



SUPPLEMENT
TO THE
NEW ZEALAND GAZETTE

OF
THURSDAY, MAY 6, 1943

Published by Authority

WELLINGTON, FRIDAY, MAY 7, 1943

Price Order No. 136 (Apples and Pears)

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. (1) This Order may be cited as Price Order No. 136.
- (2) This Order shall come into force on the 10th day of May, 1943.
2. (1) Price Order No. 122† is hereby revoked.
- (2) The revocation of the said Order shall not affect the liability of any person for any offence in relation thereto committed before the coming into force of this Order.

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

“Bushel case”, in relation to apples, means a package of the kind numbered 1 in the First Schedule to the New-Zealand-grown-fruit Regulations 1940‡, and, in relation to pears, means a package of the kind numbered 2 in the said Schedule :

“Half-bushel case”, in relation to apples, means a package of the kind numbered 5 in the First Schedule to the New-Zealand-grown-fruit Regulations 1940‡, and, in relation to pears, means a package of the kind numbered 6 in the said Schedule :

“Internal Marketing Division” means the Internal Marketing Division of the Marketing Department :

“Retailer’s railway-station”, in relation to sales by a wholesaler to a retailer, means the railway-station that is nearest or most convenient of access to the retailer’s premises.

(2) References in the Schedules to this Order to counts and grades are references to the counts and grades of apples and pears respectively, determined in accordance with the New-Zealand-grown-fruit Regulations 1940‡, as modified in accordance with the Apple and Pear Marketing Regulations 1942§.

(3) Terms and expressions defined in the Control of Prices Emergency Regulations 1939,* and used in this Order, have the meanings severally assigned thereto by those regulations.

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

APPLICATION OF THIS ORDER

5. This Order applies with respect to all sales of apples and pears grown in New Zealand.

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

MAXIMUM WHOLESALE PRICES

7. (1) The maximum price that may be charged or received by any wholesaler for apples to which this Order applies shall be determined in accordance with the First Schedule hereto.

(2) The maximum price that may be charged or received by any wholesaler for pears to which this Order applies shall be determined in accordance with the Second Schedule hereto.

(3) The several wholesale prices fixed by this clause are fixed as for delivery by the wholesaler to the retailer at the wholesaler’s store. Where, with the concurrence or by direction of the Internal Marketing Division, delivery to the retailer is effected at the retailer’s

railway-station, freight charges to the retailer’s railway-station from the depot from which the fruit is actually supplied will be borne by the Internal Marketing Division.

MAXIMUM RETAIL PRICES

8. (1) Except as otherwise provided in this clause the maximum price that may be charged or received by any retailer for apples to which this Order applies, when sold by him in bushel-case or half-bushel-case lots or in 10 lb. lots, shall be determined in accordance with the First Schedule hereto.

(2) Except as otherwise provided in this clause, the maximum price that may be charged or received by any retailer for apples to which this Order applies when sold by him otherwise than in accordance with the last preceding subclause, shall be the appropriate price per pound fixed in the First Schedule hereto.

(3) Except as otherwise provided in this clause, the maximum price that may be charged or received by any retailer for pears to which this Order applies, when sold by him in bushel-case or half-bushel -case lots or in 10 lb. lots, shall be determined in accordance with the Second Schedule hereto.

(4) Except as otherwise provided in this clause, the maximum price that may be charged or received by any retailer for pears to which this Order applies, when sold by him otherwise than in accordance with the last preceding subclause, shall be the appropriate price per pound fixed in the Second Schedule hereto.

(5) Where any apples or pears are sold in any lot exceeding 10 lb., but otherwise than in a half-bushel-case or bushel-case lot, the maximum price per pound of any surplus (being less in every case than 10 lb.) shall be the appropriate maximum price fixed by subclause (2) or subclause (4) hereof, as the case may require.

(6) Where the transport expenses actually and reasonably incurred by a retailer in effecting delivery to his shop or other premises of fruit delivered to him either at the wholesaler’s store or at the retailer’s railway-station, as the case may be (not exceeding in any case the charges that would have been incurred if delivery had been effected by a common carrier at current rates), exceeds 9d. per bushel-case or 4½d. per half-bushel case, the maximum retail price that may be charged or received by the retailer shall be the prescribed maximum price fixed as aforesaid, increased as follows:—

(a) In the case of fruit sold by him in bushel-case of half-bushel-case lots, the prescribed maximum price may be increased by the amount by which the transport charges exceed 9d. per case or 4½d. per case, as the case may be :

(b) In the case of fruit sold by him in lots of 10 lb. or more (but otherwise than in bushel-case or half-bushel-case lots), the prescribed maximum price may be increased by a proportionate part of the amount by which the transport charges exceed 9d. per case or 4½d. per case, as the case may be :

(c) In the case of fruit sold otherwise than as aforesaid, the prescribed maximum price may be increased by ½d. per pound.

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

(8) The retail prices fixed by this clause are fixed as for delivery at the retailer’s shop or other premises occupied by him.

(9) Where any fruit is delivered by a retailer to a purchaser in a special container procured for the purpose from the Internal Marketing Division, the retailer may make a special charge, not exceeding 3d. (for the 14 in. container) and not exceeding 4d. (for the 16 in. or 17 in. container). Except as aforesaid, the several retail prices fixed by this clause include the price of the cases or other containers in which the fruit is delivered to the purchaser.

* Statutory Regulations 1939, Serial number 1939/275, page 1057.
 † Statutory Regulations 1943, Serial number 1943/9, page 12.
 ‡ Statutory Regulations 1940, Serial number 1940/195, page 621.
 § Statutory Regulations 1942, Serial number 1942/314, page 767.