

Price Order No. 1096 (Barley)

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. 1096, and shall come into force on the 17th day of November, 1949.
2. (1) Price Orders Nos. 870* and 959† 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—
 - “Grower”, in relation to barley, means a person engaged in the business of growing barley for sale:
 - “Grower’s station”, in relation to any grower, means the railway-station that is nearest or most convenient of access to the grower’s premises:
 - “Wholesale distributor”, in relation to barley, means any person who purchases barley from a grower for sale to a merchant distributor or who acts as the agent of the grower in the sale of his barley to a merchant distributor:
 - “Merchant distributor”, in relation to barley, means any person who purchases barley from a grower or a wholesale distributor and who sells barley or any product containing barley either whole or processed to a retailer or to a consumer:
 - “Retailer”, in relation to barley means any person who purchases barley from a merchant distributor for sale to a consumer:
 - The expression “f.o.r.s.e.” means “free on rail, sacks extra”, and the expression “f.o.b.s.e.” means “free on board, sacks extra”:
 - The expression “f.o.r.s.i.” means “free on rail, sacks included” and the expression “f.o.b.s.i.” means “free on board, sacks included”.
4. The provisions of this Order shall apply notwithstanding that any barley to which this Order is applicable is sold otherwise than by weight.
5. The several prices fixed by this Order apply with respect to sales by auction as well as to other sales.
6. In computing the weight of any lot of barley to which this Order applies that is sold on the basis of sacks extra the weight of the sacks shall be excluded.
7. In computing the weight of any lot of barley to which this Order applies that is sold on the basis of sacks included the weight of the sacks shall be included.
8. Where any barley to which this Order applies is sold on the basis of sacks extra the maximum amount that may be charged for the sacks, shall be: For 48 in. by 26½ in. sacks, 3s. 1d. each; for 46 in. by 23 in. sacks, 2s. 8d. each.
9. (1) This Order does not apply to—
 - (a) Malting barley, that is barley sold for malting purposes;
 - (b) Black skinless barley or white skinless barley; or
 - (c) Any machine-dressed barley that is sold by a distributor or a reseller for seed purposes.
- (2) Except as provided in the last preceding subclause, this Order applies with respect to all barley grown in New Zealand.
- (3) The provisions of this Order fixing growers’ prices shall apply only with respect to barley grown from seed sown on or after the 1st day of March, 1948.

FIXING MAXIMUM PRICES OF BARLEY TO WHICH THIS ORDER APPLIES
Growers’ Prices

10. (1) Subject to the following provisions of this clause, the maximum price that may be charged or received by any grower for any barley to which this Order applies shall be determined as follows:—
 - When grown in the South Island: 6s. 2d. per bushel f.o.r.s.e. the grower’s station.
 - When grown in the North Island: 7s. 2d. per bushel f.o.r.s.e. the grower’s station.
- (2) Where any barley is delivered by a grower otherwise than f.o.r.s.e. the grower’s station, the price that may be charged by the grower shall be the appropriate price in terms of the foregoing provisions of this clause, increased by the amount of the charges (if any) incurred by the grower in effecting delivery and then reduced by the amount of the charges that would have been incurred by him if he had delivered the barley f.o.r.s.e. the grower’s station.

Wholesale Distributor’s Prices

11. (1) The maximum price (sacks included) that may be charged or received by any wholesale distributor for any barley to which this Order applies that has been grown in the South Island and is sold to a merchant distributor in the North Island shall be the sum of the following amounts:—
 - (a) The price actually paid or payable to the grower:
 - (b) The amount of any transport, grading, or branding charges actually incurred by the wholesale distributor:
 - (c) An amount not exceeding ¼d. per bushel on account of brokerage actually incurred:
 - (d) An amount calculated at the rate of 3¼d. per bushel:
 - (e) An amount calculated at the rate of 8d. per bushel with respect to sacks of the size 48 in. by 26½ in. or 9¼d. per bushel with respect to sacks of the size 46 in. by 23 in.:
- Provided, that the total amount calculated in accordance with paragraphs (a), (b), (c), (d), and (e) shall not in any case exceed an amount equivalent to the appropriate f.o.b.s.i. price set out hereunder, where the barley is sold in sacks of the size 48 in. by 26½ in. or that amount increased by a 1¼d. per bushel where the barley is sold in sacks of the size 46 in. by 23 in.

When Sold for Delivery	Dunedin or Bluff.	Oamaru, Timaru, or Lyttelton.	Blenheim.	Picton or Nelson.
Not later than May in the year following the date of sowing ..	s. d. 7 8½	s. d. 7 7	s. d. 7 6	s. d. 7 8
During the month of June	7 9½	7 8	7 7	7 9
During the month of July	7 10½	7 9	7 8	7 10
During the month of August	7 11½	7 10	7 9	7 11
During the months of September to January next following the previous season’s harvest	8 0½	7 11	7 10	8 0

- (f) An amount calculated at the rate of 1d. per bushel in respect of each of the months June to September and at the rate of ¼d. per bushel in respect of each of the months October to December (in all cases exclusive of the month in which the barley was delivered to the wholesale distributor) during which the barley is held by the wholesale distributor undelivered: Provided that for the purposes of this paragraph a part of a month shall be deemed to be a complete month; provided, further, that a wholesale distributor shall be entitled to an amount under this paragraph only in respect of each of the aforesaid months that first fall within a period of twelve months following the date on which the barley was harvested:
 - (g) The amount of any through-store charges actually incurred by the wholesale distributor but not more in any case than an amount calculated at the rate of 3¼d. per bushel with respect to barley taken into store on or before the 31st day of May or 2¼d. per bushel with respect to barley taken into store after the 31st day of May: Provided that where any through-store charges have previously been incurred any subsequent through-store charges shall not in any case exceed 2¼d. per bushel irrespective of the date on which the barley was taken into store:
 - (h) In any case where through-store charges are incurred at any point beyond the grower’s station and before the point of f.o.b., an amount not exceeding 1d. per bushel to cover the cost of any transport charges actually incurred in excess of those that would have been incurred had delivery been effected direct from the grower’s station to the point of f.o.b.
- (2) The maximum price (sacks included) that may be charged or received by any wholesale distributor for any other barley to which this Order applies shall be the sum of the following amounts:—
 - (a) The price actually paid or payable to the grower:
 - (b) An amount calculated at the rate of 8d. per bushel with respect to sacks of the size 48 in. by 26½ in. or 9¼d. per bushel with respect to sacks of the size 46 in. by 23 in.
 - (c) The amount of any transport, grading, or branding charges actually incurred by the wholesale distributor:
 - (d) An amount not exceeding ¼d. per bushel on account of brokerage actually incurred:

* Gazette, 15th April, 1948, Vol. I, page 402.

† Gazette, 23rd December, 1948, Vol. III, page 1603.