



SUPPLEMENT  
TO THE  
**NEW ZEALAND GAZETTE**

OF  
THURSDAY, SEPTEMBER 2, 1943

Published by Authority

WELLINGTON, MONDAY, SEPTEMBER 6, 1943

*Price Order No. 153 (New Potatoes)*

**P**URSUANT 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. 153, and shall come into force on the 7th day of September, 1943.

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

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

“Distributor”, in relation to any lot of potatoes, means a wholesaler, as defined in the said regulations, who sells those potatoes otherwise than to a retailer for purposes of retail sale:

“Grower”, in relation to potatoes, means a person engaged in the business of growing potatoes for sale:

The expression “f.o.r.s.i.” means “free on rail, sacks or other containers included.”

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

3. Subject to any general or specific directions that may be given by or on behalf of the Tribunal, any expenses that are reasonably incurred by a wholesaler or retailer in undertaking the transport of any potatoes at his own expense may be regarded for the purposes of this Order as if they were transport charges paid by him, and the maximum price of the potatoes shall be determined accordingly.

4. The provisions of this Order shall apply notwithstanding that any potatoes to which the Order is applicable are sold otherwise than by weight.

5. If any potatoes to which this Order applies are bought at auction by any distributor, wholesaler, or retailer, no account shall be taken of any commission or other charges paid or payable to the auctioneer in computing, for the purposes of this Order, the price paid or payable for those potatoes by any distributor, wholesaler, or retailer.

APPLICATION OF THIS ORDER

6. (1) This Order applies with respect to all potatoes grown in New Zealand that, being the produce of seed potatoes planted after the 31st day of March, 1943, are sold after the coming into

force of this Order and on or before the 29th day of February, 1944, by any grower, distributor, wholesaler, or retailer.

(2) Nothing in Price Order No. 127† shall apply with respect to any potatoes to which this Order applies.

FIXING PRICES OF POTATOES THAT ARE SUBJECT TO THIS ORDER  
*Growers' Prices*

7. (1) The growers' prices fixed by this Order are fixed by reference to—

- (a) The place where the potatoes are grown; and
- (b) The period (including in any period both the first and the last of the appropriate specified dates) within which, in accordance with the contract of sale, the potatoes are to be delivered by the grower to the purchaser.

(2) The growers' prices fixed by this Order are the actual prices to be charged by the grower—

- (a) For first-grade potatoes grown in the North Island and sold for delivery at any time during the period commencing on the 1st day of December, 1943, and ending on the 29th day of February, 1944; or
- (b) For first-grade potatoes grown in the provincial district of Nelson and sold for delivery in that district or in the North Island at any time during the said period.

(3) Except as provided in the last preceding subclause, the growers' prices fixed by this Order are the maximum prices that may be lawfully charged by a grower for any potatoes to which this Order applies.

(4) The growers' prices fixed as aforesaid are fixed in respect of sales f.o.r.s.i.—

- (a) The railway-station at Christchurch, in the case of potatoes grown in the Nelson Provincial District and sold for delivery elsewhere than in that district or in the North Island; or
- (b) The grower's railway-station (being the railway-station nearest or most convenient of access to the grower's premises) in the case of any potatoes to which the last preceding paragraph does not apply.

(5) Where any potatoes to which this Order applies are delivered by a grower otherwise than f.o.r.s.i. the appropriate railway-station (as determined in accordance with the last preceding subclause) the price that may be charged by the grower shall be the appropriate price in terms of the foregoing provisions of this clause, increased by the amount of the charges (if any) incurred by him in effecting delivery, and then reduced by the amount of the charges that would have been incurred by him if he had delivered the potatoes f.o.r.s.i. the appropriate railway-station determined as aforesaid.

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

† Gazette, 1st March, 1943, Vol. I, page 265.