

Serial Number 1948/211



THE TIMBER REGULATIONS 1948

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 22nd day of
December, 1948

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

1. These regulations may be cited as the Timber Regulations 1948.
2. These regulations shall come into force on the day following notification in the *Gazette* of the making thereof.
3. In these regulations, unless the context otherwise requires,—
 - “ Act ” means the Forests Act, 1921-22 :
 - “ Building timber ” has the same meaning as in the National Grading Rules :
 - “ Conservator ” means a Conservator of Forests appointed under the Act, and includes any person for the time being appointed to perform the duties of a Conservator :
 - “ Director ” means the Director of Forestry appointed under the Act ; and includes any person for the time being appointed to perform the duties of the Director under these regulations :
 - “ National Grading Rules ” means the New Zealand Standard Specification for Classification and Grading of New Zealand Building Timber (National Grading Rules) issued by the New Zealand Standards Institute under the authority of the Minister of Scientific and Industrial Research bearing date October, 1938, and number N.Z.S.S. 169, and includes any amendment thereof which has been or may hereafter be issued or any specification which may hereafter be issued in substitution therefor :
 - “ Sawmiller ” includes the owner of any sawmill, any person acting or apparently acting in the general management or control of any sawmill, and any timber merchant or agent of any sawmiller.

4. (1) No person shall sell, agree to sell, or offer for sale any beech timber which is the product of trees of the *Nothofagus* species without designating the particular species from which it has been produced. Such designation shall be in accordance with the terms set out hereunder :—

Designation of Beech Timbers

Designation of Timber.	Botanical Name of Species.
Mountain beech	<i>Nothofagus cliffortioides</i> .
Red beech	<i>Nothofagus fusca</i> .
Silver beech	<i>Nothofagus menziesii</i> .
Black beech	<i>Nothofagus solanderi</i> .
Hard beech	<i>Nothofagus truncata</i> .

(2) In the case of silver beech timber, the designation shall include the name of the land district in which it was grown :

Provided that any silver beech timber grown in the Southland or Otago Land Districts shall be designated Southland silver beech.

(3) Except pursuant to the written permit of the Director or a Conservator or other duly authorized officer, no person shall saw, convert, use, sell, offer for sale, supply, dispose of, part with the possession of, or purchase or accept delivery of any kahikatea or white pine (*Podocarpus dacrydioides*) timber for any purpose other than the manufacture of tallow-casks or butter-boxes or use as ships' dunnage, or of any "first class" (heart) or "medium" kauri timber :

Provided that nothing in this clause shall be deemed to prevent the supply of timber to an agent of a sawmiller or a person carrying on business as a timber-merchant.

(4) No sawmiller shall sell, offer for sale, supply, or otherwise dispose of any tawa timber or manufactured tawa timber products except in accordance with, and to a person named in, an order approved by the Director or other person duly authorized by him in that behalf.

5. Any application for a permit or approval under these regulations may be refused or may be granted subject to such conditions and restrictions as may be specified in the permit or approval.

6. (1) Any applicant for a permit or approval under these regulations shall furnish such information and particulars as may be necessary to enable his application to receive proper consideration.

(2) Any person or company holding stocks of timber shall supply such particulars thereof in such form and at such time as the Director may require.

7. No person carrying on business as a sawmiller or as a timber-merchant, and no person who in the course of his business sells building timber, shall, whether directly or by his agent, sell, agree to sell, offer for sale, or otherwise dispose of any building timber being the product of rimu (*Dacrydium cupressinum*), miro (*Podocarpus ferrugineus*), matai (*Podocarpus spicatus*), or totara (*Podocarpus totara*) unless it is classified and graded and the classification and grading complies with the provisions of the National Grading Rules.

8. 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 against these regulations.

9. Every person who acts in contravention of these regulations commits an offence and shall be liable on summary conviction to a penalty as follows :—

- (a) In the case of an individual, to imprisonment for a term not exceeding one month or to a fine not exceeding £100, and if the offence is a continuing one to a further fine not exceeding £10 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 £500, and if the offence is a continuing one to a further fine not exceeding £50 for every day during which the offence continues.

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

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 23rd day of December, 1948.
These regulations are administered by the State Forest Service.