# SUPPLEMENT

TO THE

# NEW ZEALAND GAZETTE

OF

THURSDAY, 28 MAY 1959

*Published by Authority*

WELLINGTON: FRIDAY, 29 MAY 1959


*The Control of Prices (Positive List) Notice 1957, Amendment No. 17*

PURSUANT to the Control of Prices Act 1947, the Minister of Industries and Commerce hereby gives the following notice:

1. This notice may be cited as the Control of Prices (Positive List) Notice 1957, Amendment No. 17, and shall be read together with and deemed to be part of the Control of Prices (Positive List) Notice 1957* (hereinafter referred to as the principal notice).

2. The notice shall come into force on the 30th day of May 1959.

3. The principal notice shall cease to apply in respect of the goods set out in the Schedule hereto.

4. The principal notice is hereby consequentially amended by omitting from the Schedule thereto all references to the goods referred to in the Schedule hereto in respect of which, pursuant to clause 3 thereof, the principal notice no longer applies.

SCHEDULE

INTOXICATING liquor, within the meaning of the Licensing Act 1908, when served to the purchaser in a lounge or dining room by the licensee or his servant and not directly to the purchaser over a counter.

Dated at Wellington this 28th day of May 1959.

P. N. HOLLOWAY,
Minister of Industries and Commerce.

**Gazette*, 14 March 1957, Vol. I, p. 478

*Price Order No. 1777 (Spirits and Beer)*

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. 1777, and shall come into force on the 30th day of May 1959.

2. (1) Price Orders Nos. 1745* and 1760† are 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.

3. (1) In this order, unless the context otherwise requires,—

"Beer" includes ale, beer, stout, porter, and all other malt liquors in respect of which beer duty in accordance with Part III of the Finance Act 1915 is payable:

"Branded container" means a container indelibly branded in such a manner as to indicate clearly the capacity of the container.

"Licensing Trust" means any licensing trust now or hereafter established under any Act:

"Original bottle", in relation to any sale, means any bottle filled in accordance with customary trade practice and to its normal capacity prior to and not for the purpose of that sale:

"Ounce" means fluid ounce as defined in the Weights and Measures Proclamation 1946‡:

"Spirits" means whisky, rum, brandy, or gin:

"Standard measure" means five-eighths of an ounce.

(2) Terms and expressions defined in the Licensing Act 1908, when used in this order, have the meanings severally assigned thereto by that Act.

(3) For the purposes of this order a Licensing Trust shall be deemed to be the holder of a publican's licence, and any premises maintained by a Licensing Trust in which liquor is sold or supplied shall be deemed to be licensed premises, and the person for the time being charged with the management of any such premises shall be deemed to be the licensee thereof.

APPLICATION OF THIS ORDER

4. (1) Subject to the provisions of this order, this order applies with respect to the sale by the holder of a publican's licence, tourist house licence, or accommodation licence for consumption on licensed premises, and to the sale by the holder of a conditional licence under the authority of that licence, of drinks containing spirits or beer.

(2) This order shall not apply to any liquor served in a lounge or dining room.

(3) For the purposes of this order liquor shall be deemed to be served in a lounge or a dining room only if it is served to the purchaser by the licensee or his servant in the lounge or dining room and not directly to the purchaser over a counter.

(4) This order shall not apply to any liquor sold by the bottle and in its original bottle.

FIXING MAXIMUM PRICES OF SPIRITS TO WHICH THIS ORDER APPLIES

5. (1) Subject to the provisions of this order, the maximum price that may be charged by the holder of a publican's licence, a tourist house licence, or an accommodation licence for consumption on licensed premises, or by the holder of a conditional licence under the authority of that licence, for any drink containing spirits shall be—

(a) Where the quantity of spirits contained in the drink is less than a full standard measure, 9d.

(b) Where the quantity of spirits contained in the drink is a full standard measure, or more than a full standard measure, 1s. 3d. for each full standard measure.

(2) (i) Where the purchaser of any drink containing spirits requests a split-sized bottle of aerated water to be served with the drink, an additional charge may be made for such bottle.

(ii) For the purposes of this order the term "split-sized" in relation to any bottle means a bottle containing approximately 6 oz and known in the hotel trade as split-sized.

(iii) Except as provided in paragraph (i) hereof, no additional charge may be made where any flavouring or diluting ingredient of a non-intoxicating nature is added to the drink.

(3) This clause shall not apply to drinks containing more than one kind of spirits.

(4) The maximum price of any brandy sold on licensed premises (otherwise than by the original bottle) for consumption off the licensed premises shall be at the rate of 1s. 8d. per ounce. In addition to that price a reasonable price may be charged for the bottle in which the brandy is delivered to the purchaser, but any charge so made shall be refunded to the purchaser on the return of the bottle.

FIXING MAXIMUM PRICES OF BEER TO WHICH THIS ORDER APPLIES

6. (1) Subject to the provisions of this order, the maximum price that may be charged for beer by the licensee of licensed premises for consumption on the premises shall be—

(a) Where the beer is served in a branded container of a capacity of 12 oz: 1s.

(b) Where the beer is served in a branded container of a capacity of 8 oz: 9d.

(c) Where the beer is served in a container of a capacity of 5 oz or less: 6d.

(2) Subject to the provisions of clause 7 hereof where, at the request of the purchaser, beer is served in a container other than of a capacity of 12 oz, 8 oz, or 5 oz, the maximum price that may be charged by the licensee as aforesaid, shall be—

(a) For beer served in a container of a capacity of less than 12 oz but more than 8 oz: 1s.

(b) For beer served in a container of a capacity of less than 8 oz but more than 5 oz: 9d.

(c) For beer served in a container of a capacity of less than 5 oz: 6d.

(3) As soon as practicable after the date of the commencement of this order, but not later than 1 December 1959, every person to whom this order applies shall have available a sufficient supply of branded containers of a capacity of 8 oz and 12 oz respectively.

(4) Where branded containers are available in accordance with this order, but not later than 1 December 1959, every person to whom this order applies shall, in accordance with the request of any purchaser, serve beer to that purchaser in a branded container of a capacity of 12 oz or 8 oz or in a container of a capacity of 5 oz.

7. (1) Until such time as branded containers are available in accordance with this order, but not later than 1 December 1959, the maximum price that may be charged by the licensee as aforesaid shall be—

(a) Where the beer is served in a container of a capacity of 5 oz or less: 6d.

(b) Where the beer is served in a container of a capacity of more than 5 oz but less than 9 oz: 9d.

(c) Where the beer is served in a container of a capacity of 9 oz or more: 9d. increased by 1d. for every complete oz by which the capacity of the container exceeds 9 oz.

(2) Unless the purchaser otherwise requests, no beer the subject of a sale to which this clause applies shall be served in a container of a capacity of less than 8 oz.

8. Notwithstanding the provisions of this order, where beer is served in a container filled from the original bottle, the maximum price of the drink shall be 9d. irrespective of the quantity served and the provisions of this order relating to branded containers shall have no application in any such case.

9. Notwithstanding the provisions of this order the maximum price that may be charged for beer by the holder of a conditional licence under the authority of that licence shall be 8d. irrespective of the quantity served, provided that where the beer is served in a container filled from the original bottle the maximum price shall be 9d. irrespective of the quantity served, and the provisions of this order relating to branded containers shall not apply in any such case.

10. Any container in which beer is served by a person to whom this order applies shall be filled as near as reasonably possible to its full capacity.

11. Where the purchaser of beer requests the addition of any flavouring or diluting ingredient of a non-intoxicating nature to his drink, the provisions of this clause shall apply as if all the drink consisted of beer.

GENERAL

12. 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 the licensee of any licensed premises or by the holder of a conditional licence, may authorise special maximum prices in respect of any drinks to which this order applies where special circumstances exist or for any reason extraordinary charges (freight or otherwise) are incurred by the applicant. Any authority given by the Tribunal under this clause may apply with respect to a particular drink or class of drinks or may relate generally to drinks to which this order applies sold by the applicant while the approval remains in force. Any authority given under this clause shall be exhibited in the manner prescribed by clause 13 hereof in respect of price orders.

13. Every licensee of any licensed premises, and every holder of a conditional licence, shall keep a copy of this price order or a statement of the retail prices fixed thereby prominently displayed in every place in the licensed premises where drinks are sold or in every place of sale or disposal of liquor under the authority of the conditional licence (as the case may be) in such a position that customers may examine the price order or statement without having to ask for its production and without having to obtain permission to examine it.

Dated at Wellington this 28th day of May 1959.

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

A. E. DAVEY, Presiding Member.
R. D. CHRISTIE, Member.

*Gazette*, 4 July 1958, Vol. II, p. 895
†*Gazette*, 18 December 1958, Vol. III, p. 1864
‡S.R. 1946/68, p. 141

*Price 6d.* BY AUTHORITY: R. E. OWEN, GOVERNMENT PRINTER, WELLINGTON, NEW ZEALAND—1959