

New Zealand.



ANALYSIS.

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1933, No. 51.

AN ACT to amend the Dairy Industry Act, 1908.

Title.

[22nd December, 1933.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Dairy Industry Amendment Act, 1933, and shall be read together with and deemed part of the Dairy Industry Act, 1908 (hereinafter referred to as the principal Act).

Short Title

See Reprint of Statutes, Vol. I, p. 69

2. In addition to the matters specified in section twenty-three of the principal Act, and without in any way limiting the generality of the authority to make regulations conferred by that section, regulations may be made thereunder for all or any of the following purposes, namely:—

Extension of powers to regulate the dairy industry.

- (a) Prescribing the qualifications of persons competent to be employed as managers of dairy factories, or as managers of dairy factories of any specified class or specified classes:

- (b) For the registration of persons competent to be employed as managers of dairy factories, or as managers of dairy factories of any specified class or specified classes as aforesaid, and for the rectification of the register from time to time as occasion may require :
- (c) Prescribing the grounds upon which the names of registered persons may be removed from the register :
- (d) For the appointment of a Registration Board, and defining the powers of the Board with respect to the registration of persons competent to be employed as dairy-factory managers :
- (e) Prohibiting or restricting the appointment or employment as the manager of any specified class of dairy factory of any person who is not registered in accordance with regulations under this section in respect of dairy factories of that class :
- (f) Regulating the supply of milk or cream to dairy factories, and, in particular,—
 - (i) Prohibiting any person who in any season has supplied any dairy factory with milk or cream produced in his dairy from ceasing during that season (unless he ceases to be a producer) to supply milk or cream to that factory while it is prepared to receive the same ; or
 - (ii) Prohibiting any such person as aforesaid from transferring any part of his supply from one dairy factory to any other factory during any season ; or
 - (iii) Restricting to such extent as may be deemed necessary or advisable, in the interests of the dairy industry, the right of any supplier during any season to transfer his supply, or any part of his supply, from one dairy factory to another ; or
 - (iv) Prohibiting the proprietor or manager of any dairy factory from receiving any milk or cream from any supplier in breach of any regulations made under the authority of the foregoing provisions of this paragraph :

- (g) Prescribing the procedure to be adopted in respect of appeals made in accordance with section five hereof :
- (h) Prescribing the fees and allowances to be paid to members of the Registration Board or of any Board of Appeal constituted for the purposes of this Act.

3. (1) Any dairy company may make an annual charge to cover the cost of accounting in respect of any assignments given or orders made by a supplier on moneys payable to him for milk, cream, or other dairy-produce supplied by him to the company.

Dairy companies may make charge in respect of assignments or orders on milk-cheques, &c.

(2) Such charge shall not in the case of any supplier exceed, in respect of all assignments or orders affecting moneys payable for produce supplied by him during any financial year of the company, the sum of one pound, or two and one-half per centum of all moneys paid by the company, on account of the supplier, pursuant to any such assignments or orders, whichever amount is the less.

(3) The amount of any such charge may, in the discretion of the company, be deducted from the amount payable in terms of the assignment or order, and all moneys so deducted may be recovered from the supplier by the person entitled under the assignment or order.

(4) A charge in accordance with this section may be made in respect of moneys paid after the passing of this Act in terms of any assignment or order given or made before the passing of this Act.

4. Every person who on the passing of this Act is employed as a dairy-factory manager shall be entitled, without further evidence of his qualifications, to be registered, in accordance with regulations under section two hereof, as a person competent to be employed as the manager of a dairy factory of the same class.

Protection of rights of persons employed as dairy-factory managers on the passing of this Act.

5. (1) Any person who is aggrieved by the operation of any regulations made under the foregoing provisions of this Act in respect of the registration of persons competent to be employed as dairy-factory managers, or in respect of the employment of persons as dairy-factory managers or as managers of any specified class of dairy factory, shall have a right of appeal to a Board of Appeal, consisting of a Magistrate and two assessors, of whom one shall be appointed by the appellant and one shall be appointed by the Minister of Agriculture or by some

Right of appeal from operation of regulations under this Act.

person or authority nominated by him for the purpose. Any person who is aggrieved by the operation of any regulations under the foregoing provisions of this section in respect of the supply of milk or cream to any dairy factory shall have a right of appeal to a Magistrate exercising jurisdiction in the locality in which the appellant's dairy is situated.

(2) The determination of the Appeal Board or Magistrate, as the case may be, on any appeal under this section shall be final.