

**1955/141**

**THE APPLE AND PEAR MARKETING REGULATIONS 1949,  
AMENDMENT NO. 3**

C. W. M. NORRIE, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington this 7th day of September 1955

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Apple and Pear Marketing Act 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

**REGULATIONS**

1. These regulations may be cited as the Apple and Pear Marketing Regulations 1949, Amendment No. 3, and shall be read together with and deemed part of the Apple and Pear Marketing Regulations 1949\* (hereinafter referred to as the principal regulations).

2. The principal regulations are hereby amended by inserting, after regulation 5, the following regulation:

“5A. (1) The Board may, by writing under its hand, grant to a grower authority to sell fruit grown in the orchard of the grower directly to consumers at any market place provided by a Borough Council under section 318 of the Municipal Corporations Act 1954.

“(2) Any such authority shall specify the period during which it is to remain in force.

“(3) The Board shall not be obliged to purchase any fruit from any person during the period for which the authority is granted except upon such conditions as are notified by the Board to that person before the authority is granted.

“(4) No authority granted by the Board under this regulation shall be transferred or assigned by the person to whom it was granted.

“(5) If the Board is satisfied that any person to whom an authority under this regulation has been granted is not carrying out the functions to which the authority relates, or that he is not complying with the provisions of the Act or any regulations thereunder, it may revoke the authority.”

\*S.R. 1949/159.

Amendment No. 1: (*Revoked by S.R. 1954/24*).

Amendment No. 2: S.R. 1954/24.

3. Regulation 6 of the principal regulations (as substituted by regulation 2 of the Apple and Pear Marketing Regulations 1949, Amendment No. 2) is hereby amended by inserting, after paragraph (a), the following paragraph:

“(aa) The sale is made pursuant to an authority granted by the Board under regulation 5A of these regulations; or”.

4. Subclause (2) of regulation 11 of the principal regulations is hereby amended by adding the words “Where the grower is the holder of an authority under regulation 5A of these regulations, the submit-note shall be accompanied by a copy of the authority and of any conditions imposed by the Board under subclause (3) of that regulation.”

T. J. SHERRARD,  
Clerk of the Executive Council.

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EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

The effect of the regulations is that direct sales of fruit by producers to consumers will be allowed provided the sale takes place at a municipal market under an authority from the Board.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 8 September 1955.

These regulations are administered in the Department of Agriculture.

(Notice No. Ag. 5954.)