

Order No. 1 (1961) of the Trade Practices and Prices Commission

In the matter of the Trade Practices Act 1958 and in the matter of an agreement or arrangement between the members of the New Zealand Federation of Funeral Directors (Incorporated) and its constituent Associations in respect of funeral and burial services.

WHEREAS the Trade Practices and Prices Commission has pursuant to section 18 of the Trade Practices Act 1958 conducted an inquiry into an agreement or arrangement between the Auckland and Provincial Funeral Directors' Association, the Wellington Provincial Funeral Directors' Association, the H.B. and East Coast Funeral Directors' Association, the Canterbury, Westland, Nelson and Marlborough Funeral Directors' Association, and the Otago and Southland Funeral Directors' Association respectively being the members of the New Zealand Federation of Funeral Directors (Incorporated) and the members of the said constituent Associations respectively whereby the members of the said Federation and the members of the said constituent Associations agreed that they will perform adult funeral and burial services at not less than an agreed minimum charge

And whereas the Trade Practices and Prices Commission is of opinion that the said agreement or arrangement is a trade practice which is contrary to the public interest now therefore the Trade Practices and Prices Commission pursuant to sections 19 and 21 of the Trade Practices Act 1958 by consent hereby orders the members of the said Federation and the members of its constituent Associations to terminate the said agreement or arrangement

And further orders the members of the said Federation and of its constituent Associations not to revive the said agreement or arrangement or to enter into any agreement or arrangement of substantially the same nature or to repeat in any form the said trade practice

And further orders the said Federation to rescind not later than the 31st day of May 1961 its resolution passed on the 19th day of February 1958 embodying a minimum charge for an adult funeral of £39 plus the usual disbursements

And further orders the said Federation not to adopt any resolution of substantially the same nature embodying a minimum charge for performing funeral burial or allied services in connection with non-contract funerals

And further orders the said Federation and the said constituent Associations to advise their respective members in writing on or before the 30th day of April 1961 that they are not bound to adopt a minimum charge for an adult funeral of £39 plus the usual disbursements.

Dated at Wellington this 10th day of March 1961.

The seal of the Trade Practices and Prices Commission was affixed hereto in the presence of—

[L.S.] S. T. BARNETT, Chairman.
R. D. CHRISTIE, Member.
F. F. SIMMONS, Member.

(I. and C.)

Order No. 2 (1961) of the Trade Practices and Prices Commission

In the matter of the Trade Practices Act 1958 and in the matter of an agreement or arrangement between the New Zealand Federation of Funeral Directors (Incorporated) and its member Associations in respect of removal and allied services.

WHEREAS the Trade Practices and Prices Commission has pursuant to section 18 of the Trade Practices Act 1958 conducted an inquiry into an agreement or arrangement between the New Zealand Federation of Funeral Directors (Incorporated) and its member Associations the Auckland and Provincial Funeral Directors' Association, the Wellington Provincial Funeral Directors' Association, the H.B. and East Coast Funeral Directors' Association, the Canterbury, Westland, Nelson and Marlborough Funeral Directors' Association, and the Otago and Southland Funeral Directors' Association covering removal and allied services to be performed on behalf of the Police Department of the Government of New Zealand whereby the said Federation agrees to contract on behalf of the members of the said Associations with the Police Department in respect of the performance by the said members of removal and allied services at the direction of the Police or a Coroner upon terms and conditions agreed upon between the said Federation and the Police Department

And whereas the Trade Practices and Prices Commission is of opinion that the said agreement or arrangement is a trade practice which is contrary to the public interest now therefore the Trade Practices and Prices Commission pursuant to sections 19 and 21 of the Trade Practices Act 1958 by consent hereby orders the said Federation to terminate the said agreement or arrangement as from and including the 1st day of May 1961

And further orders the said Federation and its member Associations as from and including the said 1st day of May 1961 not to revive the said agreement or arrangement or to enter into any agreement or arrangement of substantially the same nature

And further orders the said Federation to discontinue the practice of entering into contracts for removal and allied services with the Police Department on behalf of the members of the said Associations and to terminate any such existing contracts on the 30th day of April 1961

And further orders the said Federation not to revive the said practice of entering into contracts on behalf of the members of the said Associations or to observe any other practice of substantially the same nature or to repeat in any form the said practice

And further orders the said Federation and its member Associations respectively to advise each of their members in writing on or before the 30th day of April 1961 that no further such contracts will be made on their behalf and that each Association member will as from the date of publication of this order be free to tender individually for such contracts at such price or prices and on such terms and conditions as such member may determine.

Dated at Wellington this 10th day of March 1961.

The seal of the Trade Practices and Prices Commission was affixed hereto in the presence of—

[L.S.] S. T. BARNETT, Chairman.
R. D. CHRISTIE, Member.
F. F. SIMMONS, Member.

(I. and C.)

Order No. 3 (1961) of the Trade Practices and Prices Commission

In the matter of the Trade Practices Act 1958 and in the matter of the agreements or arrangements between the Auckland and Provincial, the Wellington Provincial, the Canterbury, Westland, Nelson and Marlborough, and the Otago and Southland Funeral Directors' Association respectively and their respective members in respect of funeral burial and allied services.

WHEREAS the Trade Practices and Prices Commission has pursuant to section 18 of the Trade Practices Act 1958 conducted an inquiry into the respective agreements or arrangements between the Auckland and Provincial Funeral Directors' Association and its members, the Wellington Provincial Funeral Directors' Association and its members, the Canterbury, Westland, Nelson, and Marlborough Funeral Directors' Association and its members, and the Otago and Southland Funeral Directors' Association and its members covering funeral burial and allied services to be performed on behalf of the New Zealand Government Stores Board whereby the said respective Associations agree to contract on behalf of their respective members with the New Zealand Government Stores Board in respect of the performance by the said members of funeral burial and allied services of patients of hospitals of the Mental Hygiene Division of the Department of Health upon terms and conditions agreed upon between the said respective Associations and the New Zealand Government Stores Board

And whereas the Trade Practices and Prices Commission is of opinion that the said agreements or arrangements are trade practices which are contrary to the public interest now therefore the Trade Practices and Prices Commission pursuant to sections 19 and 21 of the Trade Practices Act 1958 by consent hereby orders the said Associations and their members respectively to terminate the said agreements or arrangements as from and including the 1st day of May 1961

And further orders the said Associations and their members respectively as from and including the said 1st day of May 1961 not to revive the said agreements or arrangements or to enter into any agreements or arrangements of substantially the same nature

And further orders the said Associations to discontinue the said practice of entering into contracts for funeral burial and allied services with the New Zealand Government Stores Board on behalf of the members of the said Associations and to terminate any such existing contracts on the 30th day of April 1961

And further orders the said Associations not to revive the said practice of entering into contracts on behalf of the members of the said Associations or to observe any other practice of substantially the same nature or to repeat in any form the said practice

And further orders the said Associations to advise each of their members in writing on or before the 30th day of April 1961 that no further such contracts will be made on their behalf and that each Association member will as from the date of publication of this order be free to tender individually for such contracts at such price or prices and on such terms and conditions as such member may determine.

Dated at Wellington this 10th day of March 1961.

The seal of the Trade Practices and Prices Commission was affixed hereto in the presence of—

[L.S.] S. T. BARNETT, Chairman.
R. D. CHRISTIE, Member.
F. F. SIMMONS, Member.

(I. and C.)