



**SUPPLEMENT**

TO THE

**NEW ZEALAND GAZETTE**

OF

THURSDAY, 26 JULY 1979

*Published by Authority*

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WELLINGTON: WEDNESDAY, 1 AUGUST 1979

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*Price Order No. 136 (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 No. 136 and shall come into force on the 1st day of August 1979.
2. (1) Price Orders 98\* and 130† are hereby revoked.
- (2) The revocation of the said orders 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.