

Price Order No. 765 (Milk and Cream) (Auckland Metropolitan Milk District and Hamilton 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. 765, and shall come into force on the 1st day of October, 1947.
2. (1) Price Orders No. 409†, No. 417‡, and No. 622§ 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. In this Order—

“Auckland Metropolitan Milk District” means the district of that name constituted under the Milk Act, 1944, by Order in Council dated 27th June, 1945||, as altered and redefined by Order in Council dated 1st August, 1946¶, and Order in Council dated 17th July, 1947**:

“Hamilton Milk District” means the district referred to in the Hamilton Milk Delivery Notice 1943††.

“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, or to milk or cream sold on Waiheke Island or within a radius of five miles from the post-office at Piha.
- (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 the Hamilton 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 or the Hamilton 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) 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 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 Schedule hereto:
 - (c) Where the total quantity of milk supplied at any one time is a lot of two pints or more, the price of 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 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 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 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.

SCHEDULE

MAXIMUM PRICES OF MILK AND CREAM SOLD IN THE AUCKLAND METROPOLITAN MILK DISTRICT OR THE HAMILTON MILK DISTRICT TO SHOP DAIRIES, COMMERCIAL USERS, OR CONSUMERS

Milk

Quantity.	When sold to Shop Dairies for Resale.			When sold to Commercial Users or Consumers.		
	During the Months April to September (inclusive).	During the Months October to March (inclusive).		During the Months April to September (inclusive).	During the Months October to March (inclusive).	
		Bottled or Loose.	Bottled.		Loose.	Bottled.	Loose.
	At the Rate of— Per Gallon s. d.	At the Rate of— Per Gallon. s. d.	At the Rate of— Per Gallon. s. d.	s. d.	s. d.	s. d.
Any quantity	1 11	1 9	1 7	.. .. .	.. .. .	.. .. .
½ pint .. .. .	.. .. .	.. .. .	.. .. .	0 2	0 2	0 2
1 pint .. .. .	.. .. .	.. .. .	.. .. .	0 3½	0 3½	0 3
2 pints .. .. .	.. .. .	.. .. .	.. .. .	0 7	0 6½	0 6
				Per Gallon.	Per Gallon.	Per Gallon.
1 gallon but less than 2 gallons .. .. .	.. .. .	.. .. .	.. .. .	2 3	2 1	1 11
2 gallons but less than 10 gallons .. .. .	.. .. .	.. .. .	.. .. .	2 2	2 0	1 10
10 gallons and over .. .. .	.. .. .	.. .. .	.. .. .	2 1	1 11	1 9

* Statutory Regulations 1939, Serial number 1939/275, page 1057.
 Reprinted with amendments: Statutory Regulations 1946, Serial number 1946/169 page 468.
 † Gazette, 29th August, 1945, Vol. II, page 1071.
 ‡ Gazette, 29th August, 1945, Vol. II, page 1077.
 § Gazette, 31st October, 1946, Vol. III, page 1674.
 || Gazette, 28th June, 1945, Vol. II, page 839.
 ¶ Gazette, 1st August, 1946, Vol. II, page 1050.
 ** Gazette, 17th July, 1947, Vol. II, page 876.
 †† Gazette, 27th May, 1943, Vol. II, page 804.