

(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. References in this order to metropolitan areas are references to the metropolitan areas described in the Schedule hereto.

APPLICATION OF THIS ORDER

4. This order applies with respect to all Philippine bananas sold by way of retail in New Zealand.

MAXIMUM RETAIL PRICES OF PHILIPPINE BANANAS

5. (1) The maximum price that may be charged or received by any retailer for any Philippine bananas to which this order applies shall be:

(a) When sold by a retailer carrying on business in any of the metropolitan areas of Auckland, Wellington, Christchurch, or Dunedin, or in any of the Cities or Boroughs of Whangarei, Hamilton, Tauranga, Rotorua, Gisborne, New Plymouth, Stratford, Hawera, Wanganui, Palmerston North, Napier, Hastings, Masterton, Blenheim, Nelson, Greymouth, Timaru, Wespport, Oamaru, Balclutha, Gore or Invercargill—
34 cents a lb.

Or where the scales used by the retailer weigh in metric weights—

75 cents a kilogram.

(b) When sold by a retailer carrying on business elsewhere—

35 cents a lb.

Or where the scales used by the retailer weigh in metric weights—

77 cents a kilogram.

(2) If in respect of any lot of bananas the price calculated in accordance with the foregoing provisions of this clause is not an exact number of cents, the maximum price of the lot shall be computed to the nearest whole cent.

PROVISIONS FOR SPECIAL PRICES

6. Notwithstanding anything to the contrary in the foregoing provisions of this order, and subject to such conditions, if any, as he thinks fit, the Secretary, on application by any retailer, may authorise special maximum prices in respect of any Philippine bananas to which this order applies where special circumstances exist, or for any reason extraordinary charges (freight or otherwise) are incurred by the retailer. Any

authority given by the Secretary under this clause may apply with respect to a specified lot or consignment of bananas, or may relate generally to all Philippine bananas to which this order applies sold by the retailer while approval remains in force.

DUTY IMPOSED ON RETAILERS

7. Every retailer who offers or exposes for sale in any shop any Philippine bananas, to which this order applies shall keep in a prominent position, in such proximity to the bananas to which it relates as to be obviously in relation thereto, a ticket, placard, or label on which shall be stated in legible and prominent characters the following particulars:

(a) The retail price a pound of the bananas.

Or where the scales used by the retailer weigh in metric weights the price a kg.

(b) The word "Philippine".

SCHEDULE

DEFINITION OF METROPOLITAN AREAS

| Name of Metropolitan Area | Districts Included Therein |
|---------------------------|--|
| Auckland | The Cities of Auckland, East Coast Bays, Takapuna and Birkenhead, the Boroughs of Devonport, Ellerslie, Glen Eden, Henderson, Howick, Mount Albert, Mount Eden, Mount Roskill, Mount Wellington, New Lynn, Newmarket, Northcote, Onehunga, One Tree Hill, Otahuhu. |
| Wellington | The Cities of Wellington, Lower Hutt and Porirua, the Boroughs of Eastbourne, Petone, and Tawa. |
| Christchurch | The City of Christchurch and the Borough of Riccarton. |
| Dunedin | The City of Dunedin and the Boroughs of Green Island, Port Chalmers, and St. Kilda. |

Dated at Wellington this 26th day of July 1978.

D. J. GASSON,

Director, Stabilisation of Prices and Enforcement.

*New Zealand Gazette, No. 21, 23 March 1978, p. 707

(T. and I.)

Price Order No. 98 (Phosphatic Fertilisers)

PURSUANT to the Commerce Act 1975, I, Peter Edward Donovan, pursuant to a delegation from the Secretary of Trade and Industry, hereby make the following price order:

1. This order may be cited as Price Order 98 and shall come into force on the 27th day of July 1978.

2. (1) Price Order No. 67*, 68†, 93‡, and 95§ 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.

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.

(c) Reverted superphosphate.

(d) Aerial superphosphate.

(2) Nothing in this order shall apply with respect to any phosphatic fertilisers sold in a quantity of less than one tonne.

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 to purchasers 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 co-operative 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.

5. (1) Where any phosphatic fertilisers are sold for delivery "ex works" or "free on rail", the maximum price that may be charged or received for any such fertilisers shall be the price specified in the appropriate schedule to this order in relation to the class of purchaser to whom the fertilisers are sold.