



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, JULY 11, 1935.

Published by Authority.

WELLINGTON, TUESDAY, JULY 16, 1935.

*The Dairy Factories (Licensing) Regulations, 1935.—  
(Notice No. Ag. 3306.)*

GALWAY, Governor-General.  
ORDRE IN COUNCIL.

At the Government Buildings at Wellington, this 12th day of July, 1935.

Present:

THE HON. SIR ALFRED RANSOM PRESIDING IN COUNCIL.

PURSUANT to the Agriculture (Emergency Powers) Act, 1934, 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. (1) These regulations may be cited as the Dairy Factories (Licensing) Regulations, 1935.

(2) These regulations shall come into force on the date of the publication thereof in the *Gazette*.

(3) In these regulations, unless inconsistent with the context,—

“Director” means the Director of the Dairy Division of the Department of Agriculture;

“Minister” means the Minister of Agriculture.

2. These regulations shall apply to all premises used as dairy factories with the exception of premises the buildings of which on the coming into force of these regulations are and continue to be duly registered pursuant to the Dairy-produce General Regulations, 1933, and which are not after the coming into force of these regulations totally or substantially rebuilt whether on the same or any other site, or altered whether structurally or by way of additions thereto.

3. No person shall use as a dairy factory any premises to which these regulations apply unless such person is the holder of a license in that behalf in respect of such premises granted pursuant to these regulations.

4. (1) Every person desiring to obtain a license in respect of premises to which these regulations apply shall make application in writing to the Director in or to the effect of the form numbered 1 in the Schedule hereto.

(2) Every such application shall be accompanied by plans of the existing or proposed building and/or proposed alterations, together with particulars of the site on which the building is or is to be erected and of the materials to be used in the carrying-out of any proposed work.

5. The Director may refer any such application to a committee consisting of three persons who shall be appointed by the Minister.

6. In respect of any application referred to a committee pursuant to the last preceding clause hereof, the committee shall make such investigations as it thinks fit and shall report the result thereof to the Director. In particular the committee shall advise the Director upon the following matters in relation to the application:—

(a) Whether or not there is any economic necessity or justification for the establishment of such premises as a dairy factory or an additional dairy factory in the locality in which the premises are to be erected or for the carrying-out of the proposed work.

(b) The prospect of carrying on successfully the manufacture of dairy-produce in the premises sought to be licensed having regard to all relevant circumstances.

(c) The probable or possible effect of competition from the premises sought to be licensed on the quality of the dairy-produce which might be manufactured therein or in any dairy duly registered pursuant to the Dairy-produce General Regulations, 1933, and proposed to be used in connection therewith or in competing dairies duly registered pursuant to the said regulations.

(d) Whether in the opinion of the committee the application for a license should be acceded to.

7. (1) If in respect of any application referred to a committee pursuant to clause 5 hereof the report of the committee is in favour of the application, or if in the opinion of the Director the application in any other case should be granted, the Director shall, subject to compliance by the applicant with the provisions of the Dairy-produce General Regulations, 1933, as to registration of manufacturing dairies grant a license to the applicant pursuant to these regulations in the form numbered 2 in the Schedule hereto.

(2) Every such license shall authorize the licensee to use the premises specified in the license as a dairy factory pursuant to these regulations.