

Serial Number 1950/199

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**THE TOBACCO GROWING INDUSTRY REGULATIONS 1945,  
AMENDMENT NO. 6**

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B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 15th day of  
November, 1950

Present :

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Tobacco Growing Industry Act, 1935, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

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REGULATIONS

1. These regulations may be cited as the Tobacco Growing Industry Regulations 1945, Amendment No. 6, and shall be read together with and deemed part of the Tobacco Growing Industry Regulations 1945\* (hereinafter referred to as the principal regulations).

2. The principal regulations are hereby amended by revoking regulations 48, 49, 50, and 51, and substituting the following regulations :—

“ 48. For the purposes of these regulations the term ‘ contract quantity,’ in the case of a contract to grow flue cured leaf, means—

“ (a) The number of pounds of flue cured leaf expressed in the notified contract as the amount of leaf which the area planted is estimated to produce ; or

“ (b) The number of pounds of flue cured leaf which the grower could, with the kiln capacity available to him, reasonably expect to cure efficiently in a season ; or

“ (c) The number of pounds of flue cured leaf which, in the opinion of the Board, would, but for the occurrence of the loss complained of, have been sold under the contract,—

whichever amount is the least.

“ 49. For the purposes of these regulations the term ‘ contract quantity,’ in the case of a contract to grow air dried leaf, means—

“ (a) The number of pounds of air dried leaf expressed in the notified contract as the amount of leaf which the area planted is estimated to produce ; or

\* Statutory Regulations 1945, Serial number 1945/70, page 162.  
Amendment No. 1 : Statutory Regulations 1946, Serial number 1946/197, page 561.  
Amendment No. 2 : Statutory Regulations 1947, Serial number 1947/209, page 701.  
Amendment No. 3 : Statutory Regulations 1949, Serial number 1949/32, page 141.  
Amendment No. 4 : Statutory Regulations 1949, Serial number 1949/175, page 680.  
Amendment No. 5 : Statutory Regulations 1950, Serial number 1950/140, page 473.

“(b) The number of pounds of air dried leaf which in the opinion of the persons inspecting the crop would be produced from the area actually planted and properly tended but not exceeding in any case a weight exceeding 1,000 lb. an acre,—

whichever amount is the less.

“50. (1) The number of pounds of flue cured leaf which a grower could reasonably expect to cure efficiently in a season shall be determined by the number and the size of the kilns available to him, and the capacity of a kiln shall be deemed, for the purposes of these regulations, not to exceed the weight of leaf indicated in respect of the kiln in the following table :—

Measurements of Kiln (in Feet).	Number of Racks High.	Number of Sticks Per Rack.	Number of Sticks Per Kiln.	Maximum Weight of Leaf.
12 x 12 x 20 .. ..	7 $\frac{1}{2}$	57	428	6,848 lb.
12 x 12 x 22 .. ..	8 $\frac{1}{2}$	57	485	7,760 lb.
16 x 12 x 20 .. ..	7 $\frac{1}{2}$	76	570	9,120 lb.
16 x 12 x 22 .. ..	8 $\frac{1}{2}$	76	646	10,336 lb.
14 x 14 x 20 .. ..	7 $\frac{1}{2}$	77	578	9,248 lb.
16 x 16 x 16 .. ..	5 $\frac{1}{2}$	100	550	8,800 lb.
16 x 16 x 20 (standard kiln)	7 $\frac{1}{2}$	100	750	12,000 lb.
16 x 16 x 20 .. ..	8 $\frac{1}{2}$	100	850	13,600 lb.
16 x 16 x 22 .. ..	8 $\frac{1}{2}$	100	850	13,600 lb.
16 x 16 x 22 .. ..	9 $\frac{1}{2}$	100	950	15,200 lb.
16 x 20 x 16 .. ..	5 $\frac{1}{2}$	125	688	11,008 lb.
16 x 20 x 22 .. ..	8 $\frac{1}{2}$	125	1,063	17,008 lb.
16 x 20 x 20 .. ..	7 $\frac{1}{2}$	125	938	15,008 lb.

“(2) Where a kiln is of a size other than one of the sizes specified in the table set out in subclause (1) of this regulation, the number of pounds of flue cured leaf which a grower could reasonably expect to cure efficiently in a season shall be determined by the Board.

“51. Where any persons inspect a crop for the purposes of making a report in respect of a claim for compensation under these regulations, they shall furnish to the Board a report containing the following information :—

“(a) The measurements of any kiln or kilns used by the grower :

“(b) Where any such kiln is of any of the sizes specified in the table set out in subclause (1) of regulation 50 of these regulations, the maximum capacity of the kiln as indicated in that table :

“(c) With respect to any kiln of a size other than one of those specified in the said table, the estimated capacity of the kiln :

“(d) The weight of leaf which in their opinion the grower could reasonably expect to cure efficiently in a season in any kiln or kilns used by the grower.”

3. (1) Regulation 29 of the principal regulations is hereby amended by omitting the definition of the term “contract quantity”.

(2) Regulations 5 and 6 of the Tobacco Growing Industry Regulations 1945, Amendment No. 4, are hereby revoked.

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.]*

The purpose of these regulations is to replace the existing regulations defining "contract quantity" which is the amount on which the Board bases its assessment of compensation where loss occurs through unavoidable destruction of a crop by hail, frost, or flood.

No change is made in the method of assessment, but doubts have arisen as to the meaning of the regulations replaced.

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Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 16th day of November, 1950.

These regulations are administered in the Department of Industries and Commerce.