

Amending the General Regulations under Part I of the Fisheries Act, 1908, prohibiting the taking of Toheroas on Ohope Beach, Whakatane Harbour.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 3rd day of December, 1935.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the provisions of Part I of the Fisheries Act, 1908, the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby amend the General Fisheries Regulations of the twenty-ninth day of June, one thousand nine hundred and thirty-six, and published in the *Gazette* of the seventh day of the following month, at page 1598, by adding the following regulation thereto:—

"114F. During the period from the first day of February, one thousand nine hundred and thirty-six, to the thirtieth day of November, one thousand nine hundred and thirty-six, no person shall take or have in his possession any toheroas from the tidal lands and tidal waters between the mouths of the Whakatane and Ohiwa Rivers."

"Any person committing a breach of this regulation shall be liable to a fine of £50."

C. A. JEFFERY,
Clerk of the Executive Council.

*Amending Dairy Factory Managers Regulations, 1934.—
(Notice No. Ag. 3345.)*

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 3rd day of December, 1935.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Dairy Industry Act, 1908, 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 Factory Managers Regulations, 1934, Amendment No. 2.

(2) These regulations shall be read together with and be deemed to form part of the Dairy Factory Managers Regulations, 1934 (hereinafter referred to as "the principal regulations"), as amended by the Dairy Factory Managers Regulations, Amendment No. 1.

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

2. Clause 6 of the principal regulations is hereby amended by deleting paragraphs (b) and (c) of subclause (2) thereof, and substituting therefor the following respective paragraphs:—

"(b) Two persons, on the recommendation of the New Zealand Dairy Factory Managers' Association:

"(c) One person, on the recommendation of the Southland and Otago Cheese-factory Managers' Union."

3. Clause 13 of the principal regulations is hereby revoked, and the following clause substituted therefor:—

"FUNCTIONS OF BOARD.

"13. (1) The functions of the Board shall be—

"(a) To receive applications for registration under these regulations and to authorize registration in cases where the conditions of registration have been complied with:

"(b) To direct the removal of names from the register in accordance with these regulations:

"(c) Generally, within the scope of its authority, to do whatever in its opinion may be necessary for the effective administration of these regulations.

"(2) Without limiting the generality of the powers conferred on the Board by paragraph (c) of subclause (1) hereof, the Board shall have power—

"(a) To require an applicant for registration to submit himself for a written or oral examination, or both, to be conducted by the Board in respect of the matters hereinafter prescribed as to which the Board is required to be satisfied as regards an applicant for registration before authorizing registration under these regulations.

"(b) To permit any person who, in the opinion of the Board, may assist the Board to deal with any matter before it, including an application for registration, to appear before the Board for the purpose of giving evidence in relation to any such matter."

4. Clause 14 of the principal regulations is hereby amended by revoking subclause (4) thereof, and substituting the following subclause therefor:—

"(4) In the column of the register headed 'Qualification for registration,' it shall be sufficient to insert 'Section 4' or 'Clause 16' according as the person concerned is deemed by the Board to be qualified under section 4 of the Dairy Industry Amendment Act, 1933, or clause 16 of these regulations."

5. Clause 16 of the principal regulations is hereby revoked, and the following clauses substituted therefor:—

"QUALIFICATIONS OF APPLICANTS FOR REGISTRATION.

"16. Every person shall on application and payment of the fee hereinafter prescribed be entitled to be registered as a dairy factory manager who—

"(i) Is qualified to be registered pursuant to section 4 of the Dairy Industry Amendment Act, 1933, as manager of a creamery or a cheese-factory or both; or

"(ii) Who, though not so qualified as provided in paragraph (i) hereof—

"(a) Is the holder of a certificate of competency in Form II (Standard VI) issued pursuant to the regulations for the time being in force regulating the organization and management of public schools, or any other certificate evidencing educational attainments deemed by the Board to be equivalent thereto; and

"(b) Is or has been the holder of either a cream-grader's certificate and/or a milk-grader's certificate issued pursuant to the provisions of the Dairy-produce General Regulations, 1933, according to whether the applicant claims registration as entitled to a creamery manager's certificate or a cheese-factory manager's certificate, or a creamery and cheese-factory manager's certificate; and

"(c) Is, in the opinion of the Board, of good character and reputation; and

"(d) Has had practical experience in the performance of the major operations in a creamery or a cheese-factory or both; and

"(e) Who, having regard to the foregoing considerations, is, by virtue of a knowledge of the construction and functions of the plant, apparatus, and machinery used in the production and manufacturing of dairy-produce, combined with a knowledge of dairy-factory management generally and of the law regulating such production and manufacture, in the opinion of the Board, competent to perform the duties of manager of a creamery or a cheese-factory or both.

"16a. (1) Subject to the provisions of these regulations relating to appeals against any decision of the Board in relation to registration or an application for registration, no person shall be deemed to possess the qualifications prescribed by subparagraph (d) of paragraph (ii) of the last preceding clause hereof unless such person—

"(a) Being an applicant claiming registration as entitled to a creamery manager's certificate, satisfies the Board that he has been actively engaged in the performance of the practical work of manufacturing creamery butter in all its branches; or

"(b) Being an applicant claiming registration as entitled to a cheese-factory manager's certificate, satisfies the Board that he has been actively engaged in the performance of the practical work of manufacturing cheese in all its branches; and in any case—

"(c) Has had in the course of his training and practical work immediate charge of and responsibility for each of the major operations in a creamery or a cheese-factory, as the case may be, for a period of not less than three months; or unless such person—

"(d) Being registered as the holder of a cheese-factory manager's certificate or a creamery manager's certificate, and being an applicant claiming registration as entitled to a creamery and cheese-factory manager's certificate, satisfies the Board that he has had experience in the performance of the practical work of manufacturing creamery butter or cheese in all its branches, including a knowledge of each of the major operations in a creamery or a cheese-factory according to whether the additional certificate applied for is a creamery manager's certificate or a cheese-factory manager's certificate.