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Government Notices

Agriculture and Fisheries

Milk Act 1967

Milk Price Notice 1987 (No. 4279)

Pursuant to section 25 of the Milk Act 1967 the Minister of Agriculture hereby gives the following notice.

Notice

1. Title and commencement—(1) This notice may be cited as the Milk Price Notice 1987.

(2) This notice shall come into force on the 1st day of January 1988.

2. Interpretation—(1) In this notice, unless the content otherwise requires,

“The Act” means the Milk Act 1967;

“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;

“Shop-dairy occupier” means a person who is the occupier of a shop from 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;

“Vendor” means a milk vendor within the meaning of the Act.

(2) All prices referred to in this notice are inclusive of Goods and Services Tax levied under the Goods and Services Tax Act 1985.

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

(a) In a consumer sale; or

(b) In a commercial-user sale;

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

4. Price at which milk may be sold to shop-dairy occupier and vendor—subject to section 25 (5) of the Act and clause 6 of this notice the price at which any quantity of milk supplied for human consumption on any one day (irrespective of the number of sales and deliveries) may be sold—

(a) In a shop-dairy sale; or

(b) To a vendor;

shall be the maximum price specified in the First Schedule to this notice.

5. Delivery—It shall be a condition of

(a) Every shop-dairy sale; and

(b) Every consumer sale and every commercial-user sale in either case by a person who is not a shop-dairy occupier

that the price fixed under clause 3 and clause 4 of this notice and pursuant to section 25 (5) of the Act shall include the cost of the delivery of milk concerned to the premises of the purchaser.

6. Rounding off—Where the 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 price of 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 the milk been sold for cash).

8. Revocations—the following notices are hereby revoked:

(a) the Milk Prices Notice 1980*

(b) the Milk Prices Notice 1985 (No. 2)†

(c) the Milk Prices Notice 1986‡

**Gazette*, 24 January 1980, No. 5, page 165.

†*Gazette*, 22 August 1985, No. 155, page 3632.

‡*Gazette*, 25 September 1986, No. 149, page 4037.