

Right Hon. Sir J. G. Ward.

FLOUR AND OTHER PRODUCTS MONOPOLY PREVENTION.

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A BILL INTITULED

AN ACT to prevent the Establishment of Monopolies in the Sale of Flour and other Products. Title.

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 Flour and other Products Monopoly Prevention Act, 1907. Short Title.
- 2. Notwithstanding anything contained in the Tariff Act, 1907, it shall be lawful for the Governor at any time and from time to time, on the recommendation of the Court of Arbitration made in accordance with this Act, to declare, by Order in Council gazetted, that, on and after a date to be specified in such Order in Council, flour imported into New Zealand shall be admitted free of all duties of Customs, and so long as any such Order in Council remains in force flour shall be exempt from such duties accordingly. Flour may be exempted from Customs duty.
- 3. Any such Order in Council may be revoked by the Governor at any time as from a day to be specified in the Order in Council revoking the same, not being earlier than three months from the gazetting of the last-mentioned Order in Council. Order in Council remitting duty may be revoked.
- 4. The Court of Arbitration may from time to time, at the direction of the Governor, make an inquiry as to whether the wholesale market price of flour in New Zealand is unreasonably high, and if on such inquiry the said Court finds that such price is, or has at any time since the receipt of such direction from the Governor been, unreasonably high, the said Court shall recommend the Governor to exercise the powers conferred upon him by section two of this Act. Court of Arbitration may inquire as to price of flour.

Unreasonable price of flour.

5. For the purposes of such inquiry the price of flour shall be deemed to be unreasonably high—

- (a.) If the average price of flour in New Zealand is, relatively to the price of wheat in New Zealand, higher than the average price of flour in Australia relatively to the average price of wheat in Australia, unless in the opinion of the Court of Arbitration the additional price in New Zealand is justified by additional cost of production ; or 5
- (b.) If the average price of wheat in New Zealand has by reason of any combination among the holders of stocks of wheat, or by reason of any complete or partial monopoly established by any such holder, been raised above the price which would be determined by unrestricted competition. 10

Act to apply also to wheat.

6. (1.) The provisions of sections *two*, *three*, and *four* of this Act shall also apply to wheat in the same manner as to flour. 15

(2.) For the purpose of any inquiry by the Court of Arbitration under the authority of this Act, the price of wheat shall be deemed to be unreasonably high if the average wholesale price in New Zealand has by reason of any combination among the holders of stocks, or by reason of any complete or partial monopoly established by any such holder, been raised above the price which would be determined by unrestricted competition. 20

Act to apply also to potatoes.

7. (1.) The provisions of sections *two*, *three*, and *four* of this Act shall also apply to potatoes in the same manner as to flour.

(2.) For the purpose of any inquiry by the Court of Arbitration under the authority of this Act, the price of potatoes shall be deemed to be unreasonably high— 25

(a.) If the average wholesale price in New Zealand exceeds seven pounds per ton ; or

(b.) If the average wholesale price in New Zealand has, by reason of any combination among the holders of stocks, or by reason of any complete or partial monopoly established by any such holder, been raised above the price which would be determined by unrestricted competition. 30

How average price determined.

8. The average price in New Zealand of any of the aforesaid articles shall be determined by the said Court for the purposes of this Act by reference to the ordinary market price for the time being in Dunedin, Timaru, Christchurch, Wellington, and Auckland. The average price in Australia of any of the aforesaid articles shall be likewise determined by reference to the ordinary market price for the time being in Sydney and Melbourne. 35 40

Court to have powers of Commission.

9. (1.) In making any inquiry under the authority of this Act, the Court of Arbitration shall be deemed to be a Commission within the Commissioners Act, 1903, and shall have all the powers conferred upon Commissioners by that Act, and shall be subject to all the provisions of that Act accordingly. 45

(2.) In making any such inquiry the said Court may receive and act on any evidence which it thinks fit, whether the same is legally admissible in a Court of law or not.