

SECOND SCHEDULE

FORMER TARIFF DECISION UNDER ITEM 352

Refrigerating—
 Temperature controllers, thermostatically or pressure operated, peculiar to use with refrigerating apparatus.
 Respirators for protection against dust, paint fumes, etc., but unsuitable for protection against smoke or poisonous gas or for medical purposes.
 Rope and twine making—
 Drawing frames, screw gill, being machines used in preparing fibre for making twine.
 Hacklers and spreaders, combined.
 Hemp combing machines and combing leathers therefor.
 Hemp softening machines.
 Pins, cast steel, peculiar to use with spreader machines.
 Spinning machines for spinning fibre into yarn.
 Spreader machines and sprayer pressing rollers therefor.
 Twine winding machines.
 Sand rammers, pneumatic, used for packing casting moulds, concrete, and similar operations.
 Screens—
 Screens made from woven manganese-steel wire and having raw or finished edges.
 Spray guns for spraying liquids or flock by means of compressed air or steam.
 Stills—
 Earthenware, for distilling chemical compounds.
 Stone crushing—
 Breakers, rock and ore, gyratory and rotary.
 Plates, wearing, manganese steel, for rotary swing hammer chip crushers.
 Superphosphate making—
 Dust collectors, the Sturtevant automatic two cylinder bag filters, specially suited for collecting fine phosphate dust.
 Excavators, machines which, after the treatment of rock phosphate with sulphuric acid, cut the resultant superphosphate from the cylinders.
 Dated at Wellington this 14th day of November 1963.
 J. F. CUMMINGS, Comptroller of Customs.
 (Tariff Decision Review Notice 1963/8)

Plants Declared Noxious Weeds in the City of Tauranga
 (Notice No. Ag. 7884)

PURSUANT to section 3 of the Noxious Weeds Act 1950 and to a delegation from the Minister of Agriculture under section 9 of the Department of Agriculture Act 1953 for the purposes of the said section, the following special order, made by the Tauranga City Council on the 23rd day of September 1963, is hereby published.

SPECIAL ORDER

THAT the Tauranga City Council, pursuant to the provisions of the Noxious Weeds Act 1950, declares that as from the date approved by the Minister of Agriculture:

- (a) The list of plants referred to in the *Gazette* notice number 4976 of 29 March 1951 is deleted.
 (b) The following plants are noxious weeds within the whole district of the City of Tauranga:

Water hyacinth (*Eichhornia crassipes*)
 Cape tulip (*Homeria callina*)
 Hemlock (*Conium maculatum*)
 Ragwort (*Senecio jacobaea*)
 Blackberry (*Rubus fruticosus* and *Rubus laciniatus*)
 Gorse (*Ulex*, any species)
 Bathurst bur (*Xanthium spinosum*)
 Silver poplar (*Populus alba* var. *nivea*)

Dated at Wellington this 8th day of November 1963.

G. J. ANDERSON, Director (Administration).

Declaring Land to be Subject to the Provisions of Part XXIV of the Maori Affairs Act 1953 (Whangamata Development Lands)

PURSUANT to section 331 of the Maori Affairs Act 1953, the Board of Maori Affairs, with the consent of the Minister of Lands, hereby declares that on and from the date of the publication of this notice in the *Gazette* the Crown land described in the Schedule hereto shall be subject to the provisions of Part XXIV of the Maori Affairs Act 1953.

SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

Land	Block and Survey District	Area A. R. P.
Lot 4, D.P. S. 3,600, being part of Sections 5 and 20 (part C.T. 2A/345) ..	IV, Ohinemuri	162 0 0

Dated at Wellington this 4th day of November 1963.

For and on behalf of the Board of Maori Affairs:

B. E. SOUTER,
 Deputy Secretary for Maori Affairs.

(M.A. 32/4/172; D.O. 27/6/190)

Order No. 6 (1963) of the Trade Practices and Prices Commission

In the matter of the Trade Practices Act 1958 and in the matter of an inquiry into a retendering provision in the rules of the Waikato Master Builders' Industrial Union of Employers.

WHEREAS the Trade Practices and Prices Commission has, pursuant to section 18 of the Trade Practices Act 1958, conducted an inquiry into a retendering provision contained in bylaw No. 1 in the rules of the Waikato Master Builders' Industrial Union of Employers (hereinafter referred to as the "union of employers").

And whereas prior to the said inquiry the Examiner of Trade Practices and Prices presented to the Commission a report, pursuant to section 17 of the said Act, in which it was alleged that Bylaw No. 1 of the rules of the Waikato Master Builders' Association Incorporated (hereinafter referred to as "the association") contained a retendering provision in terms following:

"When tenders are received no member other than the lowest tenderer shall tender a second time within a period of six months unless the contract has been altered by at least 20 per cent (P.C. sum omission not inclusive in the reduction of the contract)."

And whereas the Examiner alleged, in his said report, that the said Bylaw No. 1 constituted a trade practice in terms of paragraphs (c) and (j) of subsection (2) of section 19 of the said Act.

And whereas the association, in its answer to the said report, admitted that the foregoing Bylaw No. 1 was part of the rules of the said association but denied that the said Bylaw was a trade practice in terms of paragraphs (c) and (j) of subsection (2) of section 19 of the said Act.

And whereas the Commission heard evidence adduced by the Examiner and by the association and the union of employers and heard Mr Orr of Counsel for the Examiner and Mr Tompkins of Counsel for the association and union of employers.

And whereas it was admitted by Mr Tompkins, at the said inquiry, that the said Bylaw No. 1 was part of the rules of the union of employers and not part of the rules of the association.

And whereas it was further admitted that the membership of the association and the union of employers was identical.

And whereas it was agreed by Mr Tompkins, on behalf of the union of employers and the association, that the inquiry into the operation of the said Bylaw No. 1 was properly constituted and should proceed.

And whereas the Commission has found that the said Bylaw No. 1 constitutes a trade practice in terms of paragraph (c) of subsection 2 of section 19 of the Act.

And whereas the Commission has further found that the said trade practice is contrary to the public interest in terms of section 20 (d) of the Act and has decided that an order should be made under the said Act in respect of the said trade practice.

Now, therefore, the Trade Practices and Prices Commission, pursuant to sections 19 and 21 of the Trade Practices Act 1958, hereby orders the Waikato Master Builders' Industrial Union of Employers, the Waikato Master Builders' Association Incorporated, and the respective members thereof:

- (a) To discontinue the present practice of restricting the number of member builders who may tender or retender for any contract which has been readvertised on a second or subsequent occasion.
 (b) To refrain from reviving the said practice in any form whatsoever whether as members of the said union or association or otherwise howsoever and to refrain from entering into any other agreement or arrangement which would have the same effect.

And, further, orders the Waikato Master Builders' Union of Employers:

- (a) To convene, within 28 days of the making of this order, a meeting of member builders and to pass thereat a resolution rescinding the said retendering rule Bylaw No. 1.
 (b) To advise, in writing, all members of the union of employers within 35 days of the making of this order that the retendering rule Bylaw No. 1 has been rescinded and that henceforth members will be at complete liberty to tender for any contract such price as they see fit and to retender for any contract which may be advertised as and when and at such price as they see fit.

Dated at Wellington this 31st day of October 1963.

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.)