

Price Order No. 761 (Milk and Cream)

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. 761, and shall come into force on the 1st day of October, 1947.
2. (1) The Price Orders specified in the First Schedule hereto are hereby revoked.
- (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. (1) In this Order—
 - “ 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.
- (2) References in this Order to milk districts shall be deemed to be references to the milk districts described in the Second Schedule hereto.

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 in any of the milk districts described in the Second Schedule to this Order—
 - (a) To the occupier of any shop dairy ; or
 - (b) By the occupier of a shop dairy or by any other person to a commercial user or to a consumer.

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) Where the total quantity of milk supplied at any one time is a lot of a half-pint or less, the price of all milk so supplied during the period shall be computed separately for each lot supplied at a rate not exceeding the appropriate rate fixed in the Third Schedule hereto for a half-pint :
 - (b) Where the total quantity of milk supplied at any one time is a lot of more than a half-pint but less than two pints, the price for all milk so supplied during the period (exclusive of milk so supplied on any one day of a total quantity of one gallon or more) shall be computed separately for each lot supplied at a rate not exceeding the appropriate rate fixed in the Third Schedule hereto :
 - (c) Where the total quantity of milk supplied at any one time is a lot of two pints or more, the price for all milk so supplied during the period (exclusive of milk so supplied on any one day of a total quantity of one gallon or more) shall be computed on the total quantity of milk supplied during the period at a rate not exceeding the appropriate rate fixed in the Third Schedule hereto for two pints :
 - (d) Where the total quantity of milk supplied to any one purchaser in any one day (exclusive of milk supplied at any one time in a lot of a half-pint or less) is not less than one gallon, the maximum price that may be charged shall be computed on the total quantity of milk so supplied to the purchaser during that day at the appropriate rate fixed in the Third Schedule hereto.
- (4) Where any milk or cream to which this Order applies is sold otherwise than in one of the quantities specified in the Third 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.
- (5) 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.

FIRST SCHEDULE

PRICE ORDERS REVOKED BY THIS ORDER

No. of Order revoked.	Milk District.	Reference in Gazette.
410	Balclutha	29th August, 1945, Vol. II, page 1072.
411	Christchurch Metropolitan	29th August, 1945, Vol. II, page 1073.
412	Dannevirke	29th August, 1945, Vol. II, page 1074.
413	Dunedin Metropolitan	29th August, 1945, Vol. II, page 1074.
414	Eltham	29th August, 1945, Vol. II, page 1075.
415	Feilding	29th August, 1945, Vol. II, page 1076.
416	Gisborne	29th August, 1945, Vol. II, page 1077.
420	Invercargill	29th August, 1945, Vol. II, page 1080.
423	Nelson	29th August, 1945, Vol. II, page 1082.
424	New Plymouth	29th August, 1945, Vol. II, page 1083.
425	Oamaru	29th August, 1945, Vol. II, page 1083.
426	Palmerston North Metropolitan	29th August, 1945, Vol. II, page 1084.
427	Rotorua	29th August, 1945, Vol. II, page 1085.
428	Stratford	29th August, 1945, Vol. II, page 1086.
429	Tauranga	29th August, 1945, Vol. II, page 1086.
430	Timaru	29th August, 1945, Vol. II, page 1087.
431	Wanganui	29th August, 1945, Vol. II, page 1088.
432	Westport	29th August, 1945, Vol. II, page 1089.
433	Whangarei	29th August, 1945, Vol. II, page 1089.
466	Ashburton	30th November, 1945, Vol. III, page 1506.
467	Greymouth	30th November, 1945, Vol. III, page 1507.
468	Hawera	30th November, 1945, Vol. III, page 1508.
469	Raetihi	30th November, 1945, Vol. III, page 1509.
501	Waipukurau	1st March, 1946, Vol. I, page 292.
551	Cambridge	30th May, 1946, Vol. II, page 748.

* Statutory Regulations 1939, Serial number 1939/275, page 1057.
 Reprinted with amendments : Statutory Regulations 1946, Serial number 1946/169, page 468.