



THE SAWMILL REGISTRATION REGULATIONS 1942

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

ORDER IN COUNCIL.

At the Government House at Wellington, this 9th day of December, 1942.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Forests Act, 1921-22, 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. These regulations may be cited as the Sawmill Registration Regulations 1942.
2. These regulations shall come into force on the 31st day of December, 1942.
3. Unless inconsistent with the context, expressions used herein have the same meaning as in the Forests Act, 1921-22.
4. In these regulations, unless inconsistent with the context,—
 - “ The Act ” means the Forests Act, 1921-22 :
 - “ Director ” means the Director of Forestry appointed under the Act :
 - “ Sawmill ” means any factory or industrial plant directly dependent on supplies of logs, and producing material therefrom, whether for sale, for use, or for further manufacture, by any process, of lengthwise sawing, of maceration into wood-fibre or of peeling or slicing into veneers or plywood :
 - “ Board foot ”, in reference to sawn timber, means one-twelfth of a cubic foot—that is to say, the cubic contents of a piece of timber 12 in. square by 1 in. thick, or of any dimensions producing the same cubic contents.
5. These regulations shall apply only to sawmills as hereinbefore defined.

PART II.—APPLICATION FOR REGISTRATION.

6. Every person who at the date of coming into force of these regulations uses any factory or plant as a sawmill shall within six weeks after that date make application in manner hereinafter provided for registration thereof as a sawmill.
7. Every person who at any time after the coming into force of these regulations commences to use as a sawmill any factory or plant not theretofore registered under these regulations shall within one week after commencing so to use such factory or plant make application in manner hereinafter provided for registration thereof as a sawmill.

8. Every sawmiller shall not later than the 17th day of March in any year on which the registration of a sawmill used by him ceases to have effect make application in manner hereinafter prescribed for re-registration of the sawmill, and such re-registration shall take effect on the ensuing 1st day of April.

9. Every application for registration or re-registration of a sawmill shall be made to the Director in writing signed by or on behalf of the applicant on a form of application obtained for that purpose, which form shall be in or to the effect of form No. 1 set out in the Schedule hereto, and shall contain the information indicated in the said form and shall be accompanied by the prescribed fee.

10. The Director on receipt of any application for registration or re-registration, or from time to time at his discretion, may, by notice in writing posted to the applicant at the address set out in his application, require the applicant to furnish such further and additional information as the Director may require, and every applicant shall forthwith comply to the satisfaction of the Director with the requirements of any such notice as aforesaid.

11. Where there are two or more distinct sawmills a separate application for registration on form No. 1 in the Schedule hereto must be made in respect of each sawmill.

12. Forms of application for registration of a sawmill may be obtained free of charge from the Director or from any office of a Conservator of Forests of the State Forest Service.

13. Subject to Regulation 30 hereof, every registration shall cease to have effect upon expiry of the certificate of registration as provided by Regulation 15 hereof.

PART III.—CERTIFICATE OF REGISTRATION.

14. On receipt of an application from any person for the registration or re-registration of a sawmill the Director shall issue a certificate of registration to such person in or to the effect of form No. 2 set out in the Schedule hereto.

15. Subject to Regulation 30 hereof, every certificate of registration issued under these regulations and taking effect prior to the 31st day of March, 1944, shall continue in force until that date and expire on that date, and every certificate of registration taking effect on or after that date shall expire on the 31st day of March next following the date when it took effect, unless otherwise specified therein.

16. At any time during the currency of any certificate of registration the Director may if he thinks fit, and shall if required for the purpose of any legal proceedings, issue a further certificate of registration in respect of such sawmill, but such further certificate shall have no other effect than the certificate first issued.

PART IV.—THE REGISTER.

17. For the purpose of the registration of sawmills a register of sawmills shall be kept by the Director at his office in Wellington.

18. The register may be kept bookwise or in card form or in such other manner as may be deemed convenient, and an application for registration in regular form may be incorporated with and form part of the register.

19. The Director may from time to time direct any entry in the register to be amended, corrected, cancelled, or deleted upon such documentary or other evidence as he shall deem sufficient.

20. Unless the register be arranged alphabetically in order of names of sawmillers, the Director shall cause it to be provided with an alphabetical index of the names of the sawmillers using registered sawmills.

PART V.—EVIDENCE OF REGISTRATION.

21. Any certificate of registration shall be *prima facie* evidence of registration for the prescribed period of registration of the sawmill to which such certificate relates.

22. A copy certified by the Director of any entry in the register shall be *prima facie* evidence of such entry.

23. A certificate under the hand of the Director of the absence of an entry in the register shall be *prima facie* evidence of the facts stated in such certificate.

24. The absence of an entry in the register relating to any sawmill shall be *prima facie* evidence that no application has been made for the making of such entry.

PART VI.—ALTERATIONS IN RESPECT OF THE OWNERSHIP OR POSSESSION OF SAWMILLS.

25. Every person who has applied for registration of a sawmill in respect of which a certificate of registration has been issued and is in force shall immediately such sawmill ceases to be used by the person aforesaid, or immediately any change takes place in the ownership or possession of such sawmill, give the Director notice thereof and of the particulars of such change, as the case may require, but compliance with the requirements of this regulation shall not relieve any person from the duty of complying with Regulation 26 hereof.

26. Every person who after the date of the coming into force of these regulations acquires or succeeds to the ownership or possession of any registered sawmill shall give immediate notice thereof to the Director.

27. The Director on receipt of any notice given pursuant to Regulation 26 hereof may by notice in writing posted to the person giving the notice require that person to furnish particulars of any of the matters information as to which is required by the said form No. 1.

28. Every person to whom a notice is sent as required by Regulation 27 hereof shall forthwith comply to the reasonable satisfaction of the Director within the terms of such notice.

29. Upon receipt of any notice given pursuant to Regulation 25 or Regulation 26 hereof, and on verification thereof to his satisfaction, the Director may make such entries in the register as the case may require, and shall, if he considers desirable, issue a fresh certificate of registration in respect of the sawmill concerned.

PART VII.—LAPSE OF REGISTRATION.

30. A registration certificate issued in respect of a sawmill that has been idle for five consecutive months shall automatically lapse unless the holder thereof notifies the Director by registered letter accordingly.

PART VIII.—FEES.

31. The fees payable in respect of the registration of sawmills shall be as follows :—

| | | |
|--|----|----|
| (a) Accompanying every application for registration of a | s. | d. |
| sawmill | 10 | 6 |

| | |
|--|--------------|
| (b) Accompanying every application for re-registration of a sawmill | s. d. 5 0 |
| (c) Accompanying every application for a further certificate of registration, or a certified copy of any entry in the register, or a certificate of the absence of any entry in the register | 2 6 |

PART IX.—OFFENCES AND PENALTIES.

32. Every person who at any time uses as a sawmill any factory or plant in respect of which an application for registration or re-registration has not been made as required by these regulations commits an offence and is liable on summary conviction to a fine not exceeding £5 a day for each day on which the offence is committed or continues.

33. Every person who with intent to deceive makes any false or misleading statement or any material omission in any communication or application, or who neglects or fails to supply any information or particulars required by these regulations, commits an offence and is liable on summary conviction to a fine not exceeding £50.

34. Every person who, directly or indirectly, fails to observe or perform any duty or obligation imposed upon him by these regulations commits an offence and is liable on summary conviction to a fine not exceeding £50.

35. Every person who commits any other offence against these regulations is liable on summary conviction to a penalty not exceeding £20.

SCHEDULE.

[Form No. 1.]

The Sawmill Registration Regulations 1942.

APPLICATION FOR REGISTRATION OF A SAWMILL.

APPLICATION FOR RE-REGISTRATION OF A SAWMILL.

[Strike out whichever is inapplicable.]

To the Director,
State Forest Service,
Wellington.

I (we),, hereby apply for registration as a sawmill of the (factory) (plant) herein described, which are (about to be) used by (me) (us) as a sawmill, and do hereby certify that the following particulars are to the best of (my) (our) knowledge true and correct in every respect:—

1. Full name(s) of applicant(s): [*In the case of a firm the firm name should be stated as well as the full name of each partner. See Note 5.*]
2. Full postal address of applicant(s):
3. Situation of sawmill [*Section number, block number, and survey district should be stated as well as locality; street number, street name, and name of town will be accepted as sufficient for a sawmill situated in a closely-settled area; if the sawmill be portable, this fact must be stated.*]
4. Output, in board feet, by species for year preceding application:
5. Annual cutting-capacity of sawmill, in board feet:
6. Area or areas from which logs are extracted or secured at date of application—
Situation:
Name of owner:
7. If logs are purchased, give name of vendor:

8. Forest over which timber-cutting rights are held by applicant (excluding areas already entered under Item 6). The nature of the timber-cutting rights must be detailed :—

| Name of Owner. | Nature of Timber-cutting Rights. | Situation. | Area. | *Estimated Quantity of Standing Timber. | Species. |
|----------------|----------------------------------|------------|-------|---|----------|
| | | | | | |

* Indicate the system of measurement adopted—e.g., Haakon-Dahl.

Dated at, this day of, 194..

Signature :

N.B.—(1) A separate application must be made in respect of every sawmill.

(2) In this form “ board foot ”, in reference to sawn timber, means one-twelfth of a cubic foot—that is to say, the cubic contents of a piece of timber 12 in. square by 1 in. thick, or of any dimensions producing the same cubic contents.

(3) Applications for re-registration must be made so as to reach the Director of Forestry not later than 17th March.

(4) The information to be supplied as indicated in this form is required for the purposes of the Sawmill Registration Regulations 1942 only, and will be kept strictly confidential.

(5) If applicant is not the owner and occupier of the sawmill, the capacity in which the application is made should be clearly stated and full particulars of the owner and occupier must be supplied.

[Form No. 2.

The Sawmill Registration Regulations 1942.

CERTIFICATE OF REGISTRATION OF A SAWMILL.

Registration Certificate No.

I HEREBY certify that, of, has registered a sawmill used by him at in terms of the Forests Act, 1921-22, and the Sawmill Registration Regulations 1942.

This certificate expires on the day of, 19..

Dated at Wellington, this day of, 194..

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Director of Forestry.

NOTE.—Regulation 8 of the Sawmill Registration Regulations 1942 provides that application for re-registration of a sawmill must be lodged not later than the 17th day of March in any year in which registration ceases to have effect.

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 10th day of December, 1942.

These regulations are administered in the State Forest Service.