

Price Order No. 1058 (Milk and Cream) (Various Milk Price Districts)

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. 1058, and shall come into force on the 1st day of September, 1949.
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) and includes an institution under the control of any Hospital Board or a separate institution within the meaning of the Hospitals and Charitable Institutions Act, 1926:

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

“Ounce” means fluid ounce as defined in the Weights and Measures Proclamation 1946.*

“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 price districts shall be deemed to be references to the milk price districts described in the Second Schedule hereto.

APPLICATION OF THIS ORDER

4. This Order applies with respect to all milk and cream wherever produced that is sold in any of the milk price 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 Third 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) If any lot of milk to which this Order applies is supplied at one time to a commercial user or a consumer otherwise than in one of the quantities specified in the Third Schedule hereto in respect of sales to those persons, the price of the milk shall be computed at the rate prescribed for the specified quantity that is less than and nearest to the quantity supplied irrespective of the number or type of containers in which the milk is delivered:

Provided that if the quantity of milk supplied in any one lot is less than the smallest specified quantity the price for the lot shall be computed at the rate prescribed in the Third Schedule for the smallest specified quantity.

- (4) The provisions of the last preceding subclause shall, with the necessary modifications, apply to the sale of cream to which this Order applies.

- (5) Subject to the provisions of the next succeeding subclause 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 separately for each lot supplied at a rate not exceeding the appropriate rate fixed by this Order in respect of the quantity supplied in each lot:

Provided that if the total quantity of milk supplied to any one purchaser on 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 for the total quantity shall be computed in accordance with the provisions of this Order as if all the milk supplied on that day had been supplied in one lot.

- (6) Where the quantity of milk supplied at any one time is a lot of a half-pint or less the price of each lot shall be computed separately at the rate prescribed by this Order for a half-pint whether or not an account is rendered to the purchaser of the milk and whether or not the total quantity so supplied on any one day is one gallon or more.

- (7) If the price computed in accordance with this Order for any lot of milk or cream supplied at any one time and sold for cash is not an exact number of pence or half-pence, the price for the lot shall be computed to the next upward halfpenny.

- (8) Where an account is rendered to any purchaser for milk (including milk supplied at any one time in a lot of a half-pint or less) or cream supplied to him during a period comprising more than one day and the total price for all the milk or cream, or milk and cream, to which the account relates is not an exact number of pence or half-pence the total price shall be computed to the next upward halfpenny.

FIRST SCHEDULE

PRICE ORDERS REVOKED BY THIS ORDER

No. of Order Revoked.	Milk District.	Reference in Gazette.
761	Various districts	18th September, 1947, Vol. III, page 1361.
779	Taihape	30th October, 1947, Vol. III, page 1732.
935	Various districts	23rd September, 1948, Vol. III, page 1217.
987	Various districts	31st March, 1949, Vol I, page 865.

SECOND SCHEDULE

MILK PRICE DISTRICTS TO WHICH THIS ORDER RELATES

Description of Milk Price District.	Reference in Gazette.
“Akaroa Milk Price District” means the district within a radius of three miles from the post-office at Akaroa	..
“Amberley Milk Price District” means the district within a radius of two miles from the post-office at Amberley	..
“Arapuni Milk Price District” means the district within a radius of two miles from the post-office at Arapuni	..
“Ashburton Milk Price District” means the district within a radius of five miles from the post-office at Ashburton	..
“Balclutha Milk Price District” means the district within a radius of eight miles from the post-office at Balclutha	..
“Bay of Islands Milk Price District” means the district within a radius of ten miles from the post-office at Paihia	..
“Bluff Milk Price District” means the district comprising the Borough of Bluff and all that area within three miles of the boundaries of the said borough	..
“Bulls-Sanson Milk Price District” means the district within a radius of six miles from the post-office at Sanson	..
“Cambridge Milk Price District” means the district within a radius of ten miles from the post-office at Cambridge	..
“Christchurch Metropolitan Milk Price District” means the Christchurch Metropolitan Milk District constituted under the Milk Act, 1944, by Order in Council dated the 27th day of June, 1945	Gazette, 28th June, 1945, Vol. II, page 839.