

1967/197



Reprint under section 7 of the Regulations Act 1936 of the Sawmill Registration Regulations 1952 (S.R. 1952/241), as amended by the following amendment:

Amendment No. 1, S.R. 1959/8 (*Revoked by regulation 5 of S.R. 1967/130*)
 Amendment No. 2, S.R. 1967/130

**THE SAWMILL REGISTRATION REGULATIONS 1952
 (REPRINT)**

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 17th day of December 1952

Present:

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Forests Act 1949, 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 Sawmill Registration Regulations 1952.

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

2. (1) In these regulations, unless the context otherwise requires,—
 [“Director-General” means the Director-General of Forests] appointed under the Forests Act 1949:

[“Sawmill” means any factory or industrial plant which is directly dependent on supplies of logs and which produces sawn timber or wood chips therefrom, whether for sale, or use, or further treatment or processing; and includes any chipmill which produces wood chips:]

“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.

(2) These regulations shall apply only to sawmills as hereinbefore defined.

In subclause (1) the reference to the Director-General of Forests was substituted for a reference to the Director of Forests by s. 2 (4) of the Forests Amendment Act 1960.

In subclause (1) the definition of the term “sawmill” was substituted for the original definition by regulation 2 of S.R. 1967/130.

PART II—APPLICATION FOR REGISTRATION

3. 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 or deemed to be registered under these regulations shall, within one week after commencing so to use the factory or plant, make application in manner hereinafter provided for registration thereof as a sawmill.

4. Every sawmiller shall, not later than the 20th day of April in any year on which the registration of a sawmill used by him ceases to have effect, make application in manner hereinafter prescribed for reregistration of the sawmill, and any such reregistration shall take effect on the 1st day of April in that year.

5. Every application for registration or reregistration of a sawmill shall be made to [the Director-General] 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.

As to the Director-General, see the footnote to regulation 2 of these regulations.

6. [The Director-General], on receipt of any application for registration or reregistration 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-General] may require, and every applicant shall forthwith comply to the satisfaction of [the Director-General] with the requirements of any such notice as aforesaid.

As to the Director-General, see the footnote to regulation 2 of these regulations.

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

8. Forms of application for registration of a sawmill may be obtained free of charge from [the Director-General] or from any office of a Conservator of Forests of the New Zealand Forest Service.

As to the Director-General, see the footnote to regulation 2 of these regulations.

9. Every registration shall cease to have effect upon expiry of the certificate of registration as provided by regulation 11 hereof.

PART III—CERTIFICATE OF REGISTRATION

10. On receipt of an application from any person for the registration or reregistration of a sawmill, [the Director-General] shall issue a certificate of registration to the person in or to the effect of form No. 2 set out in the Schedule hereto.

As to the Director-General, see the footnote to regulation 2 of these regulations.

11. Every certificate of registration issued under these regulations shall expire on the 31st day of March next following the date when it took effect, unless otherwise specified therein.

12. At any time during the currency of a certificate of registration in respect of any sawmill [the Director-General] 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 that sawmill, but the further certificate shall have no other effect than the certificate first issued.

As to the Director-General, see the footnote to regulation 2 of these regulations.

PART IV—THE REGISTER

13. For the purpose of the registration of sawmills a register of sawmills shall be kept by [the Director-General] at his office in Wellington.

As to the Director-General, see the footnote to regulation 2 of these regulations.

14. [The Director-General] 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.

As to the Director-General, see the footnote to regulation 2 of these regulations.

PART V—EVIDENCE OF REGISTRATION

15. Any certificate of registration shall, in the absence of proof to the contrary, be sufficient evidence of registration for the prescribed period of registration of the sawmill to which the certificate relates.

16. A copy certified by [the Director-General] of any entry in the register, shall, in the absence of proof to the contrary, be sufficient evidence of the entry.

As to the Director-General, see the footnote to regulation 2 of these regulations.

17. A certificate under the hand of [the Director-General] of the absence of an entry in the register shall, in the absence of proof to the contrary, be sufficient evidence of the facts stated in the certificate.

As to the Director-General, see the footnote to regulation 2 of these regulations.

18. The absence of an entry in the register relating to any sawmill shall, in the absence of proof to the contrary, be sufficient evidence that no application has been made for the making of such an entry.

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

19. 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 the sawmill ceases to be used by the person

aforesaid or immediately any change takes place in the ownership or possession of the sawmill, give [the Director-General] notice thereof and of the particulars of the change, as the case may require, and shall immediately furnish to [the Director-General] a statement showing the output of the sawmill in board feet by species from the preceding 1st day of April to the date of the change in ownership or possession, but compliance with the requirements of this regulation shall not relieve any person from the duty of complying with regulation 20 hereof.

As to the Director-General, see the footnote to regulation 2 of these regulations.

20. 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 of so doing to [the Director-General].

As to the Director-General, see the footnote to regulation 2 of these regulations.

21. [The Director-General], on receipt of any notice given pursuant to regulation 20 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.

As to the Director-General, see the footnote to regulation 2 of these regulations.

22. Every person to whom a notice is sent as required by regulation 21 hereof shall forthwith comply to the reasonable satisfaction of [the Director-General] with the terms of the notice.

As to the Director-General, see the footnote to regulation 2 of these regulations.

23. Upon the receipt of any notice given pursuant to regulation 19 or regulation 20 hereof, and on verification thereof to his satisfaction, [the Director-General] may make such entries in the register as the case may require, and shall, if he considers it desirable, issue a fresh certificate of registration in respect of the sawmill concerned.

As to the Director-General, see the footnote to regulation 2 of these regulations.

PART VII—FEES

[24. The fees payable in respect of registration of sawmills shall be—

		\$
(a) For every application for registration	1.00
(b) For every application for reregistration	0.50
(c) For 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	0.25]

This regulation was substituted for the original regulation 24 by regulation 3 of S.R. 1967/130.

PART VIII—OFFENCES AND PENALTIES

25. 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 shall be liable on summary conviction to a fine not exceeding [\$10], and in the case of a continuing offence to a further fine not exceeding [\$10] for each day or part of a day on which the offence continues.

The reference to money in decimal currency was substituted for a reference to money in the former currency by s. 7 of the Decimal Currency Act 1964.

26. 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 shall be liable on summary conviction to a fine not exceeding [\$100].

The reference to money in decimal currency was substituted for a reference to money in the former currency by s. 7 of the Decimal Currency Act 1964.

27. Every person who fails to comply with or acts in contravention of any of the provisions of these regulations commits an offence and shall be liable on summary conviction to a fine not exceeding [\$100].

The reference to money in decimal currency was substituted for a reference to money in the former currency by s. 7 of the Decimal Currency Act 1964.

28. (1) The Sawmill Registration Regulations 1942 are hereby revoked.

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the revocation of any provision by these regulations shall not affect any document made or anything whatsoever done under the provision so revoked or under any corresponding former provision, and every such document or thing, so far as it is subsisting or in force at the time of the revocation and could have been made or done under these regulations, shall continue and have effect as if it had been made or done under the corresponding provision of these regulations and as if that provision had been in force when the document was made or the thing was done.

SCHEDULE

[F.S.—D. 16 *Sawmill Registration Regulations 1952* Form No. 1
Sawmill No.
Certificate No.

NEW ZEALAND FOREST SERVICE

APPLICATION FOR REGISTRATION (REREGISTRATION) OF A SAWMILL OR
CHIPMILL

(Strike out whichever is inapplicable)

IMPORTANT—A separate application must be made in respect of every mill, where the mills are on different sites.

1. Full name(s) of applicant(s):

2. Full postal address:

SCHEDULE—continued

3. Situation of mill: County or Borough: Section No. Block No. Survey District:
 [Street No., street name, and name of town will be sufficient for a mill situated in a closely settled area. If the sawmill is portable, this fact must be stated.]

SAWMILL

4. Daily cutting capacity of sawmill (eight-hour-day basis) in board feet:
- [NOTE: "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. Sawn output, in board feet, by species and ownership during year ended 31 March 19.....
 (Includes cutting on customers' account)

INDIGENOUS TIMBER CUT FROM:

Species	State Forest Land	Un-occupied Crown Land	Maori Land	Private Land and Crown Leasehold	Total
Rimu and miro					
Matai					
Totara					
Kahikatea					
Kauri					
Tawa					
Red beech					
Silver beech					
Hard beech					
Other beeches					
Taraire					
Rata					
Rewarewa					
Pukatea					
Other (specify)					
.....					
Total (indigenous)*					

*Exclude peelers.

SCHEDULE—*continued*

EXOTIC TIMBER CUT FROM:

Species	State Forest Land	Local Authorities and Other Govt. Depts.	Company Land*	Other Private Land	Total
Sleepers					
Sawn timber					
Radiata pine					
Corsican pine (lario)					
Other exotic pines (specify)					
Larch					
Douglas fir					
Macrocarpa					
Eucalypt					
Poplar					
Other (specify)					
.....					
.....					
.....					
.....					
Total (exotic) †					
Grand Total (indigenous and exotic)					

*Forests owned by joint stock companies which are registered as public and overseas companies (not to include forests owned by private companies which should be shown under "Other Private Land").

†Exclude peelers.

SAWMILL RESIDUES

6. Estimated proportion of sawmill residues:

Used as fuel in mill	%
Used for the manufacture of pulp chips	%
Burnt or dumped as waste	%
Sold as firewood	%

SCHEDULE—continued

CHIPMILL

7. Daily mechanical capacity (eight-hour-day basis) cubic feet.
8. Production of woodchips for the manufacture of pulp and particle-board during the year ended 31 March 19.....
- From roundwood O.D. tons‡
- From Sawmill and other residues O.D. tons‡
- Total quantity of chips produced O.D. tons‡

‡ [NOTE—Quantities are required in oven-dry tons. Broad conversion factors that may be used are:

One ton of green chips = 0.48 O.D. tons

100 cubic feet of chips = 0.45 O.D. tons]

TIMBER RESOURCES

9. Standing timber resources over which cutting rights are held by applicant.

Location	Tenure—Estimated Volume in cubic feet*				
	Indigenous			Exotic	
	State	Maori	Private	State	Private

*If in board feet or Haakon Dahl, please state clearly.

The Director-General, New Zealand Forest Service, Wellington.
I (or WE), hereby apply for registration of the factory described, and certify that the particulars shown are to the best of my (or our) knowledge true and correct in every respect.

Dated at, this day of 19.....

Signature:

Capacity in which application is made: [State whether owner, occupier, agent, etc.]

Please return to the not later than 20 April.

A fee of \$1.00 for registration or a fee of 50c for reregistration must accompany this application.

[NOTE—The Sawmill Regulations 1952 provide that a fine may be imposed for failure to register or reregister a sawmill or chipmill (regulation 25) and also for returning false or misleading statements or for any neglect or failure to supply information required by the regulations (regulation 26).]

This form was substituted for the former Form No. 1 (as substituted by regulation 3 of S.R. 1959/8) by regulation 4 of S.R. 1967/130.

SCHEDULE—continued

Form No. 2

The Sawmill Registration Regulations 1952

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 1949 and the Sawmill Registration Regulations 1952.

This certificate expires on the day of 19.....

Dated at Wellington, this day of 19.....

.....
[Director-General of Forests.]

As to the Director-General of Forests, see the footnote to regulation 2 of these regulations.

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

Certified for the purposes of section 7 of the Regulations Act 1936, this 11th day of August 1967.

J. R. HANAN, *Attorney-General.*

Issued under the authority of the Regulations Act 1936.
Date of notification of principal regulations in *Gazette*: 18 December 1952.
These regulations are administered in the New Zealand Forest Service.