

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, and according to the capacity or proposed capacity of such premises 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 either wholly or in part.

7. (1) Whenever the Director determines to refer an application to a committee he shall notify the applicant to that effect.

(2) The applicant shall forthwith lodge with the Director security for the payment of the costs of the committee's investigations in the sum of £50 by way of deposit or of bond with two approved sureties, or in such other form as the Director may deem sufficient.

(3) Until the security is completed by the applicant it shall not be obligatory to take any further steps towards setting up a committee or referring the application to the committee.

(4) If in the opinion of the committee the application should be acceded to either wholly or to an extent substantially greater than in accordance with the Director's intimation to the applicant under subclause (2) of clause 5 hereof, then the security given by the applicant shall forthwith be discharged.

(5) If in the opinion of the committee the application should be wholly refused, or should be acceded to to an extent not substantially greater than in accordance with the Director's intimation to the applicant under subclause (2) of clause 5 hereof, then the costs of investigation by the committee not exceeding the sum of £50 shall be borne by the applicant and may be raised out of the security given as aforesaid or recovered as a debt due to the Crown.

(6) A certificate under the hand of the Director setting out the costs of any such investigation shall be final and conclusive in all respects.

(7) Any question as to whether the opinion of the committee is upon the true construction thereof that an application should be acceded to to an extent substantially greater than in accordance with the Director's intimation to the applicant under subclause (2) of clause 5 hereof shall be referred to the Executive Commission of Agriculture whose decision shall be final and conclusive in all respects.

8. (1) In deciding to grant or refuse a license the Director shall take into consideration the report of the committee to which the application has been referred pursuant to subclause (3) of clause 5 hereof, and may, if he thinks fit, refer the application again to the committee for a further report, and in any case (whether the application has been referred to a committee or not) in which the Director is of the opinion that the application should be granted whether wholly or in part, 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 to the extent only of any term or condition in that behalf specified in the license.

9. In granting any license under these regulations the Director may impose as a term or condition of the license a term or condition limiting the purpose for which the premises specified in the license may be used, and fixing the maximum quantity of any specified kind of dairy-produce that may be manufactured in the licensed premises during any period or periods specified in that behalf in the license.

10. Any license heretofore granted under the regulations hereby revoked containing as a term or condition of the license a term or condition purporting to limit the purpose for which the licensed premises may be used, and/or to fix the maximum quantity and kind of dairy-produce that may be manufactured in the licensed premises during any period or periods specified in the license, shall be as valid and effectual as if such license containing the said term or condition had been granted under these regulations.

11. Any license may be revoked by the Director in writing addressed to the licensee in any of the following events:—

(a) If the licensee of the licensed premises so requests.

(b) If during the period of twelve months immediately preceding such revocation the licensee of the licensed premises has been convicted of any offence under these regulations or under the Dairy Industry Act, 1908, or the Sale of Food and Drugs Act, 1908, or any regulations for the time being in force under either of those Acts.

(c) If in the opinion of the Director there has been a substantial breach of or non-compliance with any term or condition of the license or of these regulations.

12. (1) No person being the holder of a license in respect of any premises licensed as a dairy factory under these regulations shall, except with the prior approval in writing of the Director, make or permit or cause to be made—

(a) Any alterations whether structural or by way of additions to the buildings comprised in the licensed premises; or

(b) Any alteration to or extension of the plant erected in the said buildings, being an alteration or extension designed to increase the manufacturing capacity of the licensed premises.

(2) The provisions of clauses 4 to 7 (both inclusive) hereof shall, so far as the said clauses are applicable, apply, *mutatis mutandis*, to any application under this clause for approval of any alterations to the buildings comprised in any licensed premises, or of any alteration or extension of the plant erected therein being an alteration or extension designed to increase the manufacturing capacity of the licensed premises, as if such application were an application for a license under these regulations.

13. Every member of a committee appointed pursuant to these regulations may be paid such fee not exceeding £2 2s. as may be considered reasonable by the Minister for each day or part of a day on which he is engaged on the business of the committee together with all reasonable and actual expenses incurred by him in respect of his attendance on the business of the committee.

14. (1) The Director shall cause a register to be kept of every license issued under these regulations.

(2) A copy certified by the Director of any entry in the register shall be *prima facie* evidence of such entry and of the facts appearing therein, and a certificate under the hand of the Director of the absence of an entry in the register shall be *prima facie* evidence of the facts stated in such certificate.

15. (1) The holder of any license in respect of any premises licensed as a dairy factory under these regulations who desires to transfer such license shall make application for a transfer of the license in writing to the Director in or to the effect of the form numbered 3 in the Schedule hereto.

(2) Every such application shall be accompanied by the license to which the same relates.

(3) The Director on receipt of such application shall, upon being satisfied as to the facts, endorse on the license the words "Transferred to [Full name and address of transferee]," and shall sign such endorsement, and shall thereupon record the transfer in his register accordingly, and forward the license duly endorsed as aforesaid to the new licensee in respect of the premises mentioned in the license.

(4) A license so endorsed shall enure for the purposes of these regulations as if it had been issued to the transferee named therein.

16. (1) Every person who uses as a dairy factory any premises to which these regulations apply and who is not the holder of a license in respect of such premises granted pursuant to these regulations commits an offence and is liable to a penalty of £5 for every day on which such premises are so used.

(2) Every holder of a license in respect of premises licensed as a dairy factory under these regulations who uses such premises contrary to any term or condition specified in his license commits an offence and is liable to a penalty of £5 for every day on which such premises are so used without prejudice to the power of revocation set out in clause 11 hereof.

(3) Every holder of a license in respect of premises licensed as a dairy factory under these regulations who, without having obtained the approval in writing of the Director thereto, makes or commences to make or permits or causes to be made—

(a) Any alterations whether structural or by way of additions to the buildings comprised in his licensed premises; or

(b) Any alteration or extension of the plant erected in the said buildings being an alteration or extension designed to increase the manufacturing capacity of the licensed premises;

commits an offence and shall be liable (without prejudice to the powers of revocation set out in clause 11 hereof) to a penalty of £5 for every day on which such premises are used as a dairy factory after any such alteration, addition, or extension is commenced and before the Director's approval of such alteration, extension, or addition has been duly issued.