



SUPPLEMENT
TO THE
NEW ZEALAND GAZETTE

OF
THURSDAY, AUGUST 23, 1945

Published by Authority

WELLINGTON, WEDNESDAY, AUGUST 29, 1945

Price Order No. 409 (Milk) (Auckland Metropolitan Milk District)

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. 409, and shall come into force on the 1st day of September, 1945.

2. (1) Price Order No. 318† 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. In this Order :—

“Auckland Metropolitan Milk District” means the district of that name constituted under the Milk Act, 1944, by Order in Council dated the 27th day of June, 1945‡ :

“Commercial user” means a person who buys milk or cream for sale for consumption on his premises (whether in the form in which it is received by him or otherwise and whether separately or in combination with any other substance or substances) :

“Consumer” means a person who buys milk or cream for purposes other than resale :

“Shop dairy” means a shop where milk or cream is sold for consumption or use off the premises and not otherwise and where the milk or cream so sold is sold in the form in which it was received into the shop dairy.

APPLICATION OF THIS ORDER

4. (1) Nothing in this Order shall apply with respect to milk or cream sold to a Hospital Board for use in any institution under the control of that Board or to milk or cream sold for use in any separate institution within the meaning of the Hospitals and Charitable Institutions Act, 1926.

(2) Except as provided in the last preceding subclause, this Order applies with respect to all milk and cream wherever produced that is sold—

- (a) To the occupier of any shop dairy within the Auckland Metropolitan Milk District; or
- (b) By the occupier of a shop dairy or by any other person to a commercial user or to a consumer within the Auckland Metropolitan Milk District.

FIXING PRICES OF MILK AND CREAM TO WHICH THIS ORDER APPLIES

5. (1) Subject to the following provisions of this clause, the maximum price that may be charged or received for any milk or cream to which this Order applies shall be the appropriate price set out in the Schedule hereto.

(2) The prices fixed by this Order are fixed as for delivery as follows :—

(a) In respect of milk or cream sold by the occupier of a shop dairy : As for delivery to the purchaser at the shop dairy :

(b) In respect of milk or cream sold otherwise than at a shop dairy : As for delivery at the premises of the purchaser.

(3) Where an account is rendered to any purchaser for milk supplied to him during a period comprising more than one day, the price that may be charged for the milk to which the account relates shall be computed as follows :—

(a) For all milk supplied during the period in measurements of half-pint or less, the price shall be computed separately for each lot supplied at a rate not exceeding the appropriate rate fixed by this Order :

(b) For all milk supplied during the period in measurements of more than half-pint but less than two pints (exclusive of milk so supplied on any one day of a total quantity of one gallon or more), the price shall be computed separately for each lot supplied at a rate not exceeding the appropriate rate fixed by this Order :

(c) For all milk supplied during the period in measurements of two pints or more (exclusive of milk so supplied on any one day of a total quantity of one gallon or more), the price shall be computed at a rate not exceeding the appropriate rate fixed in the Schedule hereto for two pints :

(d) Where the quantity of milk supplied to any one purchaser in any one day (exclusive of quantities supplied in measurements of half-pint or less) is not less than one gallon, the maximum price that may be charged shall be computed by reference to the total quantity of milk so supplied to the purchaser during that day.

(4) Where an account is rendered for cream supplied to a shop dairy during a period comprising more than one day (whether supplied in bottles or cartons or “loose”), then where the quantity of cream supplied on any one day is not less than one quart the maximum price that may be charged shall be computed by reference to the total quantity of cream supplied to the shop dairy during that day as for cream supplied “loose.”

(5) Where any milk or cream to which this Order applies is sold otherwise than in one of the quantities specified in the Schedule hereto, or otherwise than in a multiple of any specified quantity, the price shall be computed as follows :—

(a) Where the quantity supplied is less than the smallest specified quantity, the price shall be a proportionate part of the price of the smallest specified quantity :

(b) Where the quantity supplied exceeds a specified quantity but is less than twice the specified quantity, the price of any surplus over that specified quantity shall be a proportionate part of the price of that specified quantity :

(c) Where the quantity supplied exceeds twice the amount of the nearest lower specified quantity but is not an exact multiple of that specified quantity, the price of any surplus over the nearest multiple of the specified quantity shall be a proportionate part of that specified quantity.

(6) If in respect of any milk or cream the price charged in accordance with the foregoing provisions of this clause is not an exact number of pence or half-pence, the maximum price shall be computed to the nearest upward halfpenny.

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

† *Gazette*, 22nd February, 1945, Vol. I, page 214.

‡ *Gazette*, 28th June, 1945, Vol. II, page 839.