

Price Order No. 1853 (Basic Poultry Ration)

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

PRELIMINARY

1. This order may be cited as Price Order No. 1853, and shall come into force on the 1st day of September 1961.
2. (1) Price Order No. 1837* is hereby revoked.
(2) The revocation of the said price 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. In this order:
 - “Auckland Metropolitan Area” means the City of Auckland, the Boroughs of Birkenhead, Devonport, Ellerslie, Mount Albert, Mount Eden, Mount Roskill, Mount Wellington, New Lynn, Newmarket, Northcote, Onehunga, One Tree Hill, Otahuhu, and Takapuna.
 - “Wellington Metropolitan Area” means the Cities of Wellington and Lower Hutt, the Boroughs of Eastbourne and Petone.
 - “Christchurch Metropolitan Area” means the City of Christchurch and the Boroughs of Riccarton and Lyttelton.
 - “Dunedin Metropolitan Area” means the City of Dunedin and the Boroughs of Green Island, Port Chalmers, St. Kilda, and West Harbour.
 - “Basic Poultry Ration” means a poultry food that has been manufactured to conform to the formula set out in the First Schedule to this order, provided that no poultry food shall be deemed to be basic poultry ration for the purposes of this order unless the container in which it is sold, exposed, or offered for sale is clearly marked with the words “Basic Poultry Ration”.
 - “Merchant” means a person who in the customary course of his business sells basic poultry ration both to retailers and to consumers, and with respect to sales made by a manufacturer to a retailer or to a consumer includes a manufacturer.
 - “Retailer” means a person who sells basic poultry ration to consumers only.
 - “Ton” means 2,000 lb.
 - “Bushel” means 20 lb.
 - The expression “f.o.r.” means “free on rail”, and the expression “f.o.b.” means “free on board”.
 - “Delivered” means delivered to the premises of the purchaser.

APPLICATION OF THIS ORDER

4. This order applies with respect to any basic poultry ration, and to any other poultry food consisting of more than one ingredient sold in New Zealand.

FIXING MAXIMUM PRICES OF BASIC POULTRY RATION TO WHICH THIS ORDER APPLIES

Manufacturers' Prices

5. (1) Subject to the following provisions of this order the maximum price that may be charged or received by any manufacturer carrying on business at one of the places specified in the Second Schedule hereto for any basic poultry ration to which this order applies, shall be the appropriate price specified in the said Schedule, and with respect to any other poultry food consisting of more than one ingredient, shall be the appropriate price fixed in the Second Schedule hereto reduced at the rate of £7 per ton unless a price order or a special approved price is in force with respect to such other poultry food.
(2) Subject to the following provisions of this order the maximum price that may be charged or received by any manufacturer carrying on business elsewhere than at one of the places specified in the Second Schedule hereto for any basic poultry ration to which this order applies, shall be the price that may be charged by the manufacturer carrying on business at the nearest specified place increased by the amount of the freight charges that would have been incurred had the basic poultry ration been conveyed at current rates from such nearest place to the premises of the manufacturer.
(3) The prices fixed by the foregoing provisions of this clause are fixed as for delivery at the premises of the manufacturer.

Merchants' Prices

6. (1) Subject to the following provisions of this order the maximum price that may be charged or received by any merchant carrying on business at one of the places specified in the Second Schedule hereto for any basic poultry ration to which this order applies, shall be the appropriate price specified in the said Schedule, and with respect to any other poultry food consisting of more than one ingredient, shall be the appropriate price fixed in the Second Schedule hereto reduced at the rate of £7 per ton unless a price order or a special approved price is in force with respect to such other poultry food.
(2) Subject to the following provisions of this order the maximum price that may be charged or received by any merchant carrying on business elsewhere than at one of the places specified in the Second Schedule hereto for any basic poultry ration to which this order applies, shall be the price that may be charged by the merchant carrying on business at the nearest specified place increased by the amount of any freight charges actually incurred between the place of purchase and the merchant's store.

Retailers' Prices

7. (1) Subject to the following provisions of this order the maximum price that may be charged or received by any retailer carrying on business at one of the places specified in the Second Schedule hereto for any basic poultry ration to which this order applies, shall be the appropriate price specified in the said Schedule, and with respect to any other poultry food consisting of more than one ingredient, shall be the appropriate price fixed in the Second Schedule hereto reduced at the rate of £7 per ton unless a price order or a special approved price is in force with respect to such other poultry food.
(2) Subject to the following provisions of this order, the maximum price that may be charged or received by any retailer carrying on business elsewhere than at one of the places specified in the Second Schedule hereto for any mash to which this order applies shall be the lesser of (a) the price that may be charged by a retailer carrying on business at the nearest specified place increased by the appropriate proportion of any freight charges actually incurred between that place and the retailer's store, or (b) the price that may be charged by a retailer carrying on business in the specified place from which the mash was purchased, increased by the appropriate proportion of any freight charges actually incurred between that place and the retailer's store.

General

8. (1) With respect to basic poultry ration the maximum prices fixed by the foregoing provisions of this order are fixed in relation to quantities, packed by a manufacturer, comprising less than twenty sacks to the ton.
(2) Where basic poultry ration is packed by a manufacturer in quantities comprising twenty or more sacks to the ton, the maximum prices fixed by the foregoing provisions of this order may be increased by an amount not exceeding 7s. 6d. per ton, provided that any such increase added by any merchant or any retailer shall not exceed the amount of the increase added in accordance with the provisions of this subclause by the manufacturer from whom the basic poultry ration was purchased.
(3) The prices fixed by this order are net and include the cost of sacks or bags.

Provision for Special Prices

9. Notwithstanding anything to the contrary in the foregoing provisions of this order, and subject to such conditions, if any, as it thinks fit, the Tribunal, on application by any manufacturer, merchant, or retailer, may authorise special maximum prices in respect of any basic poultry ration to which this order applies where special circumstances exist, or for any reason extraordinary charges (freight or otherwise) are incurred by the manufacturer, merchant, or retailer. Any authority given by the Tribunal under this clause may apply with respect to a specified lot or consignment of basic poultry ration, or may relate generally to all basic poultry ration to which this order applies sold by the manufacturer, merchant, or retailer while the approval remains in force.

10. Where the price computed in accordance with the provisions of this order is in the case of a manufacturer or merchant not an exact number of pence, it may be computed to the next upward penny, and where in the case of a retailer it is not an exact number of pence or halfpenny, it may be computed to the next upward halfpenny.