

## Serial Number 1942/111



**THE RATIONING EMERGENCY REGULATIONS 1942**

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 24th day of  
April, 1942. .

Present :

THE RIGHT HON. P. FRASER PRESIDING IN COUNCIL.

PURSUANT to the Emergency Regulations Act, 1939, 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. (1) These regulations may be cited as the Rationing Emergency Regulations 1942.

(2) These regulations shall be read together with and deemed part of the Supply Control Emergency Regulations 1939.\*

2. (1) In these regulations, unless the context otherwise requires,—  
“Area” or “rationing area” means a rationing area constituted under these regulations :

“Available coupons”, in relation to the supply of any rationed goods, means coupons for the time being available under these regulations for the supply of those goods :

“Consumer”, in relation to any goods, means a person who purchases or obtains those goods for any purpose other than resale or use in the manufacture of goods for sale :

“Controller” means the Rationing Controller appointed under these regulations, and includes any person for the time being authorized to exercise or perform any of the Controller’s powers or functions :

“Coupon” means a coupon that forms or formed part of a ration document :

“Locality”, in relation to any business, means a rationing area, or a separate part of any rationing area, in which the business is carried on :

“Permit” means a permit granted by the Controller under these regulations :

\* Statutory Regulations 1939, Serial number 1939/131, page 599.  
Amendment No. 1: Statutory Regulations 1940, Serial number 1940/121, page 428.  
Amended: Statutory Regulations 1941, Serial number 1941/69, Regulation 2, page 252.

- “ Ration document ” means a ration book, emergency ration card, or leave ration card issued by the Controller for the purposes of these regulations :
- “ Rationed goods ” means goods for the time being declared under these regulations to be rationed goods :
- “ Rationing Officer ”, in relation to any area, means the Rationing Officer for the time being in office for that area under these regulations, and includes any person for the time being authorized to exercise or perform any of the Rationing Officer’s powers or functions :
- “ Shop ” includes any place in or from which the business of supplying goods to consumers is carried on :
- “ Trader ”, in relation to any goods, means a person carrying on in New Zealand the business of supplying those goods, whether or not he carries out any process in the manufacture of them.

(2) If any question arises as to the locality or localities in which any business is being carried on in any area, it shall be determined by the Director-General of the Post and Telegraph Department, and his decision shall be final.

(3) For the purposes of these regulations—

- (a) Where any trader carries on business in or from two or more shops, the business carried on in or from each of those shops shall be deemed to be a separate business :
- (b) Where any trader carries on business in two or more localities in which he has no shops, the business carried on in each of those localities shall be deemed to be a separate business :
- (c) Where any trader carries on business in or from any shop and in any locality in which he has no shop, the business carried on in or from that shop and the business carried on in that locality shall be deemed to be separate businesses.

#### RATIONING CONTROLLER.

3. (1) The Minister may from time to time appoint a Controller, to be known as the Rationing Controller.

(2) The Controller shall hold office during the pleasure of the Minister.

(3) The Controller shall be subject in all things to the control of the Minister, and shall act in accordance with all directions, general or special, given to him by the Minister.

4. (1) The general functions of the Controller shall be to administer these regulations and to regulate, control, or prohibit the supply, acquisition, distribution, or use of rationed goods so far as may be necessary for the purposes of these regulations.

(2) The Controller shall have all such powers and rights and may do such things and give such general or special directions as may appear to him to be necessary to enable him to carry out his functions.

#### RATIONING OFFICERS.

5. The Chief Postmaster of each postal district recognized as such by the Post and Telegraph Department shall be a District Rationing Officer for the purposes of these regulations.

6. The Director-General of the Post and Telegraph Department may from time to time divide each postal district into areas, to be known as rationing areas. For each area there shall be a Rationing Officer, who shall be appointed by the Director-General, and shall hold office during his pleasure.

7. (1) Every District Rationing Officer in respect of his district and every Rationing Officer in respect of his area shall have such powers, functions, and duties as may from time to time be conferred or imposed upon him by these regulations or delegated to him under the Supply Control Emergency Regulations 1939.\*

(2) In the exercise of any powers or functions under or for the purposes of these regulations, every District Rationing Officer and every Rationing Officer shall act in accordance with all directions, general or special, given in that behalf by the Controller or by the Director-General of the Post and Telegraph Department.

(3) Every delegation or direction made or given to any District Rationing Officer or to any Rationing Officer by the Controller shall be made or given through the Director-General of the Post and Telegraph Department.

#### RATIONED GOODS.

8. (1) The Minister may from time to time, by Order, declare any goods to be rationed goods for the purposes of these regulations.

(2) By any such Order or by a subsequent Order the Minister may—

- (a) Require retailers of the rationed goods to be licensed under these regulations :
- (b) Require consumers of the rationed goods to be registered under these regulations.

(3) Any Order under this regulation may be from time to time amended or at any time revoked by the Minister by a subsequent Order.

(4) Every Order under this regulation shall come into force on a date to be specified in that behalf in the Order. Different dates may be so specified in respect of the Chatham Islands and the rest of New Zealand.

#### SUPPLY OF RATIONED GOODS.

##### *Supply to Consumers.*

9. (1) The provisions of this regulation shall apply to the supply of rationed goods by a trader in those goods to a consumer.

(2) No trader shall supply any rationed goods to a consumer otherwise than in accordance with these regulations, and either—

- (a) Against the surrender or cancellation of the appropriate number of available coupons ; or
- (b) Under the authority of a permit granted by the Controller under these regulations.

(3) Where the retailers of any rationed goods are required to be licensed under these regulations, no trader shall supply any of those goods to a consumer otherwise than in the course of a business in respect of which the trader is for the time being licensed under these regulations as a retailer of those goods.

\* Statutory Regulations 1939, Serial number 1939/131, page 599.

(4) Where the consumers of any rationed goods are required to be registered under these regulations, no trader shall supply any of those goods to any consumer against the surrender or cancellation of coupons of a kind comprised in a ration book unless the consumer is for the time being duly registered with the trader under these regulations in respect of those goods and in respect of the business in the course of which the goods are supplied.

(5) Except where the goods are ordered by post, a trader shall not supply rationed goods against the surrender or cancellation of coupons of a kind comprised in any ration document unless the ration document has been produced to him and he has in accordance with the directions of the Controller either detached therefrom or cancelled therein the appropriate number of available coupons.

(6) A trader shall not supply rationed goods by post against the surrender or cancellation of coupons unless he has received from the consumer the appropriate number of available coupons bearing on the back the name and address of the consumer and the number of his ration document, and, if the directions of the Controller so require, has cancelled those coupons in accordance with the directions of the Controller.

*Supply to Persons other than Consumers.*

10. (1) The provisions of this regulation shall apply to the supply of rationed goods by a trader in those goods to any other person (whether a trader or not) who is not a consumer.

(2) No trader shall supply any rationed goods otherwise than in accordance with these regulations and under the authority of a permit granted by the Controller under these regulations.

*Acquisition of Rationed Goods.*

11. No person shall acquire rationed goods from a trader in circumstances in which the trader is prohibited from supplying them to him.

*Directions.*

12. Notwithstanding anything in these regulations, the Controller may give directions regulating or prohibiting the supply or acquisition of rationed goods by any person or a person of any class or description specified in the directions.

*Licensing of Retailers.*

13. (1) The Rationing Officer for any area may from time to time issue to any trader a license or two or more licenses as a retailer of any rationed goods specified in the license.

(2) Every such license shall be issued in respect of the business carried on by the licensee in or from one shop or in one locality situated in the area and specified in the license.

(3) Any such license may be at any time revoked by the Rationing Officer.

(4) Every such license shall be deemed to be revoked if the licensee specified in the license ceases to carry on business in or from the shop or in the locality specified in the license, or dies, or (being a corporation) is dissolved.

(5) Where any such license is revoked or deemed to be revoked it shall be the duty of the licensee and of any other person having possession of the license to cause the license to be forthwith delivered to the Rationing Officer.

*Registration of Consumers.*

14. (1) Upon application being duly made by or on behalf of any consumer to any trader who is for the time being carrying on any business as a retailer of any rationed goods the retailer may register the consumer in respect of those goods and in respect of that business.

(2) No person shall apply for registration as a consumer of any goods in respect of any business of any trader at any time while he is registered as a consumer of those goods in respect of any other business, whether carried on by the same trader or by any other trader.

(3) No person shall apply for registration as a consumer of any goods otherwise than in accordance with these regulations and with any directions of the Controller.

(4) No trader shall register any person as a consumer of any goods otherwise than in accordance with these regulations and with any directions of the Controller, or otherwise than upon an application duly made under these regulations.

(5) No trader shall register any person as a consumer of any goods at any time before the Controller has given public notice authorizing the registration of consumers of those goods and specifying the class of coupons and counterfoils that will be available for the supply of those goods.

(6) No trader shall detach any counterfoil of any class from any ration document or accept any counterfoil of any class from any person at any time before the Controller has given public notice specifying the goods to which counterfoils of that class will relate and authorizing the registration of consumers of those goods.

(7) No trader shall cause or permit his name or address to be written on any ration document as the name or address of a retailer—

(a) In respect of any class of coupons or counterfoils, at any time before the Controller has given public notice specifying the goods to which counterfoils of that class will relate and authorizing the registration of consumers of those goods ;

(b) In respect of any goods, at any time before the Controller has given public notice authorizing the registration of consumers of those goods and specifying the class of coupons and counterfoils that will be available for the supply of those goods.

*Miscellaneous Provisions as to Supply.*

15. (1) Where any trader who holds any rationed goods for the purposes of his business uses or appropriates the goods for or to any purpose other than the purposes of any business carried on by him he shall for the purposes of these regulations be deemed to supply the goods to another person who is a consumer.

(2) Where any trader who holds any rationed goods for the purposes of any business carried on by him transfers the goods to any other business carried on by him, or uses or appropriates them for or to the

purposes of any other business carried on by him, or, where the goods are held for a particular purpose, uses or appropriates them for or to any other purpose of any business carried on by him, he shall be deemed for the purposes of these regulations to supply the goods to another person who is not a consumer.

**16.** Where goods are invoiced by a trader to another trader who in relation to the supply of those goods is the agent either of the supplier or of the person to whom or to whose order they are to be supplied, the supplier shall be deemed to supply those goods to the agent, and when the goods are supplied to or to the order of the person to be supplied the agent shall be deemed to supply them.

**17.** A person disposing by way of liquidation of the assets of any business which comprised the supply of rationed goods shall be deemed to be carrying on that business.

#### RATION DOCUMENTS, COUPONS, AND PERMITS.

**18.** (1) Such ration books, emergency ration cards, and leave ration cards as are deemed necessary for the purposes of these regulations may be issued in accordance with the directions of the Controller to such persons or classes of persons, in such circumstances, and upon or subject to such conditions as the Controller from time to time directs.

(2) A fee of 1s. shall be payable for the issue of a ration book to replace any ration book that has been defaced, destroyed, or lost.

(3) Where a new ration book is issued to any person to replace a lost ration book, and that person subsequently finds the lost ration book or has it in his possession he shall forthwith return it to a Rationing Officer.

(4) Where upon applying for the issue of a ration document any person (hereinafter referred to as the employee) is required to produce to the issuing officer the registration fee coupon-book issued to him under the Social Security Act, 1938, and that coupon-book is deposited with his employer, the employer shall forthwith deliver the coupon-book to the employee to enable him to produce it to the issuing officer with his application for a ration document, and the employee shall within seven days after receiving the coupon-book return it to the employer.

**19.** (1) Every ration document issued under these regulations shall contain such coupons as the Controller from time to time directs.

(2) Each coupon shall be available for the supply of such quantity of such rationed goods during such period or periods as the Controller from time to time directs.

(3) For the purposes of these regulations the appropriate number of coupons in relation to the supply of any rationed goods shall be the number calculated in accordance with the directions of the Controller under this regulation, so, however, that where the number so calculated includes any fraction that fraction shall be treated as one.

**20.** No consumer shall deposit any ration document or coupon with any trader except by surrendering the appropriate number of available coupons upon ordering or acquiring rationed goods, and no trader shall accept any deposit in contravention of this clause.

21. (1) Notwithstanding anything in these regulations, any person in possession of any ration document, coupon, permit, license, or other document shall if so directed by a general or special direction given by the Controller, deliver it to any person in any manner and at any time specified in the direction.

(2) Where any person is in possession of a ration document, coupon, permit, license, or other document, and such possession is not authorized by or under these regulations, then, unless within seven days after the document has come into his possession he has returned it to the person entitled to the custody thereof or otherwise dealt therewith as provided by or under these regulations, he shall forthwith deliver the document to a Rationing Officer or to such other person as may be specified in that behalf in any instructions contained in the document.

(3) Any person authorized in writing by the Controller may, on production of his authority, require any person in possession of any ration document, coupon, permit, license, or other document to produce it to him, and may seize any such document which he believes on reasonable grounds to be evidence of the commission of an offence.

22. (1) No person shall for the purpose of obtaining rationed goods make use of any ration document, coupon, permit, license, or other document that has not been duly issued to him or to a person for whose benefit the goods are being obtained.

(2) No trader shall supply any rationed goods against the surrender or cancellation of any coupon or under the authority of any permit if he has reason to believe that it is being used in contravention of this regulation.

23. Every trader who receives any coupons or permits upon the supply of rationed goods shall dispose of the coupons or permits in accordance with the general or special directions of the Controller.

24. No person shall, with intent to obtain goods in contravention of these regulations, or to enable any other person to do so, have in his possession any ration document, coupon, or permit that has been cancelled, or has been issued or surrendered in accordance with these regulations to any other person, or has been issued in contravention of these regulations or of any directions of the Controller, or by mistake, or as a result of any deceit, or as a result of any false or misleading statement or any material omission in any communication with or application to any person (whether in writing or otherwise).

#### INFORMATION AND RETURNS.

25. (1) This regulation shall apply to—

- (a) All traders in rationed goods :
- (b) All persons carrying on businesses in the course of which rationed goods are acquired from traders :
- (c) All persons carrying on or managing establishments or institutions for the purposes of which rationed goods are acquired from traders.

(2) Any person to whom this regulation applies shall, if so directed by a general or special direction given by the Controller, keep such books, accounts, and records relating to his business, establishment, or institution as may be specified in the direction, and furnish to the

Controller or to such other person as may be specified in the direction such returns and information relating to his business, establishment, or institution as may be so specified.

(3) Any person to whom this regulation applies, and any person employed in connection with the business, establishment, or institution carried on or managed by such a person shall, if requested so to do by the Controller,—

- (a) Produce to any person mentioned in the request all books, accounts, records, licenses, and other documents relating to that business, establishment, or institution; and
- (b) Permit any person authorized in that behalf by the Controller to enter and inspect such premises used for or in connection with the business, establishment, or institution as that person may require with a view to securing compliance with these regulations.

#### OFFENCES.

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

- (a) Without lawful excuse acts in contravention of or fails to comply in any respect with any provision of these regulations or any direction, restriction, requirement, or condition given or imposed under these regulations;
- (b) With intent to deceive, makes any false or misleading statement or any material omission in any communication with or application to any person (whether in writing or otherwise) for the purposes of these regulations or for any other purpose relating to the supply or acquisition of rationed goods;
- (c) Resists, obstructs, or deceives any person who is exercising or attempting to exercise any power or function under these regulations.

27. Every person who commits an offence against these regulations shall be liable on summary conviction to imprisonment for a term not exceeding three months, or to a fine not exceeding £100 and (if the offence is a continuing one) to a further fine not exceeding £10 for every day during which the offence continues.

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

---

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 24th day of April, 1942.

These regulations are administered in the office of the Food Controller.