



THE  
NEW ZEALAND GAZETTE  
EXTRAORDINARY.

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WELLINGTON, TUESDAY, OCTOBER 7, 1919.

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*War Regulations as to the Manufacture and Sale of Boots.*

LIVERPOOL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this sixth day of October, 1919.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by section thirty-five of the War Legislation Act, 1917, it is provided that the Governor-General in Council may, by regulations under the War Regulations Act, 1914, make such provisions as, having regard to the conditions created by the present war, he thinks advisable for the maintenance, control, regulation, and management of any industry which may be regarded by the Governor-General as essential for or affecting the public welfare: And whereas the boot-manufacturing industry in New Zealand is one which affects the public welfare, and the maintenance and regulation thereof is advisable, having regard to the conditions created by the present war:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance of the authority conferred upon him by section thirty-five of the War Legislation Act, 1917, doth hereby make the following regulations under the War Regulations Act, 1914.

REGULATIONS.

1. THESE regulations may be cited as the Boot Trade Regulations, 1919.
2. The Board of Trade constituted under the Cost of Living Act, 1915, may from time to time approve, under the seal of the Board, specifications for the manufacture of any class or classes of boots to be manufactured and sold under these regulations.
3. All such specifications shall refer to samples identified in such manner as the Board thinks fit, and deposited at the office of the Board of Trade at Wellington.
4. All such specifications shall provide for a distinguishing mark (hereinafter called "the Board of Trade's mark") to be affixed in manner set out in the specifications to boots manufactured under these regulations, such mark to consist of the letters and words "N.Z. Board of Trade."
5. The specifications for any class of boot shall also provide for a distinguishing number, letter, or other mark, to be affixed to boots of that class in manner set out in the specifications for the purpose of distinguishing that class of boot from other classes manufactured under these regulations.

6. The specifications for any class of boot shall also fix the maximum retail price of a pair of boots of that class, and shall provide for the marking of that price by the manufacturer in manner set out in the specifications upon all boots of that class manufactured by him under these regulations.

7. (1.) The Board of Trade may grant to manufacturers licenses to manufacture in New Zealand boots of any or all of the classes for which specifications have been so approved.

(2.) Such licenses may be granted or refused at the discretion of the Board, and may be granted subject to such conditions as the Board thinks fit to impose for securing the effective administration and observance of these regulations, and may at any time be revoked by the Board, whether wholly or in part, by notice to the licensees.

8. The holder of any such license shall mark all boots manufactured by him under his license in such manner as may be specified in the specifications and license for the purpose of identifying such boots as being of his manufacture.

9. (1.) Every person commits an offence against these regulations, and shall be liable under the War Regulations Act, 1914, accordingly, who—

- (a.) Not being licensed by the Board of Trade under these regulations marks with the Board of Trade's mark any boots whether of his own manufacture or not; or who
- (b.) Being licensed by the Board of Trade under these regulations marks with the Board of Trade's mark any boots manufactured otherwise than by himself or otherwise than in accordance with the aforesaid specifications and samples applicable to boots of that class; or who
- (c.) Being licensed as aforesaid marks with the Board of Trade's mark any boots which are not marked in accordance with the aforesaid specifications so as truly to indicate the class of such boots, the maximum retail price thereof, and the manufacturer thereof; or who
- (d.) Being licensed as aforesaid commits any breach of the conditions of his license; or who
- (e.) Imports into New Zealand as merchandise any boots marked with the Board of Trade's mark; or who
- (f.) With intent to deceive erases or alters any mark placed on boots in pursuance of these regulations; or who
- (g.) Sells or offers for sale, or has in his possession for sale, any boots which have been marked by himself or by any person in breach of these regulations, or on which any marks affixed in pursuance of these regulations have been unlawfully erased or altered by himself or any other person, or which have been imported by himself or any other person in breach of these regulations, or which are not marked as required by or under these regulations; or who
- (h.) Makes any false representation or pretence calculated or intended to cause any person or the public to believe, contrary to the fact, that any boots have been manufactured under the license of the Board of Trade in pursuance of these regulations, or that they bear the Board of Trade's mark, or that they have been manufactured in accordance with the aforesaid specifications or samples of the Board of Trade, or that they are boots of any particular class for which specifications have been so approved; or who
- (i.) Sells by retail, or offers to sell by retail, any boots marked with the Board of Trade's mark for a price in excess of the retail price specified for that class of boot in pursuance of these regulations.

(2.) In this regulation—

“Board of Trade's mark” includes any colourable imitation thereof, or any mark, word, sign, or representation which is likely or intended to be mistaken for the Board of Trade's mark:

“Price” includes every valuable consideration whatever, whether direct or indirect:

“Indirect consideration” includes every valuable consideration whatever which in substance and effect relates to the sale of boots of which the maximum retail price is fixed under these regulations, although ostensibly relating to any other matter or thing:

“Sale” includes every disposition of goods for valuable consideration.

F. D. THOMSON,  
Acting Clerk of the Executive Council.