

Sitting of the Native Land Court at Kaikohe on the 19th September, 1944

Office of the Native Land Court, Auckland, 16th August, 1944.

NOTICE is hereby given that the matters mentioned in the Schedule hereunder will be heard by the Native Land Court sitting at Kaikohe on Tuesday, the 19th September, 1944, at 10.30 a.m., or as soon thereafter as the business of the Court will allow.

J. H. ROBERTSON, Registrar.

[Tokerau, 1944/45-7.]

SCHEDULE

No.	Applicant.	Name of Land.	Nature of Application.
25	The Under-Secretary, Public Works Department	Otuhi 1c 1 and other blocks ..	Application for assessment of compensation for land taken for public works.
26	Ditto ..	Part Motatau 1c 7c ..	Ditto.
27	„ ..	Taraire 2t ..	Assessment of compensation for land taken for Kaikohe Substation site.
28	Kaikohe Town Board ..	Part Marino 2b No. 7, part Marino 2b No. 6, part Marino 2b No. 5, part Lot 20, D.P. 10045, being part Raihara Block	Application for assessment of compensation for land taken for the purposes of a road.
29	Hokianga County Council	Tautehere No. 2b 3 ..	Ditto.

Price Order No. 272 (New Potatoes)

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. 272, and shall come into force on the 1st day of September, 1944.
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, when 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. The several prices fixed by this Order apply with respect to sales by auction as well as to other sales.

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, 1944, are sold for delivery after the coming into force of this Order and on or before the 28th day of February, 1945, by any grower, distributor, wholesaler, or retailer.
(2) In any proceedings for a breach of this Order in respect of the sale of any potatoes, those potatoes shall, unless the defendant proves the contrary, be deemed to have been within the application of this Order at the time of sale if they were sold as or were represented by the vendor to be new potatoes.

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 were 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, 1944, and ending on the 28th day of February, 1945 ; 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.
8. (1) The actual price to be charged by any grower for first-grade potatoes referred to in paragraph (a) or paragraph (b) of subclause (2) of the last preceding clause shall be determined as follows :—

Period (both Dates inclusive) within which Delivery to be made.	Actual Price per Ton.
£ s. d.	
1st December, 1944, to 31st December, 1944 ..	14 0 0
1st January, 1945, to 31st January, 1945 ..	12 0 0
1st February, 1945, to 28th February, 1945..	11 0 0

- (2) For the purposes of this clause potatoes shall be deemed to be first-grade or undergrade, as the case may be, in accordance with the following rules :—
(a) Rules as to Size—
(i) If in any sample of one hundred potatoes taken at random from any lot sold for delivery during the period 1st December, 1944, to 31st December, 1944 (both days inclusive), more than 15 per cent. by number of the sample can be passed through a square of which the sides have an inside measurement of 1½ in., all the potatoes in the lot from which the sample is taken shall be deemed to be undergrade ;
(ii) If in any sample of one hundred potatoes taken at random from any lot sold for delivery during the period 1st January, 1945, to 28th February, 1945, more than 15 per cent. by number of the sample can be passed through a square of which the sides have an inside measurement of 1½ in., all the potatoes in the lot from which the sample is taken shall be deemed to be undergrade ;
(b) Rule as to Quality.—If in any lot of potatoes more than 3 per cent. by weight of the lot is affected by disease, damage, or other defect, or if the lot is not reasonably free from earth, all the potatoes in the lot shall be deemed to be undergrade ;
(c) Potatoes that are not undergrade in accordance with paragraph (a) or paragraph (b) hereof, shall be deemed to be first-grade potatoes.

* Statutory Regulations 1939, Serial number 1939/275, page 1075.