

Price Order No. 1038 (Asbestos-cement Products)

PURSUANT to the Control of Prices Act, 1947, 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. 1038, and shall come into force on the 15th day of July, 1949.
2. (1) Price Order No. 964* 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. (1) In this Order, unless the context otherwise requires,—
 - “Landed cost”, in relation to any goods, means the actual price paid or payable by the importer of the goods increased by the amount of any landing costs incurred by the importer in respect of the goods:
 - “Landing costs”, in relation to any goods, means the cost incurred by the importer incidental to the importing of the goods from the country of origin into store in New Zealand:
 - “Prevailing wholesale price”, in relation to any goods, means the price actually charged for the goods by a wholesaler to the retailer purchasing the goods: Provided that in no case shall the prevailing wholesale price exceed the amount that a wholesaler is entitled to charge a retailer for the goods in accordance with the provisions of this Order:
 - “Wholesaler” includes a manufacturer.
- (2) No costs shall be deemed to be landing costs unless the method of assessment of the costs has been previously approved in that behalf by the Director of Price Control.

APPLICATION OF THIS ORDER

4. This Order applies with respect to all asbestos-cement products specified in the Schedule hereto that are manufactured in New Zealand and to all asbestos-cement products that are imported into New Zealand.

WHOLESALE PRICES

5. (1) Subject to the provisions of this Order, the maximum price that may be charged or received by a wholesaler for any goods to which this Order applies shall be determined as follows:—
 - (a) Where the goods are manufactured in New Zealand the maximum price shall be the appropriate price set out in the Schedule hereto:
 - (b) Where the goods are imported into New Zealand the maximum price shall be the landed cost increased in the case of corrugated sheets by 1s. per square yard, or in the case of flat sheets by 10d. per square yard.
- (2) The prices fixed by the foregoing provisions of this clause are fixed subject to the trade terms of sale existing immediately prior to the 17th day of January, 1949, being maintained.
- (3) (a) Where with respect to any goods manufactured in New Zealand crating charges are incurred, the prices specified in the Schedule hereto with respect to those goods may be increased by the amount of the crating charges incurred, being not more in any case than the following charges:—
 - For flat sheets of $\frac{3}{8}$ in. thickness in ton crates: By 2½d. per square yard.
 - For flat sheets of $\frac{1}{2}$ in. thickness in less than ton crates: By 3d. per square yard.
 - For flat sheets of a greater thickness than $\frac{3}{8}$ in. the appropriate increase set out above may be further increased by such proportion thereof as the extra thickness bears to $\frac{1}{8}$ in.
 - For corrugated sheets in ton crates: By 3d. per square yard.
 - For corrugated sheets in less than ton crates: By 4½d. per square yard.
 - For mouldings and curved sheets: By 15 per cent. of the appropriate maximum price specified in the Schedule hereto.
- (b) Where crating charges calculated in accordance with paragraph (a) of this subclause amount to a sum of less than 11s. 3d. per crate, the charges for each crate may be increased to that sum.
- (4) The prices fixed by the foregoing provisions of this clause are fixed as for delivery at the premises of the wholesaler.
- (5) Where delivery is effected elsewhere than at premises occupied by the wholesaler, he may add to the appropriate price fixed by this Order the reasonable cost of delivery, not exceeding in any case the cost that would have been incurred by him if delivery had been effected by the holder of a goods-service licence under the Transport Licensing Act, 1931 at authorized rates.
6. Every wholesaler who sells any goods to which this Order applies shall state separately in the relevant invoice the following particulars:—
 - (a) The price charged for the goods:
 - (b) The discount allowed (if any):
 - (c) The amount of any crating charges:
 - (d) The amount of any delivery charges.

RETAILERS' PRICES

7. (1) Subject to the provisions of this Order, the maximum price that may be charged or received by a retailer for any goods to which this Order applies shall not exceed the sum of the following amounts:—
 - (a) The prevailing wholesale price of the goods as shown on the relevant invoice:
 - (b) An amount equal to 17½ per cent. of the sum specified in paragraph (a):
 - (c) The appropriate proportion of any transport charges or crating charges incurred by the retailer in respect of the goods.
- Provided, however, with respect to goods imported into New Zealand the amount calculated in accordance with paragraph (b) hereof shall not in any case exceed 8d. per square yard in the case of corrugated sheets or 6d. per square yard in the case of flat sheets.
- (2) Where the retail selling-price for a square yard, a foot, for 100 lineal feet, for a thousand or for any other unit of sale, as the case may be, calculated in accordance with the foregoing provisions of this order—
 - (a) Is less than 2s. 6d., the price shall be computed to the nearest ½d.
 - (b) Is more than 2s. 6d. but less than 5s., the price shall be computed to the nearest 1d.
 - (c) Is more than 5s., the price shall be computed to the nearest 3d.
- (3) In computing the price at which a retailer may sell any goods to which this Order applies no account shall be taken of any discount authorized by subclause (2) of clause 5 hereof.
8. Every person, whether a wholesaler or retailer, who imports any goods to which this Order applies, shall on receipt of the goods, forward to the Director of Price Control in such manner as the Director requires, a return in respect of the goods on the form P.C. 13A: Provided that where an importer has furnished a return under this clause in respect of any goods he shall not be obliged, unless specially requested to do so by the Director, to furnish a return in respect of other goods of the same kind unless—
 - (a) The landed cost of the goods is less than the landed cost of the goods to which the return already made relates; or
 - (b) The landed cost of the other goods is more than the landed cost of the goods to which the return already made relates and the importer proposes to charge more for such other goods.
9. 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 any wholesaler or retailer, may authorize special maximum wholesale or retail prices in respect of any goods to which this Order applies where for any reason extraordinary charges (freight or otherwise) are incurred by the 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 wholesaler or retailer while the approval remains in force.

SCHEDULE

MAXIMUM WHOLESALE PRICES OF GOODS TO WHICH THIS ORDER APPLIES THAT ARE MANUFACTURED IN NEW ZEALAND

Flat sheets—			
Thickness	Price (per square yard)	Price (per square yard)	Price (per square yard)
$\frac{3}{8}$ in.	2s. 11d.	3s. 10d.	5s. 1d.
$\frac{1}{2}$ in.			6s. 3d.
For sheets thicker than $\frac{3}{8}$ in. add to $\frac{3}{8}$ in. price for each additional $\frac{1}{8}$ in. thickness, 2s. 4d. per square yard.			
Cutting—			
Per lineal foot	Per lineal foot	Per lineal foot	Per lineal foot
Straight cuts	Diagonal cuts, plus 12½ per cent.	Special size sheets, plus 10 per cent.	
$\frac{3}{8}$ in.	1d.		
$\frac{1}{2}$ in.	1½d.		
$\frac{5}{8}$ in.	1¾d.		
$\frac{3}{4}$ in.	2d.		
Cover moulds: Thickness, $\frac{1}{8}$ in.—			
Width	Price (per 100 lineal feet)	Price (per 100 lineal feet)	Price (per 100 lineal feet)
1½ in.	13s. 6d.	2 in.	18s. 6d.
2 in.		2½ in.	21s. 9d.