

"Commercial-user sale", in relation to any milk, means any sale of that milk (other than a shop-dairy sale) to any person for resale, for human consumption on premises occupied by him (whether in the form in which it was sold to him or not, and whether separately or in combination with any other substance):

"Consumer sale", in relation to any milk, means any sale of that milk for human consumption (other than a shop-dairy sale) for purposes other than resale:

"Milk" means milk within the meaning of the Act; but does not include cream or goat's milk:

"Milk producer" means a milk producer within the meaning of the Act:

"Shop-dairy occupier" means a person who is the occupier of a shop in which he sells milk in the form in which it was sold to him, for human use or consumption off the premises of that shop:

"Shop-dairy sale", in relation to any milk, means the sale of that milk to a shop-dairy occupier:

"Treatment" means treatment within the meaning of the Act:

"Treatment station" means any plant or premises used or operated for the treatment of milk:

"Vendor" means a milk vendor within the meaning of the Act.

3. Maximum price for milk sold to consumers and commercial users—Subject to section 25 (5) of the Act and to clause 6 of this notice, the maximum price at which any quantity of milk supplied on any 1 day (irrespective of the number or deliveries or sales) may be sold—

- (a) In a consumer sale; or
- (b) In a commercial-user sale,—

shall be a price calculated at the rate specified in the second column of the First Schedule to this notice opposite the reference to that quantity in the first column of that schedule.

4. Maximum price at which milk may otherwise be sold—

(1) Subject to—

- (a) Section 25 (5) of the Act;
- (b) Subclause (2) of this clause; and
- (c) Clause 6 of this notice,—

except as provided in clause 3 of this notice, the maximum price at which any quantity of milk supplied for human consumption on any 1 day (irrespective of the number of deliveries or sales) may be sold shall be a price calculated at the rate specified in the Second Schedule to this notice.

(2) Subclause (1) of this clause shall not affect the price at which milk may be sold—

- (a) By a milk producer to an approved association; or
- (b) By any approved association to another approved association; or
- (c) Where the operator of a treatment station is not acting in the capacity of a vendor, by any approved association to that operator.

5. Delivery—(1) It shall be a condition of—

- (a) Every shop-dairy sale; and
- (b) Every—
 - (i) Consumer sale; and
 - (ii) Commercial-user sale—

by a person who is not a shop-dairy occupier—that the maximum price fixed under clause 3 or clause 4 of this notice or pursuant to authority under section 25 (5) of the Act is deemed to include the cost of the delivery of the milk concerned to the premises of the purchaser.

(2) It shall be a condition of—

- (a) Every consumer sale; and
- (b) Every commercial-user sale,—

by a shop-dairy occupier that the maximum price fixed under clause 3 or clause 4 of this notice or pursuant to authority under section 25 (5) of the Act applies only in respect of delivery at the shop concerned.

6. Rounding off—Where the maximum price (calculated in accordance with clause 3 or clause 4 of this notice or pursuant to authority under section 25 (5) of the Act) for any quantity of milk is not an exact number of cents, it shall be increased to the nearest whole cent.

7. No charge to be made for credit—It shall be a condition of any sale of milk on credit that the maximum price for that milk (calculated in accordance with this notice or pursuant to authority under section 25 (5) of the Act) shall not at any time be increased by any charge (whether

called interest, a booking fee, or by any other name) that would not have been made had that milk been sold for cash.

8. Revocations—The following notices are hereby consequentially revoked:

- (a) The Milk Price Notice 1978*;
- (b) The Milk Price Notice 1978, Amendment No. 1†

*S.R. 1978/123

†S.R. 1979/69

SCHEDULES

FIRST SCHEDULE

C1. 3

RATES FOR CALCULATION OF MAXIMUM PRICES AT WHICH MILK MAY BE SOLD TO CONSUMERS AND COMMERCIAL USERS

Quantity	Rate
Less than 600 ml	9c per 300 ml
Not less than 600 ml but less than 12 litres	18c per 600 ml
12 litres or more	30c per litre

SECOND SCHEDULE

RATE FOR CALCULATION OF MAXIMUM PRICE AT WHICH MILK MAY BE SOLD TO OCCUPIERS OF SHOPS, AND VENDORS
26.88c per litre

Dated at Wellington this 22nd day of January 1980.

DUNCAN MACINTYRE,

In the place of the Minister of Agriculture and Fisheries.

EXPLANATORY NOTE

This note is not part of the notice, but is intended to indicate its general effect.

This notice increases the maximum prices at which milk may be sold to consumers, commercial users, and occupiers of shops as from 1 February 1980. The maximum price for sales to consumers and commercial users is increased from 8c to 9c per 300 ml for amounts less than 600 ml, from 15c to 18c per 600 ml for amounts between 600 ml and 12 litres, and from 25c to 30c per litre for amounts over 12 litres.

*The Milk Producer Prices and Allowances Notice 1980
(No. 2298 Ag. 4/51/12)*

PURSUANT to section 25 of the Milk Act 1967, the Minister of Agriculture and Fisheries hereby gives the following notice.

NOTICE

1. Title and commencement—(1) This notice may be cited as the Milk Producer Prices and Allowances Notice 1980.

(2) This notice shall be deemed to have come into force on the 1st day of September 1979.

2. Interpretation—In this notice, unless the context otherwise requires—

"The Act" means the Milk Act 1967;

"Approved association" means an association of milk producers approved under section 53 (1) of the Act;

"Milk" means milk within the meaning of the Act; but does not include cream or goat's milk;

"Milk producer" means a milk producer within the meaning of the Act;

"Treatment" means treatment within the meaning of the Act;

"Treatment station" means any plant or premises used or operated for the treatment of milk;

"Vendor" means a milk vendor within the meaning of the Act.

3. Prices for milk supplied by milk producers—Subject to section 25 (5) of the Act, the price at which any quantity of milk supplied during any period specified in the first column of the First Schedule to this notice is sold by a milk producer to an approved association shall be—

- (a) Such price as is agreed between that producer and that association; or
- (b) Where no price is so agreed, a price calculated at the rate specified in the second column of that schedule opposite the reference to that period in the first column of that schedule.