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[1953.

PRICES CONTROL ACT, 1948-1952.

Prices Control Order No. 866.

Tea.

IN pursuance of the powers conferred upon me by the Prices Control Regulations, 1949, I, Constantin Paul Mathea, Prices Control Commissioner, hereby make the following Order:—

Citation.

1. This Order may be cited as Prices Control Order No. 866.

Revocation.

2. Prices Control Order No. 747 is hereby revoked.

Definitions.

3. In this Order, unless the contrary intention appears—

“primary wholesaler” means a wholesaler who buys tea from the Tea Importation Board;

“sub-primary wholesaler” means a wholesaler who buys tea in unopened original packages from a primary wholesaler;

“secondary wholesaler” means any wholesaler named in the Schedule to this Order;

“first grade tea” means any tea which is classified by the Tea Importation Board as first grade tea;

“second grade tea” means any tea which is classified by the Tea Importation Board as second grade tea;

“Tea Importation Board” means the Tea Importation Board constituted under the Commonwealth Tea Importation Act, 1951;

“Perth Metropolitan Area” means all that area comprised within a radius of 15 miles from the General Post Office, Perth.

4. Notwithstanding anything contained in this Order, where any wholesaler from time to time engages in the combined activities of a primary wholesaler, a sub-primary wholesaler, and a secondary wholesaler, or of any two of them, then such wholesaler shall be deemed to be—

(a) a primary wholesaler in respect of sales of tea bought direct from the Tea Importation Board;

(b) a sub-primary wholesaler in respect of sales of tea bought in unopened original packages direct from a primary wholesaler;

(c) a secondary wholesaler in respect of sales of tea bought not in unopened original packages direct from a primary wholesaler or a sub-primary wholesaler.

Maximum Prices.

5. I fix and declare the maximum price at which tea may be sold to a wholesaler (not being a primary, sub-primary or secondary wholesaler) or to a retailer to be—

(a) where such tea is sold in packages not exceeding 14 lb. net weight—

(i) First Grade Tea—3s. 8d. per lb.;

(ii) Second Grade Tea—3s. 4d. per lb.;

(b) where such tea is sold in packages exceeding 14 lb. net weight, such packages being unopened original packages—

(i) First Grade Tea—3s. 5½d. per lb.;

(ii) Second Grade Tea—3s. 1¾d. per lb.;

(c) where such tea is sold in packages exceeding 14 lb. net weight, such packages not being unopened original packages—

(i) First Grade Tea—3s. 6¾d. per lb.;

(ii) Second Grade Tea—3s. 2¾d. per lb.;

Provided that where payment for the purchase price of such tea is made within 10 days from date of delivery, such maximum prices shall be reduced by 1d. per lb.

6. I fix and declare the maximum price at which tea may be sold by a primary wholesaler or a sub-primary wholesaler to a secondary wholesaler to be—

(a) where such tea is sold in packages not exceeding 14 lb. net weight—

(i) First Grade Tea—3s. 5½d. per lb.;

(ii) Second Grade Tea—3s. 1½d. per lb.;

(b) where such tea is sold in packages exceeding 14 lb. net weight, such packages being unopened original packages—

(i) First Grade Tea—3s. 3¼d. per lb.;

(ii) Second Grade Tea—2s. 11¼d. per lb.;

(c) where such tea is sold in packages exceeding 14 lb. net weight, such packages not being unopened original packages—

- (i) First Grade Tea—3s. 4½d. per lb.;
- (ii) Second Grade Tea—3s. 0¼d. per lb.

7. Where any tea, the maximum price for the sale of which is fixed by paragraphs 5 and 6 of this Order, is sold to any person for delivery to a purchaser in the Perth Metropolitan Area, the maximum price fixed in relation thereto shall be deemed to include the costs of delivery to such purchaser.

8. In respect of any tea, the maximum price of which is fixed by paragraphs 5 and 6 of this Order, is sold to any person for delivery to a purchaser at any place other than in the Perth Metropolitan Area, I fix and declare the maximum price at which such tea may be sold and delivered to the place of delivery to be the price fixed by paragraph 5 or 6 of this Order, as the case may be, plus the costs properly incurred in and attributable to the transporting of each pound of such tea (calculated in relation to each such pound to the nearest upward farthing). Provided that no amount may be added for costs of transport under the provisions of this paragraph unless such amount is properly recorded and vouched for in the books of the seller.

9. I fix and declare the maximum price at which tea may be sold by a primary wholesaler to a sub-primary wholesaler to be—

- (i) First Grade Tea—3s. 1½d. per lb.;
- (ii) Second Grade Tea—2s. 9½d. per lb.

Provided that where payment of the purchase price of any such tea is delayed beyond the period of 30 days from the date of delivery thereof, the vendor may charge a further ¼d. per lb. for such tea, which aggregate price I hereby fix and declare to be the maximum price thereof.

10. I fix and declare the maximum price at which tea may be sold by retail to be—

- (i) First Grade Tea—4s. per lb.;
- (ii) Second Grade Tea—3s. 8d. per lb.

Provided that where such tea is sold by retail in a place outside the Perth Metropolitan Area, the costs properly incurred in and attributable to the delivery of such tea into the store of the retailer and clearly recorded and vouched for in the retailer's books (calculated to the nearest upward ¼d. per lb.) may be added to the prices fixed and declared by this paragraph, which aggregate prices, I hereby fix and declare to be the maximum prices for such tea.

11. Notwithstanding anything contained in this Order, I fix and declare the maximum price at which the tea packed by a primary wholesaler in packages supplied by the purchaser of such tea may be sold to be the maximum price fixed in accordance with the provisions of this Order, less the cost to the purchaser of such packages.

12. Notwithstanding the foregoing provisions of this Order, I fix and declare the maximum price at which tea may be sold to the Commonwealth or the State of Western Australia to be—

- (a) in respect of sales by wholesalers—
 - (i) bulk unblended tea—3s. 3½d. per lb.;
 - (ii) bulk blended tea—3s. 4¼d. per lb.;
 - (iii) tea in 1 lb. packets—3s. 4¾d. per lb.;
- (b) in respect of sales by retailers—
 - (i) bulk unblended tea—3s. 4½d. per lb.;
 - (ii) bulk blended tea—3s. 5¼d. per lb.;
 - (iii) tea in 1 lb. packets—3s. 5¾d. per lb.;

plus, in each case, cost of transport into the seller's store.

Provided that no amount may be added for cost of transport under the provisions of this paragraph unless such amount has been properly recorded in the seller's books of account.

Exhibition of Price Tickets.

13. Every person who sells or has for sale by retail any tea shall exhibit in a prominent position in his place of business, or if he has more than one place of business, in each of his places of business, and in such a manner as to be easily legible to persons contemplating making any purchase or conducting any business at such place or places of business, a price card specifying the maximum price fixed by or under the provisions of this Order for the sale by him of that tea.

Variation of Maximum Prices by Notice.

14. Notwithstanding the foregoing provisions of this Order, I declare the maximum price at which any tea specified in a notice in pursuance of this paragraph may be sold by any person to whom such notice is given to be such price as is fixed by the Commissioner by notice in writing to that person.

The Schedule.

- Burns, Philp & Co. Ltd., Durlacher Street, Geraldton, W.A.
- Burns, Philp & Co. Ltd., 10 William Street, Fremantle, W.A.
- Co-operative Wholesale Services Ltd., 569 Wellington Street, Perth, W.A.
- Duncan Preston Limited, 187 Wellington Street, Perth, W.A.
- H. W. Davidson Pty. Ltd., 49 Brookman Street, Kalgoorlie, W.A.
- T. O. Grimby & Co., 108 St. George's Terrace, Perth, W.A.
- National Trading Co. Ltd., 78 Railway Parade, West Perth, W.A.

Dated at Perth this 29th day of May, 1953.

C. P. MATHEA,
Prices Control Commissioner.