

Price Order No. 536 (Fruit canned by S. Kirkpatrick and Co., Ltd., or Thompson and Hills, Ltd.)

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. 536, and shall come into force on the 25th day of April, 1946.

2. (1) Price Orders No. 455† and No. 479‡ are hereby revoked, and Price Order No. 298§ is hereby revoked in its application to canned fruit packed in New Zealand.

(2) The revocation of the said Orders shall not affect the liability of any person for any offence in relation thereto committed before the coming into force of this Order.

3. Unless the context otherwise requires, terms and expressions defined in the Control of Prices Emergency Regulations 1939,* when used in this Order, have the meanings severally assigned thereto by those regulations.

APPLICATION OF THIS ORDER

4. This Order applies with respect to all peaches, apricots, and pears that are canned in New Zealand by or on behalf of S. Kirkpatrick and Co., Ltd., or Thompson and Hills, Ltd. (either company in this Order being referred to as "the canner"), but does not apply to peaches, apricots, or pears canned by any other person.

FIXING MAXIMUM PRICES OF GOODS TO WHICH THIS ORDER APPLIES

Canners' Prices

5. (1) Subject to the following provisions of this clause, the maximum price that may be charged or received by the canner for any goods to which this Order applies, when sold to a wholesaler, shall be the appropriate price specified in the Schedule hereto.

(2) The maximum price fixed as aforesaid shall be reduced by a trade discount of 10 per cent. thereof, and the price so calculated shall be further reduced as follows:—

- (a) By a discount of 3 per cent. thereof where payment is made within seven days from the date of invoice; or
- (b) By a discount of 2½ per cent. thereof where payment is made after seven days from the date of invoice but on or before the 20th day of the month following the month in which delivery is made to the wholesaler.

(3) In respect of deliveries (whether made to a wholesaler or to any person on behalf of a wholesaler) to Auckland, Wellington, Palmerston North, Christchurch, Dunedin, Invercargill, Timaru, Oamaru, Blenheim, Nelson, Picton, Motueka, Kaikoura, Takaka, or Collingwood, the maximum prices fixed by the foregoing provisions of this clause are fixed as for delivery free of transport charges into the consignee's store:

Provided that, in respect of deliveries to a consignee in Palmerston North, the canner may make an additional charge computed at a rate not exceeding 25s. per ton gross weight of the goods comprised in the delivery. Any additional charge made pursuant to this proviso shall be subject to the discount of 3 per cent. or 2½ per cent., as the case may be, provided for in paragraphs (a) and (b) of the last preceding subclause.

(4) In respect of deliveries (whether made to a wholesaler or to any person on behalf of a wholesaler) to Greymouth, Lyttelton, Bluff, Hamilton, Gisborne, Whangarei, New Plymouth, Westport, Wairoa, Wanganui, or Napier, the maximum prices fixed by the foregoing provisions of this clause are fixed as for delivery by the consignor on the same terms and conditions as to payment of charges on account of sea freight, marine insurance, and rail and road transport freight as existed prior to the coming into force of this Order.

Wholesalers' Prices

6. (1) Subject to the following provisions of this clause, the maximum price that may be charged or received by any wholesaler for any goods to which this Order applies shall be the appropriate price specified in the Schedule hereto.

(2) Except as provided in subclause (3) hereof and subject to the provisions of subclause (4) hereof, the maximum price that may be charged or received for any goods to which this Order applies by any wholesaler in the course of a business carried on elsewhere than at Auckland, Wellington, Christchurch, Dunedin, Invercargill, Timaru, Oamaru, Blenheim, Picton, Motueka, Kaikoura, Takaka, Collingwood, Greymouth, Westport, Lyttelton, Bluff, Hamilton, Gisborne, Whangarei, New Plymouth, Tauranga, Wanganui, Napier, or Nelson shall be the price fixed by subclause (1) hereof, increased as follows:—

In respect of 16 oz. containers: By 3d. per dozen.

In respect of 30 oz. containers: By 6d. per dozen.

In respect of half-gallon (nominal) containers: By 9d. per dozen.

In respect of one-gallon (nominal) containers: By 1s. 6d. per dozen.

(3) Subject to the provisions of subclause (4) hereof, the maximum price that may be charged or received for any goods to which this Order applies by any wholesaler in the course of a business carried on at Palmerston North or Wairoa shall be the price fixed by subclause (1) hereof, increased as follows:—

In respect of 16 oz. containers: By 2d. per dozen.

In respect of 30 oz. containers: By 4d. per dozen.

In respect of half-gallon (nominal) containers: By 6d. per dozen.

In respect of one-gallon (nominal) containers: By 1s. per dozen.

(4) The prices fixed by the foregoing provisions of this clause are fixed subject to the same terms and conditions with respect to cash and other discounts and with respect to freight arrangements as existed between individual wholesalers and retailers immediately prior to the coming into force of this Order.

(5) The foregoing provisions of this clause shall apply with respect to sales made by the canner to a retailer for the purpose of retail sale.

Retailers' Prices

7. The maximum price that may be charged or received by any retailer for any goods to which this Order applies shall be determined in accordance with the following provisions, namely:—

(a) When sold by a retailer in any area within which any wholesaler carrying on business at Auckland, Wellington, Christchurch, Dunedin, Invercargill, Timaru, Oamaru, Blenheim, Picton, Motueka, Kaikoura, Takaka, Collingwood, Greymouth, Westport, Lyttelton, Bluff, Hamilton, Gisborne, Whangarei, New Plymouth, Tauranga, Wanganui, Napier, or Nelson normally undertakes the free delivery of goods to retailers, the maximum retail price shall be the appropriate maximum price specified in the Schedule hereto.

(b) When sold by a retailer in any other area, the maximum retail price shall be the appropriate maximum price specified in the Schedule hereto, increased as follows:—

In respect of 16 oz. containers: By ½d.

In respect of 30 oz. containers: By 1d.

In respect of half-gallon (nominal) containers: By 1½d.

In respect of one-gallon (nominal) containers: By 3d.

8. Notwithstanding anything in the foregoing provisions of this Order and subject to such conditions, if any, as it thinks fit, the Tribunal, on application by the canner or by any wholesaler or retailer, may authorize special maximum prices in respect of any goods to which this Order applies where for any reason extraordinary charges (freight or otherwise) are incurred by the canner, wholesaler, or retailer. Any authority given by the Tribunal under this clause may apply with respect to a specified lot or consignment of goods or may relate generally to all goods to which this Order applies sold by the canner, wholesaler, or retailer while the approval remains in force.

SCHEDULE

MAXIMUM BASIC PRICES OF GOODS TO WHICH THIS ORDER APPLIES

Size of Containers.	Canners' and Wholesalers' Prices, per Dozen.			Retailers' Prices, Each.		
	Peaches.	Apricots.	Pears.	Peaches.	Apricots.	Pears.
16 oz. containers	s. d. 11 6	s. d. 11 6	s. d. 11 6	s. d. 1 4½	s. d. 1 4½	s. d. 1 4
30 oz. containers	16 11	16 11	16 11	2 0	2 0	2 0
Half-gallon (nominal) containers	27 4	27 4	27 4	3 3	3 3	3 3
One-gallon (nominal) containers	49 6	49 6	49 6	5 10	5 10	5 10

Dated at Wellington, this 18th day of April, 1946.

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.
Vol. I, page 107.

† Gazette, 21st December, 1944, Vol. III, page 1551.

‡ Gazette, 1st November, 1945, Vol. III, page 1378.

§ Gazette, 31st January, 1946,