



THE PRICE FREEZE REGULATIONS (NO. 5) 1973

DENIS BLUNDELL, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington this 18th day of October
1973

Present:

THE HON. T. M. MCGUIGAN 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 (No. 5) 1973.

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

2. Interpretation—In these regulations the term “fish” means fresh or frozen or smoked fish intended for human consumption in New Zealand; but does not include shellfish, crustaceans, or oysters.

3. Control of prices—(1) Notwithstanding anything in the Stabilisation of Prices Regulations 1972*, the maximum price that may be charged by any wholesaler or retailer for any fish shall be—

- (a) In any case where the fish is sold by any wholesaler in any district described in the First Schedule to these regulations, the price specified in the Second Schedule to these regulations as the maximum wholesale price that may be charged for that species of fish:
- (b) In any case where the fish is sold by any retailer in any district described in the First Schedule to these regulations, the price specified in the Third Schedule to these regulations as the maximum retail price that may be charged for that species of fish:
- (c) In any case where the fish 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:

*S.R. 1972/60

Amendment No. 1: S.R. 1973/70
Amendment No. 2: S.R. 1973/74
Amendment No. 3: S.R. 1973/137
Amendment No. 4: S.R. 1973/153
Amendment No. 5: S.R. 1973/200
Amendment No. 6: S.R. 1973/201
Amendment No. 7: S.R. 1973/239

Provided that where 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 Price Tribunal:
- (e) The price fixed or approved by the Price Tribunal, in any case where there is no such price ruling on that date in that locality.

(2) The wholesale prices specified in the Second Schedule to these regulations shall apply with respect to fish sold from the wholesaler's premises. Where 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 it agreed upon by them or, if they do not agree, as may be approved by the Price Tribunal.

(3) In the case of fish sold by wholesale or retail in the Rotorua District or the Hamilton District, the maximum prices specified in the Second Schedule or, as the case may be, the Third Schedule to these regulations shall be deemed to be increased by 2c per pound.

(4) For the purposes of this regulation, fish shall be deemed to have been sold when possession of the fish has been taken by the purchaser and not otherwise.

(5) Where any person establishes to the satisfaction of the Price Tribunal that compliance with the provisions of this regulation would result in a serious deterioration in the financial stability of his business, the Price Tribunal 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 Price Tribunal thinks fit.

4. Amendment of Schedules—The Minister of Trade and Industry may from time to time, by order published in the *Gazette*,—

- (a) Amend the First Schedule to these regulations by—
 - (i) Adding the name of the district of any local authority;
 - or
 - (ii) Omitting the name of any such district:
- (b) Amend the Second Schedule or Third Schedule to these regulations by—
 - (i) Omitting the item relating to any species of fish:
 - (ii) 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 the state of preparation thereof:
 - (iii) 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 the state of preparation thereof.

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. Revocations—The following regulations are hereby revoked:

- (a) The Price Freeze Regulations (No. 2) 1973*:
 (b) The Price Freeze Regulations (No. 2) 1973, Amendment No. 1†:
 (c) The Price Freeze Regulations (No. 2) 1973, Amendment No. 2‡.

*S.R. 1973/73
 †S.R. 1973/87
 ‡S.R. 1973/127

SCHEDULES

FIRST SCHEDULE

DESCRIPTION OF DISTRICTS

1. The Auckland Metropolitan District—

The Cities of Auckland, Takapuna, Manukau, and Papatoetoe, the Boroughs of East Coast Bays, Birkenhead, Northcote, Devonport, Newmarket, Henderson, Glen Eden, Otahuhu, New Lynn, Mount Albert, Mount Eden, One Tree Hill, Mount Roskill, Onehunga, Ellerslie, Mount Wellington, Papakura, and Howick, the County Towns of Glenfield, Titirangi, and Green Bay, and Te Atatu Riding of the County of Waitemata.

2. The Tauranga District—

The City of Tauranga and Borough of Mount Maunganui.

3. The Rotorua District—

The City of Rotorua.

4. The Hamilton District—

The City of Hamilton and the Boroughs of Cambridge and Te Awamutu.

SECOND SCHEDULE

MAXIMUM WHOLESALE PRICES FOR FISH

Species of Fish		State of Preparation		Maximum Price Per Pound Cents	
Barracouta	.....	Fillets	.....	20.0
		Green	.....	6.0
Creamfish	.....	Green	.....	10.0
		Headed and skinned	.....	21.0
Dogfish (Lemonfish)	.....	Trimmed	.....	16.5
		Fillets	.....	45.0
Flounder—					
Kaipara and Thames Bay	.....	Cleaned	.....	44.0
		Green	.....	31.0
Dabs, Gulf	.....	Cleaned	.....	36.5
		Green	.....	23.0
Gurnard	.....	Cleaned	.....	27.0
		Green	.....	11.0
Hake	.....	Fillets, skin on wings off	.....	36.0
		Fillets, skinned	.....	40.5
		Green	.....	13.5
Hapuka	.....	Smoked	.....	49.5
		Green	.....	24.0
Hapuka (Blue Nose)	.....	Gutted	.....	28.5
		Gutted and gilled	.....	32.0
		Headed	.....	37.5
		Trimmed	.....	46.0
		Steaks	.....	53.0
		North-headed, gutted	.....	35.0
		Gutted	.....	25.5
John Dory	.....	Gutted and gilled	.....	28.5
		Fillets	.....	53.0
		Smoked wings	.....	38.5
		Green	.....	25.0
Kahawai	.....	Fillets	.....	81.5
		Green	.....	6.0
Kingfish	.....	Green	.....	14.0
		Gutted and gilled	.....	24.0
		Headed	.....	31.0
		Trimmed	.....	36.5
		Steaks	.....	42.0
Lemon Soles	.....	Green	.....	28.5
		Cleaned	.....	36.5
		Headed, skinned	.....	46.0
		Cleaned, frozen	.....	42.0
Mullet	.....	Green, fresh	.....	13.0
		Green, frozen	.....	16.5
		Gutted, gilled, and cleaned	.....	17.5
		Smoked	.....	31.0
Piper	Green	33.0

SECOND SCHEDULE—*continued*

Species of Fish	State of Preparation	Maximum Price Per Pound Cents
Snapper and Terakihi	Green	16.0
	Green, premium quality	19.0
	Green, scaled	17.5
	Gutted, gilled, not scaled	21.0
	Gutted, gilled, scaled	25.0
	Headed, not scaled	31.0
	Headed, scaled	32.0
	Shouldered, scaled	34.0
	Shouldered, scaled, trimmed	36.5
	Steaks	38.5
	Fillets, wings on	38.5
	Fillets, wings off	50.5
	Fillets, wings off, skinned	59.5
	Fillets, wings off, skinned and boned	68.0
	Smoked	49.5
Snapper, Red	Green	30.0
	Kippered fillets	66.0
Terakihi .....	.....	.....

Squid	Frozen (packs 20 lb)	35.0
	Male	18.0
Trevally	Female	31.0
	Green, fresh	9.5
	Green, frozen	15.5
	Gutted, gilled, fresh	15.0
	Gutted, gilled, frozen	17.0
	Headed, shouldered loose	17.5
	Fillets, wings off	28.5
	Fillets, boned	31.0
	Fillets, skinned and boned	46.0
	Smoked fillets, wings off	38.5

In this Schedule the term "premium quality", in relation to snapper, means landed in prime condition and generally accepted in the trade as being of premium quality.

THIRD SCHEDULE

MAXIMUM RETAIL PRICES FOR FISH

Species of Fish	State of Preparation	Maximum Price Per Pound Cents
Barracouta	Fillets	30.0
Creamfish	Headed and skinned	36.0
Dogfish (Lemonfish)	Fillets	53.0
Flounder—		
Kaipara, Thames, and Bay	Cleaned	57.0
Dabs, Gulf	Cleaned	48.0
Gurnard	Fillets, skin on, wings off	48.0
	Fillets, skinned	53.0

THIRD SCHEDULE—*continued*

Species of Fish	State of Preparation	Maximum Price Per Pound Cents
Hake	Smoked	59.0
Hapuka	Steaks	78.0
	Smoked wings	78.0
Kahawai	Fillets, skinned and boned	38.0
Kingfish	Steaks	50.0
John Dory	Fillets	100.0
Lemon Soles	Headed and skinned	57.0
Mullet	Cleaned, gutted, and gilled	30.0
	Smoked	46.0
Piper	Green	43.0
Snapper and Terakihi	Gutted, gilled, and scaled	31.0
	Fillets, wings on	49.0
	Fillets, wings off	59.0
	Fillets, wings off, skinned	70.0
	Fillets, skinned and boned	85.0
	Shouldered, scaled, and trimmed	45.0
	Steaks	49.0
	Smoked	57.0
	Kippered fillets	75.0
Squid	Frozen (packs of 20 lb)	43.0
Trevally	Green	15.0
	Gutted, gilled	21.0
	Headed and shouldered	30.0
	Fillets, wings off	41.0
	Fillets, skinned and boned	53.0
	Smoked fillets, wings off	50.0

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. 2) 1973 which froze the maximum wholesale and retail prices of fish at the prices normally and lawfully charged as at 21 March 1973.

The effect of these regulations is as follows:

- (a) In the case of fish sold in any of the districts described in the First Schedule, the maximum wholesale and retail prices are as set out in the Second and Third Schedules.
- (b) In the case of fish sold in other places, the prices continue to be frozen at those charged as at 21 March 1973.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 19 October 1973.

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