

Serial Number 1952/241



**THE SAWMILL REGISTRATION REGULATIONS 1952**

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 ” means the Director of Forestry appointed under the Forests Act 1949 :

“ Sawmill ” means any factory or industrial plant directly dependent on supplies of logs, and producing sawn timber therefrom, whether for sale, for use, or for further manufacture :

“ 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.

**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 re-registration of the sawmill, and any such re-registration shall take effect on the 1st day of April in that year.

5. 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.

6. 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.

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 or from any office of a Conservator of Forests of the New Zealand Forest Service.

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 re-registration of a sawmill, the Director shall issue a certificate of registration to the person in or to the effect of Form No. 2 set out in the Schedule hereto.

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 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.

#### PART IV—THE REGISTER

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

14. 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.

#### 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 of any entry in the register shall, in the absence of proof to the contrary, be sufficient evidence of the entry.

17. A certificate under the hand of the Director 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.

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 notice thereof and of the particulars of the change, as the case may require, and shall immediately furnish to the Director 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.

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.

21. The Director, 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.

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 with the terms of the notice.

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 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.

#### PART VII—FEES

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

(a) Accompanying every application for registration of a sawmill	.. .. .	s. d.
		10 6
(b) Accompanying every application for re-registration of a sawmill	.. .. .	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 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 £5, and in the case of a continuing offence to a further fine not exceeding £5 for each day or part of a day on which the offence continues.

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 £50.

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 £50.

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 any thing 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

[Form No. 1]

*Sawmill Registration Regulations 1952*

## APPLICATION FOR REGISTRATION (OR RE-REGISTRATION) OF A SAWMILL

*(Strike out whichever is inapplicable)*

Sawmill No. ....

Certificate No. ....

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.)*
2. Full postal address : .....
3. Situation of sawmill : ..... County (or Borough) : ..... Section No. .... Block No. .... Survey District : ..... *(Street No., street name, and name of town will be sufficient for a sawmill situated in a closely settled area; if the sawmill is portable, this fact must be stated.)*

\* Statutory Regulations 1942, Serial number 1942/330, page 801.

SCHEDULE—continued

4. Sawn output, in board feet, by species during year ended 31 March 19.. :—

Indigenous Timber (New Zealand Native Timber).		Exotic Timber.	
Rimu and miro ..	.....	Pinus ..	.....
Matai ..	.....	Larch ..	.....
Totara ..	.....	Douglas fir ..	.....
Tawa ..	.....	Eucalypt ..	.....
White pine ..	.....	Poplar ..	.....
Beech ..	.....	Other (specify) ..	.....
Kauri ..	.....	.....	.....
Taraire ..	.....	.....	.....
Rata ..	.....	.....	.....
Rewarewa ..	.....	.....	.....
Pukatea ..	.....	.....	.....
Other (specify) ..	.....	.....	.....
.....	.....	.....	.....
<b>Total (indig.)</b> ..	<b>.....</b>	<b>Total (exot.)</b> ..	<b>.....</b>
<b>Grand total (indigenous and exotic) ..</b>		<b>..</b>	<b>.....</b>

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. Forest over which timber cutting rights are held by applicant. The nature of the timber cutting rights must be detailed :—

Name of Owner.	Nature of Timber Cutting Rights.	Situation.	Acreage.	*Estimated Quantity of Standing Timber.	Species.

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

The Director, New Zealand Forest Service, Wellington.

I (or WE), ....., hereby apply for registration as a sawmill of the factory (or plant) herein described, which is (or is about to be) used by me (or us) as a sawmill, and do hereby certify that the particulars shown herein 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 owner, occupier, agent, &c.)

The completed form should be returned to the Conservator of Forests.

A fee of 10s. 6d. for registration or a fee of 5s. for re-registration must accompany this application.

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 of Forestry.

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

## EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

These regulations consolidate and amend the regulations relating to the registration of sawmills. They extend the date for annual re-registration to 20 April, provide for proprietors to furnish returns immediately they cease to operate a sawmill, amend the form of application for registration, and confine the regulations to sawmills only. In all other material respects the new regulations follow those they revoke.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 18 December 1952.

These regulations are administered in the New Zealand Forest Service.