Delays or fails or neglects to pay any fee lawfully payable by that person:
- (b) Fails to make, in accordance with these regulations, any return or statement required to be made thereunder 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 Committee or in evidence or otherwise in connection with appeal proceedings:
- (d) Fails, in any manner which does not otherwise constitute an offence against these regulations, to comply with any provision of these regulations.

(2) Any person who commits an offence against this regulation shall be liable on summary conviction to a fine not exceeding £20 for every day during which the offence continues.

47. If any company commits an offence under regulation 45 or regulation 46 hereof, every director or other person acting in the management of the business of the company (not being a servant of the company), shall, in addition to any penalty to which the company may be liable, be liable on summary conviction to a fine not exceeding £20 for every day on which the offence is committed or continues.

PART IX—NOTICES

48. (1) Any notice required to be served on any person for the purposes of these regulations may be served by causing the same to be delivered to that person, or to be left at his usual or last known place of abode or business or at the address stated by him in any application or other document under these regulations, or to be sent by registered letter addressed to him at any such place of abode or business or address.

FIRST SCHEDULE—*continued*

Reg. 34

Form 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 licence, an applicant for a transfer of a licence, or the holder of a licence. The information is to refer to the business only in so far as it constitutes an industry for the carrying-on of which a licence 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:
6. Nature of ownership:
 - (i) Whether owned by a sole proprietor, registered company, partnership or other incorporated society or association:
 - (ii) If application to Licensed Industries Committee 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:

<i>Name of Registered Shareholder</i>	<i>Number and Total Nominal Value of Shares</i>	<i>Name of Beneficial Owner</i>
.....
.....

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

FIRST SCHEDULE—*continued*

(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 of plant:

(c) Date of original installation of plant and extent to which replacement and modernisation 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 licence, whether the appellant engages, or intends to engage, in the whole of the industry if a licence 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 organisation, or by any other person; if so, supply names and addresses of such trades, organisations, and persons, and attach any written representations made by them:

16. Any additional special circumstances or reasons in support of the appeal:

Signature:

Reg. 35

FIRST SCHEDULE—*continued*

Form 3

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

N.B.—No leave to appeal can be given at any time later than twenty-eight days from the date of the decision of the Licensed Industries Committee.

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

To the Licensed Industries Appeal Authority.

PURSUANT to regulation 27 of the Licensed Industries Regulations 1957, I hereby apply for leave to appeal against the decision of the Licensed Industries Committee given in the matter of [*Describe subject of application to Licensed Industries Committee*] 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 Licensed Industries Committee 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 Licensed Industries Committee 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:

SECOND SCHEDULE

Reg. 52

REGULATIONS REVOKED

Short Title	Serial Number
The Industry Licensing (Various Industries) Notice 1937	1937/222
The Industry Licensing (Pulp and Paper Manufacture) Notice 1939	1939/188
The Licensed Industries General Regulations 1940	1940/279
The Industrial Efficiency (Electric Range) Regulations 1941	1941/132
The Licensed Industries General Regulations 1940, Amendment No. 1	1941/151
The Industrial Efficiency (Radio) Regulations 1941	1941/208
The Industry Licensing (Pulp and Paper Manufacture) Notice 1939, Amendment No. 1	1943/188
The Licensed Industries General Regulations 1940, Amendment No. 2	1946/34
The Industry Licensing (Paua Shell) Notice 1946	1946/188
The Industrial Efficiency (Radio) Regulations 1941, Amendment No. 1	1947/95
The Industrial Efficiency (Electric Range) Regulations 1941, Amendment No. 1	1950/168
The Industry Licensing (Rubber Tyre Manufacturing) Amendment Notice 1951	1951/139

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, in accordance with section 19 of the Industries and Commerce Act 1956, provide for the licensing of those industries which at the date of the commencement of that Act (1 April 1957) were licensed under the Industrial Efficiency Act 1936.

The industries to which the regulations apply are:

- (a) The manufacture of pulp, paper and board, or multi-walled paper bags:
- (b) The manufacture of paua shell for sale:
- (c) The manufacture of rubber tyres and tubes for motor vehicles.

For the purposes of considering applications for the grant, transfer, or modification of licences a Licensed Industries Committee is established consisting of the Secretary of the Department of Industries and Commerce (who shall be Chairman) and two other members.

The Committee is given full power of investigation and, after taking into consideration the matters prescribed in regulation 15, it may grant or refuse any application. All interested parties are given a right to be heard on any application, and a right of appeal is given against any decision of the Committee.

Persons holding licences under the Industrial Efficiency Act 1936 in respect of any industry to which the regulations apply shall be deemed to be holders of licences under the regulations subject to the same conditions as those attaching to the original licence but subject to revocation or alteration under the regulations. Certain conditions (practically identical with those prescribed by the Industrial Efficiency Act 1936) are implied in all licences issued or deemed to be issued under the regulations.

A Licensed Industries Appeal Authority, consisting of any suitable person or persons appointed in that behalf by the Minister, is established for the purpose of hearing appeals from the Committee.

Annual licence fees and fees in respect of applications under the regulations are prescribed in the regulations and provision is also made for penalties for offences.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 6 June 1957.

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