

**THE ORCHARD REGISTRATION REGULATIONS 1937,
AMENDMENT NO. 1**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 22nd day of
June, 1949

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Orchard and Garden Diseases Act, 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Orchard Registration Regulations 1937, Amendment No. 1.

2. These regulations shall be read together with and deemed part of the Orchard Registration Regulations 1937* (hereinafter called the principal regulations).

3. These regulations shall come into force on the seventh day following notification in the *Gazette* of the making thereof.

4. Clause (3) of Regulation 1 of the principal regulations is hereby amended as follows :—

(a) By revoking the definition of "Orchard", and substituting the following definition :—

" ' Orchard ' means any land used for the growing of not less than 50 fruit-trees and the production of fruit for sale, and includes any such land, notwithstanding that the fruit-trees thereon may not have come into bearing " :

(b) By inserting, next after the definition of " fruit-tree ", the following definition :—

" ' Horticultural Inspector ' means the Horticultural Inspector of the Department of Agriculture for the district in which any orchard is situated, and includes an Orchard Instructor of the said Department for the time being performing the duties of a Horticultural Inspector."

5. Regulation 2 of the principal regulations is hereby amended as follows :—

(a) By revoking clause (4) thereof, and substituting the following clause :—

" (4) Every application for registration or re-registration of an orchard shall be made in writing to the Director on a form of application obtained for that purpose, which form shall—

" (a) Be in or to the effect of form No. 1 set out in the Schedule hereto ;

* Statutory Regulations 1937, Serial number 209/1937, page 777.

- “(b) Contain the information indicated in the said form ;
- “(c) Be signed by the applicant; and
- “(d) Be forwarded in the first instance to the Horticultural Inspector for transmission to the Director.”

(b) By inserting, next following the words “the Director” in clauses (5) and (6) thereof, the words “or Horticultural Inspector”.

6. Regulation 6 of the principal regulations is hereby amended as follows :—

(a) By revoking clauses (1) and (2) thereof, and substituting the following clauses :—

“(1) Every occupier who has applied for registration of his orchard in respect of which a certificate of registration has been issued and is in force shall, immediately any increase or decrease of not less than fifty fruit-trees takes place in the number of fruit-trees planted therein, or immediately the land comprised in such orchard ceases to be used as an orchard by the occupier aforesaid, or immediately any change takes place in the occupation or possession of such orchard, give to the Director or to the Horticultural Inspector for transmission to the Director notice thereof and of the particulars of such change, as the case may require, and shall, in the event of any change occurring in the occupation or possession of such orchard, return to the Director or to the Horticultural Inspector for transmission to the Director the certificate of registration issued in respect thereof, but compliance with the requirements of this clause shall not relieve any person from the duty of complying with clause (3) of the regulation.

“(2) No person shall use any land as an orchard in respect of which notice of any increase or decrease of not less than fifty fruit-trees in the number of fruit-trees planted therein has not been given as required by the last preceding clause hereof”.

(b) By inserting, next following the words “the Director” in clause (3) thereof, the words “or to the Horticultural Inspector for transmission to the Director.”

(c) By inserting, next following the words “the Director” wherever these words occur in clauses (4) and (5) thereof, the words “or the Horticultural Inspector”.

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

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 23rd day of June, 1949.

These regulations are administered in the Department of Agriculture.

(Notice No. Ag. 4684.)