

## Price Order No. 1095 (White Oats)

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. 1095, and shall come into force on the 17th day of November, 1949.
2. (1) Price Orders Nos. 858,\* 877†, and 960‡ 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—

- “Certified seed oats” means oats that have been certified as “pedigree seed”, “mother seed”, or “standard seed” in accordance with the scheme of certification of seed oats operated under the control of the Department of Agriculture:
- “Wholesale distributor”, in relation to oats, means any person who purchases oats from a grower for sale to a miller or to a merchant distributor or who acts as the agent of a grower in the sale of his oats to a merchant distributor:
- “Grower”, in relation to oats, means a person engaged in the business of growing oats 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:
- “Miller”, in relation to oats, means any person engaged in the business of milling oats for human consumption:
- “Merchant distributor”, in relation to oats, means any person who purchases oats from a grower or a wholesale distributor and who sells oats or any product containing oats either whole or processed to a retailer or to a consumer:
- “Retailer”, in relation to oats, means any person who purchases oats 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 oats to which this Order is applicable are 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 oats 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 oats 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 oats to which this Order applies are sold on the basis of sacks extra the maximum price 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.

## APPLICATION OF THIS ORDER

9. (1) This Order does not apply to any machine-dressed white oats that are sold by a wholesale distributor or a merchant distributor for seed purposes, or to any certified seed oats.

(2) Except as provided in the last preceding subclause, this Order applies with respect to all white oats grown in New Zealand from seed sown on or after the 1st day of March, 1948.

## FIXING MAXIMUM PRICES OF OATS TO WHICH THIS ORDER APPLIES

## Growers' Prices

10. (1) Subject to the following provision of this clause, the maximum price that may be charged or received by any grower for any oats to which this Order applies shall be determined as follows:—

When Sold for Delivery.	Maximum Price per Bushel f.o.r.s.e. the Grower's Station.	
	When Grown in the South Island.	When Grown in the North Island.
Not later than May in the year following the date of sowing .. .. .	s. d. 5 0	s. d. 6 0
During the month of June .. .. .	5 1	6 1
During the month of July .. .. .	5 2	6 2
During the month of August .. .. .	5 3	6 3
During the months of September to December in the year following the date of sowing .. .. .	5 4	6 4

(2) Where any oats are sold by a grower “ex farm”, the maximum price that may be charged by him shall be the appropriate maximum price fixed by subclause (1) hereof reduced by the amount of 2½d. per bushel.

(3) Where any oats are sold by a grower otherwise than “f.o.r.s.e.” or “ex farm”, the maximum price that may be charged by him shall be the appropriate maximum “ex farm” price in accordance with subclause (2) hereof increased by the amount of the charges incurred by the grower in effecting delivery, being not more in any case than the charges that would have been incurred had delivery been effected by a common carrier at current freight rates.

## Wholesale Distributors' Prices

11. (1) The maximum price (sacks extra) that may be charged or received by any wholesale distributor for any oats to which this Order applies that are sold to a miller 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 in effecting delivery:
- (c) An amount not exceeding ¾d. per bushel on account of brokerage actually incurred:
- (d) An amount calculated at the rate of 1½d. per bushel:
- (e) 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 ¾d. per bushel in respect of each of the months October to December (in all cases exclusive of the month in which the oats were delivered to the wholesale distributor) during which the oats are 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 such of the aforesaid months that first fall within a period of twelve months following the date on which the oats were harvested:
- (f) 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 3½d. per bushel with respect to oats taken into store on or before the 31st day of May, or 2½d. per bushel with respect to oats 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 2½d. per bushel irrespective of the date on which the oats were taken into store.

(2) The maximum price (sacks included) that may be charged or received by any wholesale distributor for any white oats to which this Order applies that have been grown in the South Island and are 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 ¾d. per bushel on account of brokerage actually incurred:
- (d) An amount calculated at the rate of 8d. 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 9½d. per bushel with respect to sacks of the size 46 in. by 23 in.