

Serial Number 1947/101



**THE SHEEP-SKIN EMERGENCY REGULATIONS 1947**

B. C. FREYBERG, Governor-General  
ORDER IN COUNCIL

At the Government House at Wellington, this 25th day of  
June, 1947

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL 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. These regulations may be cited as the Sheep-skin Emergency Regulations 1947.

**INTERPRETATION**

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

“ Broker ” means a person whose ordinary business includes the sale of sheep-skins as the agent of the owner ; and  
“ approved broker ” means a broker whose name appears on the list of approved brokers kept under Regulation 5 hereof :

“ Committee ” means the Sheep-skin Committee appointed in accordance with these regulations :

“ Department ” means the Marketing Department :

“ Exporter ” means a person whose ordinary business includes the export of sheep-skins from New Zealand ; and  
“ approved exporter ” means an exporter whose name appears on the list of approved exporters kept under Regulation 5 hereof :

“ Fellmonger ” means a person whose ordinary business includes the fellmongering of sheep-skins ; and “ approved fellmonger ” means a fellmonger whose name appears on the list of approved fellmongers kept under Regulation 5 hereof :

“ Freezing company ” means the proprietor or occupier of any freezing-works, whether incorporated or not, and includes a meat-exporter on whose account stock intended for export is slaughtered by any freezing company :

“Minister” means the Minister of Marketing :

“Person” includes a firm of persons, and any company or other corporation :

“Sheep-skins” means the woolly skins of sheep or lambs :

“Tanner” means a person who is for the time being engaged in the business of tanning sheep-skins ; and “approved tanner” means a tanner whose name appears on the list of approved tanners kept under Regulation 5 hereof.

#### SHEEP-SKIN COMMITTEE

3. (1) For the purposes of these regulations there shall be a Committee, to be called the Sheep-skin Committee, consisting of three persons to be appointed by the Minister, of whom—

(a) One shall be appointed to represent the Government ;

(b) One shall be nominated by the New Zealand Meat-producers Board ; and

(c) One shall be nominated by the New Zealand Wool Board.

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

(3) If any member of the Committee who is an officer of the Public Service is unable to be present at any meeting of the Committee, he may be represented thereat by any officer of his Department authorized by him in that behalf. If any other member of the Committee is unable to be present at any meeting of the Committee, he may, by writing addressed to the Secretary or other executive officer of the Committee, appoint a substitute to attend that meeting in his place. Any such person, while attending a meeting of the Committee as a substitute for a member, shall be deemed to be a member of the Committee.

(4) The Committee shall have the functions conferred on it by these regulations and shall regulate its own procedure.

4. (1) Any member of the Committee or any person acting with the authority of the Committee may, at any reasonable time, enter upon any premises in which any sheep-skins are stored or believed to be stored (whether for sale or not) and may inspect any sheep-skins found thereon or therein.

(2) In the exercise of its functions under these regulations the Committee may, by writing under the hand of its Chairman or of its Secretary or any officer authorized by the Committee, require any person to answer in writing, within such time and in such form as the Committee may require, any questions, or to furnish any returns relative to sheep-skins or the produce thereof, or to produce, for the inspection of any person appointed by the Committee for the purpose, any books or documents in his possession or control relating to sheepskins or the produce thereof, and to allow copies of or extracts from those books or documents (in so far as they relate to sheep-skins or the produce thereof) to be made by the person so inspecting them.

#### LISTS OF APPROVED BROKERS, EXPORTERS, FELLMONGERS, AND TANNERS

5. (1) The Committee shall compile and keep a list of approved brokers, a list of approved exporters, a list of approved fellmongers, and a list of approved tanners.

(2) There shall be entered on the list of approved brokers the name of every broker who is approved by the Committee for the purposes of these regulations.

(3) There shall be entered on the list of approved exporters the name of every person whose ordinary business includes the export of sheep-skins from New Zealand.

(4) There shall be entered on the list of approved fellmongers the name of every person whose ordinary business includes the fellmongering of sheep-skins.

(5) There shall be entered on the list of approved tanners the name of every person who is for the time being engaged in the business of tanning sheep-skins.

(6) The Committee may at any time amend any list kept under this regulation—

(a) By adding thereto the name of any broker, exporter, fellmonger, or tanner whose name is not already entered thereon :

(b) By removing therefrom, either temporarily for such period as the Committee may determine or permanently, the name of any approved broker, exporter, fellmonger, or tanner—

(i) If he has been convicted of an offence against these regulations ; or

(ii) If the Committee is reasonably satisfied that his name ought to be so removed from the appropriate list by reason of his failure to observe or perform the provisions of these regulations or any condition or requirement imposed by the Committee thereunder.

#### AUCTION SALES

6. (1) Except as hereinafter provided, no sheep-skins shall be exported from New Zealand or be fellmongered, or be tanned in the wool, unless they have been bought at an auction sale held under these regulations or bought by private treaty or by tender pursuant to subclause (2) of this regulation.

(2) The Committee may, subject to such conditions as it thinks fit, consent to the sale of sheep-skins through an approved broker by private treaty or by tender to an approved exporter, fellmonger, or tanner.

(3) Subclause (1) of this regulation shall not apply in respect of any sheep-skins that are—

(a) Fellmongered by a freezing company on its own account or on account of any other person ; or

(b) Fellmongered with the prior consent of the Committee by a producers' organization which is an approved fellmonger at its own fellmongery on account of its own members ; or

(c) Acquired by a tanner from a freezing company either with the consent of the Pelt Controller under the Pickled Sheep and Lamb Pelt Emergency Regulations 1947\* or pursuant to subclause (5) of Regulation 9 hereof.

(4) In granting its consent for the purposes of paragraph (b) of subclause (3) hereof, the Committee may prescribe such conditions as it thinks fit, including a condition as to the making of a payment by way of levy of such amounts as are referred to in subclause (2) of Regulation 12 hereof.

\* Statutory Regulations 1947, Serial number 1947/15, page 29.

7. (1) All auction sales of sheep-skins under these regulations shall be conducted by approved brokers at places and times approved by the Committee.

(2) At any such sale all sheep-skins offered for sale shall be prepared, displayed, and catalogued in accordance with the instructions of the Committee, and shall be classified in accordance with the standard list of types approved by the Committee. The Committee may direct the withdrawal from sale of any sheep-skins in respect of which the requirements of this subclause have not been complied with.

(3) Approved brokers shall advise the Committee from time to time of the dates and places of proposed auction sales. If the Committee approves the date and place of any proposed auction sale, it shall include it in a list of approved auction sales. Each broker shall give adequate public notice of auction sales proposed to be conducted by him in accordance with the list of approved auction sales.

(4) If a broker proposes to hold an auction on behalf of a dealer in sheep-skins at a place and on a date not in the list of approved auction sales, he shall give adequate notice of the sale to the Committee and shall also give adequate public notice of the sale.

(5) The Committee may direct the postponement of any auction sale if, in its opinion, adequate notice of the sale has not been given in accordance with subclause (3) or subclause (4) of this regulation, as the case may require.

8. (1) At any such sale no bid shall be accepted from or on behalf of any person who is not an approved exporter or an approved fellmonger. Any such person may buy in sheep-skins owned by him, and in any such case the sheep-skins shall, for the purpose of these regulations, be deemed to have been bought at auction by him.

(2) At the end of every auction sale the broker conducting the sale shall forthwith send to the Committee, or to such person as the Committee may direct, a copy, certified by the broker, of the invoice for every lot sold at that sale, together with a copy, certified as aforesaid, of the catalogue for the sale. Each invoice shall show full details, prices, weights, and numbers of sheep-skins sold under the standard list of types approved by the Committee.

(3) Any sheep-skins offered for sale at any such sale may be withdrawn from sale.

#### SALES TO TANNERS

9. (1) Each approved tanner shall from time to time notify the Committee of his requirements of sheep-skins for the purposes of his business. The requirements shall be notified in such form and set out in such detail as may be requested by the Committee.

(2) The Committee shall determine which sheep-skins being offered for sale by auction shall be sold to tanners to meet their requirements.

(3) The Committee may advise any broker that specified sheep-skins set out in a catalogue for sale by auction are to be sold by him to such tanner as may be named by the Committee.

(4) In any such case the broker shall withdraw the sheep-skins from auction and deliver them to the tanner named by the Committee, who shall, for the purposes of these regulations, be deemed to have bought the sheep-skins at auction.

(5) The Committee may if it thinks fit require any freezing company to deliver to any approved tanner specified by the Committee such sheep-skins derived from sheep slaughtered for consumption in New Zealand as the Committee may determine to enable the tanner to

meet so much of his requirements as is not met by the delivery of sheep-skins by brokers pursuant to the foregoing provisions of this regulation. Nothing in Regulation 21 of the Pickled Sheep and Lamb Pelt Emergency Regulations 1947, shall apply with respect to any sheep-skins delivered as required by the Committee pursuant to this subclause.

(6) It shall not be lawful for any tanner to purchase or otherwise acquire any sheep-skins except pursuant to these regulations or the Pickled Sheep and Lamb Pelt Emergency Regulations 1947, or to sell any sheep-skins that have been purchased or otherwise acquired by him, except by direction or with the authority of the Committee.

(7) Each tanner to whom any sheep-skins are delivered by a broker or a freezing company pursuant to this regulation shall pay such price therefor to the broker or to the freezing company as may be determined by the Committee, being such price as the Committee determines to be equivalent to the current market value of the wool on the sheep-skins, together with the value of the pelt content thereof which shall be based on the ceiling prices for pelts which were ruling on the 30th day of June, 1946.

10. Sheep-skins which have been tanned in the wool and goods which have been made from any such sheep-skins or which contain parts of any such sheep-skins shall not be exported from New Zealand, whether by the tanner or not, unless before they are exported there is paid to the Committee such sum as the Committee determines would have been the amount of levy payable pursuant to Regulation 12 hereof on the sheep-skins, or parts thereof contained in the goods, if they had been bought by an exporter at the time when they were acquired by the tanner.

#### LEVY ON SHEEP-SKINS

11. A levy shall be charged in respect of all sheep-skins that are acquired by an exporter or a fellmonger other than those to which subclause (3) of Regulation 6 hereof applies.

12. (1) The Committee shall from time to time fix the levy in respect of sheep-skins that are acquired by exporters by reference to the f.o.b. export value of the sheep-skins to which it relates, determined as at the date on which the skins are purchased as required by subclause (1) of Regulation 6 hereof.

(2) The levy shall consist of—

(a) Such amount as in the opinion of the Committee is required to pay the contributory charge imposed under the Wool Disposal Act, 1945, on the wool on the sheep-skins; and

(b) Such amount as the Committee determines to be the excess of the value of the pelts, having regard to the ceiling prices for pelts which were ruling on the 30th day of June, 1946.

(3) The levy may be fixed as a percentage of the price paid or payable for the sheep-skins or in such other manner as the Committee may determine, and the rate of the levy or the basis of its computation may from time to time be altered by the Committee:

Provided that no alteration shall apply with respect to any sheep-skins that have been purchased by the exporter under these regulations before the making of the alteration.

(4) Notice of the fixing of the levy or of any alteration thereof shall be given by the Committee to the persons concerned in such manner as the Committee thinks fit.

(5) The amount of the levy under this regulation shall accrue due at the date of the purchase and shall be paid by the exporter of the sheep-skins in such manner and at such time before the skins are exported as the Committee may determine.

(6) From any amount collected by any Collector of Customs on behalf of the Committee there shall be deducted, as Customs revenue, such commission as the Minister of Customs may direct.

**13.** (1) The levy in respect of sheep-skins acquired by a fellmonger, other than those to which subclause (3) of Regulation 6 hereof applies, shall be paid by the fellmonger.

(2) In any case where an approved fellmonger has acquired sheep-skins he may, with the approval of the Committee, pay to the Committee, in such manner and at such time as the Committee may determine, a levy in respect of the skins calculated on the same basis as if the skins had been purchased by an exporter.

(3) In any case in which a fellmonger who has purchased skins does not elect to pay a levy as provided in subclause (2) of this regulation, he shall pay, at such time after he has sold the pelts derived from the skins and in such manner as the Committee may determine, a levy of such amount as may be fixed by the Committee, being—

(a) Such amount as in the opinion of the Committee is required to pay the contributory charge imposed under the Wool Disposal Act, 1945, on the wool on the sheep-skins; and

(b) Such amount as the Committee determines to be the excess of the value of the pelts realized by him, being the amount by which, in the opinion of the Committee, the price at which the pelts were sold exceeds the price paid by the fellmonger for the pelt content of the sheep-skins from which they were derived, increased by the costs and charges of and incidental to the fellmongering of the skins.

(4) In any case in which a fellmonger does not elect to pay a levy as provided in subclause (2) of this regulation, the Committee may from time to time impose such conditions or requirements as it thinks fit with reference to the acquisition of sheep-skins by him.

#### FINANCIAL PROVISIONS

**14.** (1) All moneys received by the Committee shall be paid into an account in a bank to be approved for the purpose by the Minister.

(2) The moneys so received may be disbursed for the purposes of these regulations in accordance with the directions of the Committee.

(3) All expenses incurred by or with the authority of the Committee in the administration of these regulations (including the salaries or other remuneration of the Secretary or any other officers employed by the Committee, the travelling-expenses reasonably incurred by the members of the Committee, any charges payable with the approval of the Minister to any member of the Committee in respect of his services, and any charges payable in respect of the services of any Department of State) shall be a first charge on the moneys received by the Committee, and shall be paid out of those moneys.

**15.** (1) The Committee shall from time to time pay into the Wool Disposal Account so much of the moneys received by it in respect of levy on sheep-skins as in the opinion of the Committee is required to pay the contributory charge imposed under the Wool Disposal Act, 1945, on the wool on the sheep-skins:

Provided that the Committee may retain such sum as may be agreed between the Committee and the Wool Disposal Commission for the expenses incurred by the Committee in collecting the amount of the contributory charge.

(2) The balance of the moneys of the Committee, after providing for expenditure incurred in the administration of these regulations, shall from time to time be paid to the Department for the credit of the account known as the Meat Industry Stabilization Account.

16. (1) The accounts of the Committee shall be audited by the Audit Office, and the Audit Office shall have the same powers in respect thereof as it would have if the accounts of the Committee related to public moneys within the meaning of the Public Revenues Act, 1926.

(2) The Audit Office shall be entitled to charge for its services such fees as the Minister of Finance may from time to time approve.

#### MISCELLANEOUS PROVISIONS

17. (1) The Committee may, subject to the provisions of this regulation, appoint any person employed in any Government Department to be an officer of the Committee.

(2) Any such person may hold concurrently his office in his Department and his office with the Committee.

(3) No person shall be appointed an officer of the Committee as aforesaid except with the approval of the Public Service Commission (in the case of any officer under the control of the Commission) or, in any other case, except with the approval of the Minister in charge of the Department concerned.

18. (1) 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 condition or requirement 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 the Committee or any person (whether in writing or otherwise) for the purpose of these regulations :

(c) Resists, obstructs, or deceives any person who is exercising or attempting to exercise any power or function under these regulations.

(2) Every person who commits an offence against these regulations shall be liable on summary conviction,—

(a) In the case of an individual, to imprisonment for a term not exceeding three months, or to a fine not exceeding £50, and (if the offence is a continuing one) to a further fine not exceeding £5 for every day during which the offence continues, or to both such imprisonment and such fine :

(b) In the case of a body corporate, to a fine not exceeding £200, and (if the offence is a continuing one) to a further fine not exceeding £20 for every day during which the offence continues.

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

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Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 26th day of June, 1947.

These regulations are administered in the Export Division of the Marketing Department.