

## WESTLAND JUDICIAL DISTRICT

## Greymouth

Monday, 28th February, at 10.30 a.m.  
 Monday, 17th July                    "  
 Monday, 27th November            "

## OTAGO AND SOUTHLAND JUDICIAL DISTRICT

## Dunedin

Tuesday, 1st February, at 10.30 a.m.  
 Tuesday, 2nd May                    "  
 Tuesday, 25th July                 "  
 Tuesday, 24th October             "

## Invercargill

Tuesday, 22nd February, at 10.30 a.m.  
 Tuesday, 23rd May                   "  
 Tuesday, 15th August               "  
 Tuesday, 14th November           "

## SITTINGS IN BANCO AND IN CHAMBERS

Sittings of the Court in Banco will be held at the Courthouse, AUCKLAND, WELLINGTON, CHRISTCHURCH, and DUNEDIN every Wednesday, at 10.30 o'clock in the forenoon, except during vacation or the absence of the Judge, or unless the Judge is engaged on other business.

Sittings in Chambers will be held at the Judge's Chambers, in the Courthouse, CHRISTCHURCH and DUNEDIN, every Tuesday and Friday, at 10 o'clock in the forenoon, and at AUCKLAND and WELLINGTON every Friday at 10 o'clock in the forenoon, except during vacation or the absence of the Judge, or unless the Judge is engaged on other business.

Sittings in Banco and in Chambers at other times and in vacation, in respect of urgent business, may be held at such times and places as may suit the convenience of the Judge.

In all other cities and towns in which sittings of the Court are held, such business in Banco and in Chambers as the Judge shall allow may be disposed of in the course of these sittings, at such days and hours as the Judge may appoint.

## PROVISION AS TO HOLIDAYS

If any of the days above appointed for sittings shall be a public holiday, the sittings shall commence on the first day after the day so appointed which is not a holiday. It shall be lawful for any one or more Judges of the Supreme Court to order that the Supreme Court and the offices thereof at any place shall be closed for any public or proclaimed holiday in the district.

Given under our hands at Wellington, this fourth day of November, one thousand nine hundred and forty-three.

M. MYERS, C.J.  
 A. W. BLAIR, J.  
 D. S. SMITH, J.  
 H. JOHNSTON, J.

Approved in Council—

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

## Price Order No. 177 (Tomatoes)

PURSUANT to the powers conferred on it by the Control of Prices Emergency Regulations 1939,\* the Price Tribunal, acting with the authority of the Minister of Industries and Commerce, doth hereby make the following Price Order:—

## PRELIMINARY

1. This Order may be cited as Price Order No. 177, and shall come into force on the 15th day of January, 1944.

2. (1) In this Order, unless the context otherwise requires,—

“The said regulations” means the Control of Prices Emergency Regulations 1939\*:

“Commercial user” means a canner, or a manufacturer of condiments, or any person engaged in the business of processing or compounding tomatoes:

“Tomatoes” means all produce commonly known as tomatoes, other than the produce known as tree tomatoes.

(2) Terms and expressions defined in the said regulations and used in this Order have the meanings severally assigned thereto by the said regulations.

## APPLICATION OF THIS ORDER

3. (1) This Order applies with respect to the sale for human consumption of all tomatoes grown in New Zealand (whether grown outdoors or otherwise) other than tomatoes sold to commercial users.

(2) Every sale of any such tomatoes shall be deemed to be a sale for human consumption unless at the time of the sale there is a *bona fide* agreement or stipulation between the buyer and the seller that the tomatoes to which the sale relates are intended for a specific purpose other than human consumption.

4. The maximum prices fixed by this Order apply with respect to sales by auction, as well as to other sales.

5. The provisions of this Order fixing prices by reference to the weight of the tomatoes to which any sale relates shall apply notwithstanding that in any such case the seller may sell or purport to sell otherwise than by weight.

6. The wholesale prices fixed by this Order apply with respect to sales of the following classes, namely:—

(a) Sales to retailers (whether made by the grower or any other person); and

(b) Sales to users in any case where a lot of not less than 2 cwt. of tomatoes to which this Order applies is sold to any one purchaser for delivery at any one time.

## MAXIMUM WHOLESALE PRICES

7. (1) Subject to the provisions of this clause the maximum wholesale price of any tomatoes to which this Order applies shall be at the rate of the appropriate wholesale price prescribed in the Schedule hereto.

(2) The wholesale prices prescribed in the Schedule hereto are fixed as for delivery at the wholesaler's store or other premises from which delivery to the purchaser is effected.

(3) Where delivery is effected by a wholesaler elsewhere than at premises occupied by him he may add to the appropriate price fixed in accordance with the Schedule hereto the reasonable cost of delivery, not exceeding in any case the cost that would have been incurred by him if delivery had been effected by a common carrier at current freight rates.

## MAXIMUM RETAIL PRICES

8. (1) Subject to the provisions of this clause the maximum retail price of any tomatoes to which this Order applies shall not exceed a price at the rate of a price per pound equal to the sum of the following amounts:—

(a) The price per pound actually paid or payable by the retailer for the tomatoes:

(b) The transport charges (if any) actually paid or payable by the retailer on each pound of the tomatoes:

(c) An amount equal to 40 per cent. of the sum of the amounts specified in paragraphs (a) and (b) hereof.

(2) The retail price of any tomatoes, computed in accordance with the last preceding subclause, shall be calculated by reference to the prices and weights disclosed in the appropriate invoices.

(3) Notwithstanding anything to the contrary in the foregoing provisions of this clause, the maximum retail price of any tomatoes to which this Order applies shall not in any case exceed a price at the rate of the appropriate price prescribed in the Schedule hereto.

(4) If in respect of any lot of tomatoes sold by a retailer the maximum price calculated in accordance with the foregoing provisions of this clause is not an exact number of pence or half-pence, the maximum price of the lot shall be computed to the nearest upward halfpenny.

9. Every retailer who offers or exposes for sale any tomatoes to which this Order applies shall keep for a period of not less than two months a record showing with respect to every purchase of such tomatoes made by him by way of wholesale the following particulars:—

(a) The date of purchase:

(b) The name and address of the wholesaler from whom purchased:

(c) The trade description of the tomatoes purchased:

(d) The number of cases purchased:

(e) The price paid.

## SCHEDULE

## MAXIMUM WHOLESALE AND RETAIL PRICES OF TOMATOES TO WHICH THIS ORDER APPLIES

When sold in the	During the Period in any Year (both Days inclusive).	Maximum Price per Pound.	
		Wholesale.	Retail.
Auckland Provincial District	15th January to 31st January	s. d. 0 8	s. d. 0 11½
	1st February to 30th April	0 6	0 9
Hawke's Bay Provincial District	15th January to 31st January	0 7	0 10
	1st February to 30th April	0 5	0 7½
Taranaki, Wellington, Marlborough, Nelson, and Canterbury Provincial Districts (excluding the Buller, Inangahua, and Grey Counties)	1st February to 30th April	0 7	0 10
	15th February to 30th April	0 8½	1 0½

Dated at Wellington, this 19th day of November, 1943.

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

[L.S.]

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

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