

Price Order No. 1751 (Phosphatic Fertilisers)

PURSUANT to the Control of Prices Act 1947, the Price Tribunal hereby makes the following price order:

1. This order may be cited as Price Order No. 1751, and shall come into force on the 19th day of September 1958.
2. (1) Price Order No. 1708* 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.

APPLICATION OF THIS ORDER

3. (1) Subject to the next succeeding subclause, this order applies with respect to phosphatic fertilisers of the following kinds manufactured or prepared in New Zealand and sold for use in New Zealand.
 - (a) Superphosphate, including granular.
 - (b) Serpentine superphosphate comprising 15 cwt of superphosphate and 5 cwt of ground serpentine rock per ton.
 - (c) Reverted superphosphate comprising 15 cwt of superphosphate and 5 cwt of carbonate of lime per ton.
 - (d) Aerial superphosphate comprising 18 cwt of superphosphate and 2 cwt of serpentine rock per ton.
 - (e) Finely ground Nauru or Ocean Island rock phosphate.
- (2) Nothing in this order shall apply with respect to any phosphatic fertilisers sold in a quantity of less than one ton.

FIXING MAXIMUM PRICES OF PHOSPHATIC FERTILISERS TO WHICH THIS ORDER APPLIES

4. (1) The prices for phosphatic fertilisers fixed by this order are fixed in respect of sales of the following classes, namely:
 - (a) Sales to a user—that is to say, to a person purchasing for his own use and not for the purpose of resale.
 - (b) Sales to a storekeeper—that is to say, to a person (not being a merchant, dairy company, or farmers' organisation as hereinafter mentioned) purchasing solely for resale to users.
 - (c) Sales to a merchant—that is to say, to a person purchasing for resale to storekeepers or to users.
 - (d) Sales to a dairy company, as defined in section 2 of the Dairy Industry Act 1952, purchasing solely for resale to persons being suppliers of milk or cream to the company.
 - (e) Sales to an incorporated farmers' organisation, having a retail department conducted on a cooperative basis, and purchasing phosphatic fertilisers solely for the purpose of resale to its members.
- (2) The prices for phosphatic fertilisers fixed by this order are fixed in respect of sales for cash or for credit until a date not later than the 20th day of the month next following the month of delivery.
- (3) Where any sale is made on terms allowing credit for a longer period than that mentioned in the last preceding subclause, the purchaser shall be entitled, notwithstanding anything to the contrary in the contract of sale, to the benefit of the prices fixed by this order if in fact payment is made not later than the 20th day of the month next following the month of delivery.
- (4) The prices fixed by this order include the price of the containers.
5. (1) Where any phosphatic fertilisers manufactured in the South Island are sold for delivery "ex works" or "free on rail" at Burnside, or Ravensbourne, the maximum price that may be charged or received shall be the appropriate price specified in the First Schedule hereto.
- (2) Where any phosphatic fertilisers manufactured in the South Island at Hornby are sold for delivery "ex works" or "free on rail" at that place, the maximum price that may be charged or received shall be the appropriate price specified in the Second Schedule hereto.
- (3) Where any phosphatic fertilisers manufactured in the North Island are sold for delivery "ex works" or "free on rail" at Mt. Maunganui, Otahuhu, Smart Road (New Plymouth), Te Papapa, or Westfield, the maximum price that may be charged or received shall be the appropriate price specified in the Third Schedule hereto.
- (4) Where any phosphatic fertilisers manufactured in the North Island at Aramoho are sold for delivery "ex works" or "free on rail" at that place, the maximum price that may be charged or received shall be the appropriate price specified in the Fourth Schedule hereto.
- (5) Where any phosphatic fertilisers manufactured in the North Island at Awatoto are sold for delivery "ex works" or "free on rail" at that place, the maximum price that may be charged or received shall be the appropriate price specified in the Fifth Schedule hereto.
- (6) Where any phosphatic fertilisers manufactured in the North Island at Morrinsville are sold for delivery "ex works" or "free on rail" at that place, the maximum price that may be charged shall be the appropriate price specified in the Sixth Schedule hereto.
- (7) Where any phosphatic fertilisers manufactured in the South Island at Awarua are sold for delivery "ex works" or "free on rail" at that place, the maximum price that may be charged or received shall be the appropriate price specified in the Seventh Schedule hereto.
- (8) In the case of sales in bulk (i.e., not in containers of any kind) the prices fixed in the First, Second, Third, Fourth, Fifth, Sixth, or Seventh Schedule hereto, whichever is appropriate, shall be reduced by the sum of £1 1s. 6d. per ton in respect of each class of sale.
- (9) Where any phosphatic fertilisers are sold for delivery elsewhere than at one of the places mentioned in subclauses (1), (2), (3), (4), (5), (6), and (7) of this clause, the maximum price that may be charged or received shall be the appropriate price fixed in the First, Second, Third, Fourth, Fifth, Sixth, or Seventh Schedule hereto, whichever is appropriate, increased by the amount of the freight charges between the place of manufacture and the place of delivery: Provided that the amount added to the price in respect of freight charges shall not in any case exceed the amount that would have been incurred had delivery been effected by the holder of a goods-service licence under the Transport Act 1949 at authorised rates.
- (10) In every invoice, debit note, or similar document issued by a vendor to a user in respect of the sale of any phosphatic fertiliser, there shall be shown separately:
 - (a) The price of the phosphatic fertilisers fixed in accordance with this order; and
 - (b) The additional amount (if any) payable by the purchaser in respect of freight charges.

SPECIAL PRICES WHERE EXTRAORDINARY CHARGES INCURRED

6. 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 vendor of phosphatic fertiliser to whom this order applies, may authorise special prices in respect of any phosphatic fertiliser to which this order applies where special circumstances exist or for any reason extraordinary charges (freight or otherwise) are incurred by such vendor. Any authority given by the Tribunal under this clause may apply with respect to a specified lot or consignment of phosphatic fertiliser or may relate generally to all phosphatic fertiliser to which this order applies sold by such vendor while the approval remains in force.

FIRST SCHEDULE

FIXING MAXIMUM PRICES (CONTAINERS INCLUDED) FOR PHOSPHATIC FERTILISERS MANUFACTURED IN THE SOUTH ISLAND AND SOLD AT BURNSIDE OR RAVENSBOURNE

Class of Sale	Maximum Price per Ton for Cash or on Monthly Account			
	Superphosphate, Serpentine Superphosphate, and Aerial Superphosphate in Containers	Reverted Superphosphate in Containers	Finely-ground Rock Phosphate in Containers	Granulated Superphosphate in Containers
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(a) To a user	9 16 0	9 9 0	10 3 6	10 6 0
(b) To a storekeeper	9 13 0	9 6 0	10 0 6	10 3 0
(c) To a merchant	9 9 0	9 2 0	9 16 6	9 19 0
(d) To a dairy company				
(e) To a farmers' organisation				