

1974/84



THE PRICE FREEZE REGULATIONS 1974

—

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 8th day of April 1974

Present:

THE HON. H. WATT PRESIDING IN COUNCIL

PURSUANT to the Economic Stabilisation 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. Title and commencement—(1) These regulations may be cited as the Price Freeze Regulations 1974.

(2) These regulations shall come into force on the date of their notification in the *Gazette*.

2. Interpretation—In these regulations—

“Fish” means fresh or smoked fish intended for human consumption in New Zealand; but does not include shellfish, crustaceans, oysters, or frozen fish:

“Retailer”, in relation to the sale of fish, includes every person, other than a wholesaler, who sells fish to any other person; and also includes a wholesaler who sells fish to any person for any purpose other than resale:

“Sale” includes an agreement to sell, offering or attempting to sell, or exposing for sale; and “to sell” has a corresponding meaning:

“Secretary” means the Secretary of Trade and Industry:

“Wholesaler”, in relation to the sale of fish, means any person who sells fish to another person for the purpose of resale.

3. Control of prices—(1) Notwithstanding anything in the Stabilisation of Prices Regulations 1973*, the maximum price that may be charged by any wholesaler or retailer for any fish shall be—

- (a) If the fish is sold by a wholesaler in any district described in Part I of any of the Schedules to these regulations, the price specified in Part II of the appropriate Schedule as the maximum wholesale price that may be charged for that species of fish:
- (b) If the fish is sold by a retailer in any district described in Part I of any of the Schedules to these regulations, the price specified in Part III of the appropriate Schedule as the maximum retail price that may be charged for that species of fish:
- (c) If the fish is of the species blue cod, flounder, groper or hapuka, gurnard, ling, moki, snapper, sole, tarakihi, or trevally and is sold in any other place, the normal price at which such fish was last lawfully sold by him in similar quantities and under similar conditions of sale on or before the 21st day of March 1973 or such other price as may from time to time be fixed by the Minister by notice in the *Gazette*:

Provided that if the wholesaler or retailer to whom this paragraph (c) applies was not engaged in the business of selling fish on the 21st day of March 1973, the maximum price shall be—

- (d) The price ruling, on the date on which he commences business, in the locality in which he carries on business, for sales of fish of the same kind sold in similar quantities and subject to the same conditions of sale and purchase, or such other price as may be approved by the Secretary:
- (e) The price fixed or approved by the Secretary, if there is no such price ruling on that date in that locality.

(2) Subject to subclause (3) of this regulation, if the fish is delivered by the wholesaler to the retailer's premises, an additional charge may be made by the wholesaler to the retailer of such amount as is agreed upon by them or, failing agreement, as may be approved by the Secretary.

(3) If fish is purchased by a wholesaler or retailer (in this subclause and in subclause (4) of this regulation referred to as the purchaser) from a wholesaler who carries on business in a district described in a Schedule to these regulations which is not the same Schedule in which is described the district in which the purchaser carries on business, and the cost price of the fish (including freight) exceeds the maximum selling price that the purchaser may charge in his district, that maximum price may, on the sale of the fish by the purchaser or on any subsequent wholesale or retail sale, be increased by the difference (if any) between the cost price (less freight) and that maximum price and—

- (a) If the fish is sold in the same state of preparation, or is sold after having been headed, or headed and gutted, or headed and gutted with wings off, by the purchaser, by the cost of freight directly or indirectly incurred by the purchaser:

*S.R. 1973/270

Amendment No. 1: S.R. 1973/282

Amendment No. 2: S.R. 1973/324

Amendment No. 3: S.R. 1974/15

- (b) If the fish is sold in a filleted, trimmed, and skinned state or prepared in steaks or cutlets or in any similarly advanced state of preparation, having been purchased as whole fish or purchased headed, or headed and gutted, or headed and gutted with wings off, by 2c per lb for every 1c per lb incurred by the purchaser for freight or, if the purchaser weighs in metric units, by 0.5c per 100 g for every 0.25c per 100 g incurred by the purchaser for freight:

Provided that in no case shall the sale price exceed the sum of the appropriate maximum sale price in the district in which the fish was first purchased and the cost of freight incurred by the first purchaser.

(4) The Secretary may in his discretion apply the provisions of subclause (3) of this regulation to any purchaser who carries on business in a district which is described in the same Schedule to these regulations as the district in which the wholesaler from whom he purchases fish carries on business, subject to such terms and conditions (including alteration of the additional amount for freight) as he thinks fit to impose.

(5) If any person establishes to the satisfaction of the Secretary that compliance with the provisions of this regulation would result in a serious deterioration in the financial stability of his business, the Secretary may approve a higher price for any specific kind or kinds of fish sold by him for such period and subject to such conditions as the Secretary thinks fit.

4. Amendment of Schedules—The Minister of Trade and Industry may from time to time, by notice in the *Gazette*, amend any Schedule to these regulations by—

- (a) Adding the name of the district of any local authority;
- (b) Omitting the name of any such district;
- (c) Omitting the item relating to any species of fish;
- (d) Omitting the item relating to any species of fish, and substituting a new item relating to that species fixing new maximum prices for such fish according to its state of preparation; or
- (e) Adding an item relating to any species of fish not for the time being included in that Schedule fixing maximum prices for such fish according to its state of preparation.

5. Prohibited transactions—No person shall—

- (a) Enter into any transaction, or make any contract or arrangement, purporting to do, whether presently or at some future time or upon the happening of any event or contingency, anything that contravenes or will contravene the provisions of these regulations; or
- (b) Enter into any transaction or make any contract or arrangement, whether orally or in writing, or do anything, for the purpose of or having the effect of, in any way, whether directly or indirectly, defeating, evading, avoiding, or preventing the operation of these regulations in any respect.

6. Offences and penalties—Without limiting the provisions of section 18 of the Economic Stabilisation Act 1948, every person commits an offence who without lawful justification or excuse acts in contravention of or fails to comply with any provision of these regulations, and is liable accordingly on summary conviction to the penalties specified in subsection (3) of the said section 18, namely:

- (a) In the case of an individual, to imprisonment for a term not exceeding 3 months, or to a fine not exceeding \$400 and (if the offence is a continuing one) to a further fine not exceeding \$10 for every day during which the offence continues, or to both such imprisonment and such fines:
- (b) In the case of a company or other corporation, to a fine not exceeding \$1,000 and (if the offence is a continuing one) to a further fine not exceeding \$40 for every day during which the offence continues.

7. Revocation—The Price Freeze Regulations (No. 5) 1973* are hereby revoked.

SCHEDULES

FIRST SCHEDULE

Part I

DESCRIPTION OF DISTRICTS

1. The Northland District—

Whangarei City, the boroughs of Dargaville, Kaitaia, and Kaikohe, the counties of Bay of Islands, Hobson, Hokianga, Kaikohe, Kaitaia, Mangonui, Otamatea, Whangarei, and Whangaroa, and the independent town districts of Hikurangi and Kawakawa.

2. The Auckland District—

The cities of Auckland, Manakau, Papatoetoe, and Takapuna, the boroughs of Birkenhead, Devonport, East Coast Bays, Ellerslie, Glen Eden, Henderson, Helensville, Howick, Mount Albert, Mount Eden, Mount Roskill, Mount Wellington, New Lynn, Newmarket, Northcote, Onehunga, One Tree Hill, Otahuhu, Papakura, Pukekohe, Tuakau, and Waiuku, and the counties of Franklin, Rodney, and Waitemata.

3. The Tauranga District—

Tauranga City and the boroughs of Mount Maunganui, Murupara, Kawerau, Te Puke, and Whakatane, and Tauranga County.

FIRST SCHEDULE—continued

Part II

MAXIMUM WHOLESALE PRICES FOR FISH

| Species | State of Preparation | Maximum Price | |
|---------------------|--|-----------------|--------------------|
| | | Cents Per Pound | Cents Per Kilogram |
| Gurnard | Green | 13 | 28.5 |
| | Fillets, skin on, wings off | 41.5 | 91.5 |
| | Fillets skinned | 47 | 103.5 |
| Hapuka | Green | 26 | 57.5 |
| | Gutted | 31 | 68.5 |
| | Gutted and gilled | 34 | 75 |
| | Headed and gutted | 40 | 88 |
| | Trimmed | 51 | 112.5 |
| Hapuka (North)..... | Steaks | 57 | 125.5 |
| Hapuka (Blue Nose) | Headed and gutted | 37 | 81.5 |
| | Gutted | 27.5 | 60.5 |
| | Gutted and gilled | 30.5 | 67 |
| | Fillets | 57 | 125.5 |
| Snapper | Smoked wings | 41 | 90.5 |
| | Green, standard quality | 19.5 | 43 |
| | Green, premium | 21.5 | 47.5 |
| | Green, scaled | 21.5 | 47.5 |
| | Gutted, gilled, not scaled | 24.5 | 54 |
| | Gutted, gilled, scaled | 29 | 64 |
| | Headed, not scaled | 35 | 77 |
| | Headed, scaled | 36 | 79.5 |
| | Shouldered, scaled | 38.5 | 85 |
| | Shouldered, scaled, and trimmed | 41 | 90.5 |
| | Steaks | 44.5 | 98 |
| | Fillets, wings on | 44.5 | 98 |
| | Fillets, wings off | 59 | 130 |
| | Fillets, wings off, skinned | 66 | 145.5 |
| | Fillets, wings off, skinned, and boned | 76 | 167.5 |
| Smoked | 55 | 121 | |
| Snapper, Red | Green | 32 | 70.5 |
| | Green | 18.5 | 41 |
| Tarakihi | Gutted, gilled, scaled | 27 | 59.5 |
| | Shouldered, scaled, trimmed | 39 | 86 |
| | Steaks | 42.5 | 93.5 |
| | Fillets, wings on | 42.5 | 93.5 |
| | Fillets, wings off | 56 | 123.5 |
| | Fillets, wings off, skinned | 65.5 | 144.5 |
| | Fillets, wings off, skinned, and boned | 75 | 165.5 |
| | Kippered fillets | 73 | 161 |

FIRST SCHEDULE—*continued**Part II—continued*MAXIMUM WHOLESALE PRICES FOR FISH—*continued*

| Species | State of Preparation | Maximum Price | |
|----------|----------------------------|-----------------|--------------------|
| | | Cents Per Pound | Cents Per Kilogram |
| Trevally | Green | 11.5 | 25.5 |
| | Gutted, gilled | 17.5 | 38.5 |
| | Fillets, wings off | 32 | 70.5 |
| | Fillets, boned | 36.5 | 80.5 |
| | Fillets, skinned and boned | 52 | 114.5 |
| | Smoked fillets, wings off | 51 | 112.5 |

Part III

MAXIMUM RETAIL PRICES FOR FISH

| Species | State of Preparation | Maximum Price | | |
|----------|-----------------------------|-----------------|--------------------|---------------------|
| | | Cents Per Pound | Cents Per Kilogram | Cents Per 100 Grams |
| Gurnard | Fillets, skin and wings off | 53 | 117 | 12 |
| Hapuka | Steaks | 85 | 187 | 19 |
| Trevally | Green | 17 | 37 | 4 |
| | Gutted and gilled | 23 | 51 | 5 |
| | Fillets | 47 | 104 | 10 |
| Snapper | Fillets, skinned and boned | 51 | 112 | 11 |
| | Green | 32 | 71 | 7 |
| | Gilled and gutted | 38 | 84 | 8 |
| | Fillets, wings on | 57 | 126 | 13 |
| | Fillets, wings off, skinned | 86 | 190 | 19 |
| | Fillets, skinned and boned | 99 | 218 | 22 |
| | Steaks | 57 | 126 | 13 |
| | Smoked | 70 | 154 | 15 |
| Tarakihi | Green | 28 | 62 | 6 |
| | Gilled, gutted, and scaled | 35 | 77 | 8 |
| | Fillets, wings on | 54 | 119 | 12 |
| | Fillets, wings off, skinned | 75 | 165 | 17 |
| | Fillets, skinned and boned | 95 | 209 | 21 |
| | Smoked | 67 | 148 | 15 |

SECOND SCHEDULE

Part I

DESCRIPTION OF DISTRICTS

1. The Hamilton District—

Hamilton City, and the boroughs of Cambridge, Huntly, Ngaruawahia, and Te Awamutu.

2. The Rotorua District—

Rotorua City.

Part II

No wholesalers

Part III

MAXIMUM RETAIL PRICES FOR FISH

| Species | State of Preparation | Maximum Price | | |
|----------|-----------------------------|-----------------|--------------------|---------------------|
| | | Cents Per Pound | Cents Per Kilogram | Cents Per 100 Grams |
| Gurnard | Fillets, skin and wings off | 57 | 126 | 13 |
| Hapuka | Steaks | 89 | 196 | 20 |
| | Smoked | 59 | 130 | 13 |
| Trevally | Green | 21 | 46 | 5 |
| | Gutted and gilled | 27 | 59 | 6 |
| | Fillets | 51 | 113 | 11 |
| Snapper | Fillets, skinned and boned | 55 | 121 | 12 |
| | Green | 36 | 79 | 8 |
| | Gilled and gutted | 42 | 93 | 9 |
| | Fillets, wings on | 61 | 135 | 14 |
| | Fillets, wings off, skinned | 90 | 198 | 20 |
| | Fillets, skinned and boned | 103 | 227 | 23 |
| | Steaks | 61 | 135 | 14 |
| Tarakihi | Smoked | 74 | 163 | 16 |
| | Green | 32 | 71 | 7 |
| | Gilled, gutted, and scaled | 39 | 86 | 9 |
| | Fillets, wings on | 58 | 128 | 13 |
| | Fillets, wings off, skinned | 79 | 174 | 17 |
| | Fillets, skinned and boned | 98 | 216 | 22 |
| | Smoked | 71 | 157 | 16 |

THIRD SCHEDULE

Part I

DESCRIPTION OF DISTRICTS

Hawkes Bay District—

The cities of Hastings and Napier, and the boroughs of Dannevirke, Havelock North, Waipawa, Waipukurau, and Woodville.

Wairarapa District—

The boroughs of Carterton, Greytown, Featherston, Martinborough, Masterton, and Pahiatua, and the counties of Akitio, Ekatahuna, Featherston, and Wairarapa South.

Manawatu District—

Palmerston North City, the boroughs of Foxton and Feilding, and the counties of Manawatu, Kairanga, Oroua, Pohangina, and Kiwitea.

Part II

MAXIMUM WHOLESALE PRICES FOR FISH

| Species | State of Preparation | Maximum Price | |
|----------------|-------------------------|-----------------|--------------------|
| | | Cents Per Pound | Cents Per Kilogram |
| Groper | Headed and gutted | 33 | 72.5 |
| Gurnard | Green | 16 | 35.5 |
| Moki | Green | 18 | 39.5 |
| | Gutted | 19 | 42 |
| Snapper | Green | 21 | 46.5 |
| | Gutted | 23 | 50.5 |
| Tarakihi | Green | 22 | 48.5 |
| | Gutted | 24 | 53 |

Part III

MAXIMUM RETAIL PRICES FOR FISH

| Species | State of Preparation | Maximum Price | | |
|----------|------------------------------------|-----------------|--------------------|---------------------|
| | | Cents Per Pound | Cents Per Kilogram | Cents Per 100 Grams |
| Groper | Cutlets | 76 | 167 | 17 |
| | Fillets | 83 | 183 | 18 |
| Gurnard | Fillets, skinned and bone in | 65 | 143 | 14 |
| | Fillets, skinned and boned | 70 | 154 | 15 |
| Moki | Fillets, skinned and boned | 66 | 145 | 15 |
| Snapper | Green | 32 | 70 | 7 |
| | Fillets, skin on, bone in | 79 | 174 | 17 |
| | Fillets, skin off, bone in | 83 | 183 | 18 |
| | Fillets, skinned and boned | 95 | 209 | 21 |
| Tarakihi | Green | 33 | 73 | 7 |
| | Fillets, skin on, bone in | 82 | 181 | 18 |
| | Fillets, skin off, bone in | 87 | 192 | 19 |
| | Fillets, skinned and boned | 98 | 216 | 22 |

FOURTH SCHEDULE

Part I

DESCRIPTION OF DISTRICT

The Wellington District—

The cities of Wellington, Lower Hutt, Porirua, and Upper Hutt, the boroughs of Eastbourne, Petone, and Tawa, and Hutt County.

Part II

MAXIMUM WHOLESALE PRICES FOR FISH

| Species | State of Preparation | Maximum Price | |
|----------------|-------------------------|-----------------|--------------------|
| | | Cents Per Pound | Cents Per Kilogram |
| Groper | Headed and gutted | 33 | 72.5 |
| Gurnard | Green | 14 | 31 |
| Snapper | Green | 19 | 42 |
| | Gutted | 21 | 46 |
| Tarakihi | Green | 20 | 44 |
| Ling | Headed and gutted | 22 | 48.5 |

Part III

MAXIMUM RETAIL PRICES FOR FISH

| Species | State of Preparation | Maximum Price | | |
|----------|----------------------------------|-----------------|--------------------|---------------------|
| | | Cents Per Pound | Cents Per Kilogram | Cents Per 100 Grams |
| Groper | Steaks | 80 | 176 | 18 |
| Gurnard | Fillets, bone in, skinned | 55 | 121 | 12 |
| Snapper | Gutted, gilled, and scaled | 35 | 77 | 8 |
| | Fillets, bone in, skinned | 75 | 165 | 17 |
| | Fillets, skinned and boned | 92 | 203 | 20 |
| Tarakihi | Gutted, gilled, and scaled | 38 | 84 | 8 |
| | Fillets, bone in, skinned | 78 | 172 | 17 |
| | Fillets, skinned and boned | 95 | 209 | 21 |
| Ling | Fillets, skinned and boned | 60 | 132 | 13 |

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

These regulations replace the Price Freeze Regulations (No. 5) 1973 which specified the maximum wholesale and retail prices of fish in certain districts and froze prices as at 21 March 1973 in other districts.

The effect of these regulations is to remove frozen fish from the scope of the regulations, and extend the number of districts and reduce the number of species of fish in respect of which prices are specified. Prices in districts not included by name in the regulations remain frozen as at 21 March 1973, but only in respect of certain specified species of fish. The Minister of Trade and Industry may increase those prices by notice in the *Gazette*.

In addition, the Secretary of Trade and Industry instead of the Price Tribunal has the function of approving prices if a wholesaler or retailer commences business on or after the commencement of these regulations, and approving higher prices if he is satisfied that compliance with the regulations would result in a serious deterioration in the financial stability of a person's business.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 10 April 1974.

These regulations are administered in the Department of Trade and Industry.