

Price Order No. 1089 (Amending Price Order No. 1076) (Apples and Pears)

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 amending Price Order:—

1. This Order may be cited as Price Order No. 1089, and shall be read together with and deemed part of Price Order No. 1076* (hereinafter referred to as the principal Order).
2. This Order shall come into force on the 7th day of November, 1949.
3. The First Schedule to the principal Order as set out in Price Order No. 1085† is hereby revoked, and the following Schedule substituted therefor:—

"FIRST SCHEDULE

"MAXIMUM WHOLESALE PRICES OF APPLES TO WHICH THIS ORDER APPLIES

Variety.	Count.	Maximum Wholesale Prices (Exclusive of Cost of Case).	
		Extra Fancy and Fancy Grade.	Commercial Grade.
		Per Bushel Case.	Per Bushel Case.
<i>Dessert</i>			
Delicious, Tasma, Dougherty, and other varieties except Sturmer	198 and larger	s. d. 20 0	s. d. 20 0
	216 and smaller	15 3	14 3
Sturmer	150 and larger	20 0	18 3
	163/216	15 0	13 0
	234/252	8 3	8 3"

Dated at Wellington, this 2nd day of November, 1949.

The Seal of the Price Tribunal was affixed hereto in the presence of—

[L.S.]

W. J. HUNTER (Judge), President.
P. N. HOLLOWAY, Member.

* Gazette, 15th September, 1949, Vol. III, page 2310.
† Gazette, 20th October, 1949, Vol. III, page 2481.

Price Order No. 1090 (Toys)

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:—

1. This Order may be cited as Price Order No. 1090, and shall come into force on the 7th day of November, 1949.
2. (1) Price Orders Nos. 367,* 438†, and 977‡, and every approval of an authorized wholesale selling-price (other than an approval of an authorized wholesale selling-price for tricycles or pedal kars where the percentage that may be added to the landed cost or the factory selling-price (as the case may be) is less than 22½ per cent. in the case of pedal kars or 20 per cent. in the case of tricycles) or retail selling-price in force under the Control of Prices Act, 1947, and relating to any goods to which this Order applies, are hereby revoked.
- (2) The revocation of the said Orders and approvals 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—

- "Factory selling-price", in relation to toys, means the price for the time being authorized under the Control of Prices Act, 1947, to be charged for the toys by the manufacturer thereof according to whether he sells to a wholesaler or to a retailer or where a retailer manufactures toys for sale by that retailer the price at which those toys may be taken into stock by that retailer:
- "Landed cost", in relation to any toys, means the actual price paid or payable for the toys by the importer thereof, increased by the amount of any landing costs incurred by the importer in respect of the toys:
- "Landing costs", in relation to any toys, means the costs incurred by the importer incidental to the importing of the toys from the country of origin into store at the port of entry in New Zealand, and includes any sales tax payable by the importer in respect of the toys at the port of entry:
- "Prevailing wholesale price", in relation to any toys, means the price for the time being authorized under the Control of Prices Act, 1947, to be charged for the toys by the wholesaler to the retailer buying the toys:
- "Toys" means any goods used or intended to be used by children as playthings or any goods customarily referred to as toys and includes souvenirs which may be used as toys.

(2) No costs shall be deemed to be landing costs within the meaning of this Order unless the method of assessment of the costs has been previously approved in that behalf by the Director of Price Control.

(3) Every person, whether a wholesaler or retailer, who imports any toys to which this Order applies, shall, on receipt of the toys, forward to the Director of Price Control in such manner as the Director requires, a return in respect of the toys on the Form P.C. 13: Provided that where an importer has furnished a return under this clause in respect of any toys he shall not be obliged, unless specially requested to do so by the Director, to furnish a return in respect of other toys of the same kind unless—

- (a) The landed cost of the toys is less than the landed cost of the toys to which the return already made relates; or
- (b) The landed cost of the other toys is more than the landed cost of the toys to which the return already made relates and the importer proposes to charge more for such other toys.

APPLICATION OF THIS ORDER

4. (1) Subject to the following provisions of this Order, this Order applies with respect to all toys (other than Hornby trains, Dinky toys, and Meccano sets) manufactured in New Zealand or imported into New Zealand.

(2) The wholesale prices fixed by this Order do not apply with respect to—

- (a) Tricycles or pedal kars for which an authorized wholesale selling-price based on landed cost or factory selling-price (as the case may be) of less than 20 per cent. in the case of tricycles or less than 22½ per cent. in the case of pedal kars has been approved;
- (b) Imported toys that have not been taken into stock by the wholesaler importing the toys.

FIXING MAXIMUM PRICES OF TOYS TO WHICH THIS ORDER APPLIES

Wholesalers' Prices

5. (1) Subject to the following provisions of this Order the maximum price exclusive of sales tax that may be charged by any wholesaler for any toys to which this Order applies shall be the factory selling-price or the landed cost, as the case may be, increased by the appropriate percentage of that price or cost specified in the Schedule hereto in respect of the toys.

(2) The wholesale percentages fixed in the Schedule hereto are fixed with respect to sales made by a wholesaler at prices that are subject to a discount of less than 2½ per cent. or to no discount and where the terms of sale allow for a cash discount of not less than 2½ per cent. the said percentages may be increased as follows: From 20 per cent. to 23 per cent.; from 22½ per cent. to 25½ per cent.; from 25 per cent. to 28 per cent.

(3) Where freight charges are incurred by a wholesaler in obtaining delivery to his premises of any toys to which this Order applies he may add to the appropriate price calculated in accordance with the provisions of this clause the reasonable cost so incurred, 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.

(4) Every wholesaler who incurs freight charges in obtaining delivery to his premises of any toys to which this Order applies shall keep complete records of all such charges.

* Gazette, 3rd May, 1945, Vol. II, page 471.

† Gazette, 6th September, 1945, Vol. III, page 1135.

‡ Gazette, 24th February, 1949, Vol. I, page 637.