

Serial Number 1942/36



PRICE ORDER NO. 68

IN pursuance of the powers conferred upon the Price Tribunal by the Control of Prices Emergency Regulations 1939,* and with the authority of the Minister of Industries and Commerce, the Price Tribunal hereby makes the following Price Order :—

1. This Order may be cited as Price Order No. 68.
2. (1) Price Order No. 10† is hereby revoked.
 (2) The revocation of the said Price Order shall not affect the liability of any person for any offence in relation thereto committed before the date of this Order, nor shall it affect the rights of any person in relation to any sale made before the date of this Order.
3. This Order shall apply only to the North Island of New Zealand.
4. Nothing in this Order shall apply to the sale or purchase of any superphosphate or phosphatic fertilizer in a quantity of less than 1 ton if not effected at a price or on terms more advantageous to the purchaser than the prices or terms specified herein.
5. The prices at which any person may sell superphosphate manufactured in New Zealand and being of the grade commercially known as 44/46 superphosphate if sold for delivery ex works or free on rail at any of the places named in the Schedule hereto shall be the respective prices set out in the said Schedule (sacks in) according to whether the sale is—
 - (a) To a consumer—that is to say, a person purchasing for his own use and not for the purpose of resale ; or
 - (b) To a storekeeper—that is to say, a person purchasing solely for resale to consumers and not being one of the persons described in any of the following paragraphs of this clause ;
or
 - (c) To a merchant—that is to say, a person purchasing for resale to storekeepers or for resale to consumers ; or
 - (d) To a dairy company as defined in section 2 of the Dairy Industry Act, 1908, purchasing solely for resale to persons being suppliers of milk or cream to the company ; or
 - (e) To a farmers' organization duly registered or incorporated and having a retail trading department conducted on a co-operative basis purchasing solely for resale to members of that organization.

* Statutory Regulations 1939, Serial number 1939/275, page 1057.

† Statutory Regulations 1940, Serial number 1940/210, page 701.

6. The prices at which any person may sell for delivery ex store or delivery elsewhere than as aforesaid any such superphosphate as aforesaid shall be not less than the respective prices set out in the Schedule hereto increased by the amount of freight between one of the places named in the said Schedule and the place of delivery, or, in cases where no such freight is paid or payable, a sum equivalent to the current charges of common carriers of goods for cartage between the points in question.

7. No person shall sell any such superphosphate as aforesaid at prices lower than the respective prices hereinbefore referred to.

8. The prices hereinbefore referred to are for a sale for cash or for credit until a date not later than the twentieth day of the month next following the delivery of the goods, but no person shall sell any such superphosphate as aforesaid where more than the aforesaid credit is given at prices lower than the respective prices hereinbefore referred to.

9. Nothing hereinbefore contained shall be deemed to forbid the making or carrying-out of a contract for the sale of any such superphosphate as aforesaid at a price exceeding the respective prices hereinbefore referred to if such sale is made subject to the condition that if payment of the price is made within a specified period ending not later than the twentieth day of the month next following the month of delivery of the goods the price shall be reduced to the respective price hereinbefore referred to.

10. In every invoice, debit-note, or similar document issued by a vendor to a consumer and relating to a sale of any such superphosphate as aforesaid to which this Order applies, the vendor shall set out separately (a) the price of the goods and (b) the freight, if any, payable by the purchaser.

11. The price at which a person may sell any phosphatic fertilizer not manufactured in New Zealand if imported into New Zealand to any person purchasing the same for his own use in the North Island of New Zealand and not in any case for resale is hereby fixed as follows:—

(a) If sold for delivery ex wharf at the place at which it is imported into New Zealand, at 6 per cent. above the landed cost thereof:

(b) If sold for delivery at any other place, at 6 per cent. above the landed cost thereof plus the reasonable cost of the carriage thereof from the wharf at the place at which it is imported into New Zealand to the place of delivery to the purchaser.

12. No person shall sell or offer to sell or contract or offer to contract for the sale of and no person shall buy or contract or offer to contract for the purchase of any superphosphate or phosphatic fertilizer to which this Order applies at a price or on terms other than the respective price and terms fixed by this Order and applicable to the sale or purchase in question.

13. Except as authorized by this Order no vendor shall, in connection with any sale or proposed sale or offer for sale of superphosphate or phosphatic fertilizer to which this Order applies, pay, offer, or credit to any person any discount, rebate, dividend, bonus,

or other payment or allowance, whether in money or money's worth or otherwise, or in any way give to or make available for or offer to any person the benefit of any such payment or allowance, and no person shall accept, receive, or seek from any vendor any such payment or allowance, or in any way obtain or endeavour to obtain or offer to obtain the benefit of any such payment or allowance :

Provided that nothing contained in this clause shall be deemed to prohibit on the part of any dairy company or farmers' organization as respectively hereinbefore described payments made to the shareholders or members thereof by way of bonus or dividend computed by reference to general trading profits not arising exclusively from sales of superphosphate.

SCHEDULE.

Nature of Sale as described in Clause 5 of this Order.	Price per Ton of 44/46 Superphosphate, Net Cash or Monthly Account (Sacks in).
	£ s. d.
(a) Consumer	4 0 0
(b) Storekeeper	3 18 0
(c) Merchant	3 15 6
(d) Dairy company	3 15 6
(e) Farmers' organization ..	3 15 6
	The above prices are "ex works" or "free on rail" at Aramoho, Otahuhu, Smart Road (New Plymouth), Te Papapa, or Westfield.

Dated this 19th day of February, 1942.

The seal of the Price Tribunal was affixed hereto in the presence of—

[L.S.]

W. J. HUNTER (Judge), President.
H. L. WISE, Member.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 20th day of February, 1942.

These regulations are administered in the Department of Industries and Commerce, Tourist and Publicity.