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[1953.]

PRICES CONTROL ACT, 1948-1952.

Prices Control Order No. 897.

Grey Portland Cement.

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. 897.
2. Prices Control Order No. 776, as amended by Prices Control Orders Nos. 839, 842, 856, 871 and 888, is hereby revoked.

Definitions and Interpretations.

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

“cement” means Grey Portland Cement;

“cost” means—

- (a) in relation to cement imported from a source outside the Commonwealth of Australia—the aggregate of the purchase price paid or payable for that cement to the overseas supplier after deduction of trade discount, but before deduction of cash discount, together with inland carriage, outside packing, overseas office or forwarding agents’ commission actually incurred (but not in excess of 3½ per centum of the invoice price of the goods after deduction of trade discount, but before deduction of cash discount), bill of lading and shipping charges, insurance, freight (but not in excess of current standard sea freight rates), exchange and bank fees actually incurred (but not in excess of mail steamer sight draft rate and ⅓ of one per centum, respectively), duty and primage, wharfage, stacking, harbour dues

and Stevedoring Industry Commission levy, Customs entry and Customs agents’ charges (but not including any charges for costing or any percentage surcharge on cost)—freight and cartage actually incurred in transporting the cement from wharf to the importer’s store;

(b) in relation to cement imported from a source within the Commonwealth of Australia, the aggregate of—

- (i) the purchase price paid or payable to the interstate supplier for that cement after deduction of any trade discount, but before deduction of any cash discount;
- (ii) insurance, freight, exchange, wharfage, stacking charges and shipping agents’ charges;
- (iii) freight and cartage actually incurred in transporting the cement from wharf to the importer’s store;

“cost into store” means in relation to cement imported from a source outside Western Australia, the purchase price paid or payable for that cement, plus freight, handling and cartage charges actually incurred by the retail trader in conveying that cement from the person from whom he purchased it, to his store;

“direct retail trader” means a person who purchases cement from a manufacturer in Australia or from a source outside Australia and sells such cement by retail;

“manufacturer’s price” means the price at which any person purchases cement from Swan Portland Cement Ltd.;

“retail trader” means a person who purchases cement from a wholesale merchant in Western Australia and sells such cement by retail;

"wholesale merchant" means a person who purchases cement from a manufacturer in Australia or from a source outside Australia and sells such cement to resellers;

"Metropolitan Area" means all that area comprised within a radius of 12 miles from the General Post Office, Perth, or from the principal post office, Fremantle.

Maximum Prices—Cement Manufactured by Swan Portland Cement Ltd., Rivervale, Western Australia.

4. I fix and declare the maximum price at which cement manufactured by Swan Portland Cement Ltd., Rivervale, Western Australia may be sold to be—

- (a) by wholesale by any person whose place of business is situated within the Metropolitan Area for delivery—
 - (i) ex works, Rivervale—manufacturer's price plus 11½d. per bag;
 - (ii) ex wholesale merchant's store—manufacturer's price plus 1s. 3½d. per bag;
 - (iii) delivered to retail trader's store in the Metropolitan Area—manufacturer's price plus 1s. 9d. per bag;
 - (iv) delivered to retail trader's store outside the Metropolitan Area or free on rail or free on board vessel—manufacturer's price plus transport charges actually incurred by that wholesale merchant in transporting the cement to the retail trader's store, plus 1s. 3½d. per bag;
- (b) by wholesale by any person whose place of business is situated outside the Metropolitan Area for delivery—
 - (i) ex works, Rivervale—manufacturer's price plus 11½d. per bag;
 - (ii) ex wholesale merchant's store—manufacturer's price plus transport charges actually incurred by that wholesale merchant in conveying the cement from Rivervale to his place of business plus 11½d. per bag;
 - (iii) delivered to retail trader's store—manufacturer's price plus transport charges actually incurred by that wholesale merchant in conveying the cement from Rivervale to the wholesale merchant's place of business—plus 1s. 5d. per bag;
- (c) by retail by any person whose place of business is situated within the Metropolitan Area for delivery—
 - (i) by any direct retail trader—
 - (a) ex direct retail trader's store—the manufacturer's price plus 1s. 10d. per bag;
 - (b) to buyer's premises within the Metropolitan Area—manufacturer's price plus the delivery allowance as specified in Part One of the Schedule to this Order, according to the number of bags delivered and the distance from the direct retail trader's store—plus 1s. 10d. per bag;
 - (ii) by any retail trader the price paid or payable plus—
 - (a) in the case of cement purchased by that retail trader ex works, Rivervale—1s. 4d. per bag;
 - (b) in the case of cement purchased by that retail trader ex wholesale merchant's store—1s. per bag;
 - (c) in the case of cement delivered to such retail trader's place of business by the person from whom he purchased it—6½d. per bag;

Provided, however, that where any retail trader delivers cement to buyer's premises, the prices specified in subparagraphs (c) (i) (a), (b) and (c) may be increased by the delivery allowance as set out in Part One of the Schedule to this Order, according to the number of bags delivered and the distance from the retail trader's store.

- (d) by retail by any person whose place of business is situated outside the Metropolitan Area for delivery—
 - (i) by any direct retail trader—
 - (a) ex direct retail trader's store—the manufacturer's price plus transport charges actually incurred by that direct retail trader in conveying the cement from Rivervale to his place of business, plus 1s. 6d. per bag;
 - (b) to buyer's premises—the manufacturer's price plus transport charges actually incurred by that direct retail trader in conveying the cement from Rivervale to the direct retail trader's place of business—plus 1s. 6d. per bag, plus the delivery allowance specified in Part Two of the Schedule to this Order, according to the number of bags delivered and the distance from the retail trader's store;
 - (ii) by any retail trader—the wholesale price paid or payable plus transport charges actually incurred by him in transporting the cement from the point of delivery to him, to his place of business, and—
 - (a) in the case of cement delivered by the retail trader to the buyer at his store—6½d. per bag;
 - (b) in the case of cement delivered by such retail trader to the buyer's premises—6½d. per bag, plus the delivery allowance specified in Part Two of the Schedule to this Order, according to the number of bags delivered and the distance from the retail trader's store.

Provided that in relation to any retail sale by any person whose place of business is situated North of the 26th parallel of South latitude, the price fixed by subparagraphs (d) (i) or (d) (ii) hereof in respect of such sale, may be increased by 4½d. per bag.

Maximum Prices—Cement Imported from a Source Outside Western Australia.

5. I fix and declare the maximum price at which cement imported from a source outside Western Australia may be sold by any person to be—

- (a) by any wholesale merchant who imports such cement—the cost of such cement to such wholesale merchant plus 20 per centum of such cost: Provided, however, that where such cement is delivered by such wholesale merchant to the retail trader's place of business an additional charge of 10s. 6d. per ton may be made;
- (b) by any direct retail trader who imports such cement—the cost of such cement to such direct retail trader plus 25 per centum of such cost: Provided, however, that where such cement is delivered by such direct retail trader to the buyer's premises the price may be increased by the delivery allowance specified in Part One or Part Two of the Schedule to this Order, as the case may be, according to the number of bags delivered and the distance from the direct retail trader's store;

(c) by any retail trader who is not the direct importer of such cement—the cost into store to him of the cement plus 5 per centum of such cost: Provided, however, that where the cement is delivered by such retail trader to the buyer's premises, the price may be increased by the delivery allowance specified in Part One or Part Two of the Schedule to this Order, as the case may be, according to the number of bags delivered and the distance from the retail trader's store.

Provided that in relation to any retail sale by any person whose place of business is situated North of the 26th parallel of South latitude, the price fixed by subparagraphs (b) or (c) of this paragraph in respect of such sale, may be increased by 3 per centum of such price.

Discounts.

6. Notwithstanding anything contained in the foregoing provisions of this Order, where any person who sells cement has customarily allowed any difference in price—

(a) to any person or to persons included in any class of persons;

(b) in respect of sales of certain quantities of cement; or

(c) in respect of sales of cement under certain conditions of sale, or upon certain terms of payment,

the maximum price fixed by or under this Order in respect of that cement shall, in the case of sales to any such person or persons, or of such quantities, or under such conditions, or upon such terms of payment, be reduced by the allowance of that difference.

Variation of Maximum Prices or Rates by Notice.

7. Notwithstanding the foregoing provisions of this Order, I declare the maximum price at which cement, or the maximum rate at which the service of the delivery thereof specified in a notice in pursuance of this paragraph may respectively be sold or supplied by any person to whom such notice is given to be such price or rate as is fixed by the Commissioner by notice in writing to that person.

The Schedule.

Maximum Rates for Delivery of Cement.

Part 1.

In respect of Cement delivered by a seller whose place of business is situated within the Metropolitan Area—

(a) for any distance not exceeding 12 miles by the shortest route from the G.P.O. Perth, or the principal Post Office, Fremantle :

1 bag	....	....	....	....	....
More than 1 bag but less than 24 bags	....	....	....	....	....
24 bags or more	....	....	....	....	....

1s. 4d. per bag.

1s. 4d. for the first bag and 5d. for each bag in excess of one.

5½d. per bag.

(b) for any distance exceeding 12 miles by the shortest route from the G.P.O. Perth, or the principal Post Office, Fremantle

The rate specified in (a) of Part One of this Schedule for the appropriate number of bags, plus ½d. per bag per mile for each mile in excess of twelve.

Part 2.

In respect of Cement delivered by a seller whose place of business is situated outside the Metropolitan Area—

(a) for any distance not exceeding 3 miles :

1 bag	....	....	....	....	....
More than 1 bag but less than 24 bags	....	....	....	....	....
24 bags or more	....	....	....	....	....

1s. 0d. per bag.

1s. 0d. for the first bag and 4d. for each bag in excess of one.

4½d. per bag.

(b) for any distance exceeding 3 miles but not exceeding 18 miles

The rate specified in (a) of Part Two of this Schedule plus ¼d. per bag per mile for each mile in excess of three.

(c) for any distance exceeding 18 miles

The rate specified in (b) of Part Two of this Schedule plus ½d. per bag per mile for each mile in excess of eighteen.

Dated at Perth this 12th day of October, 1953.

C. P. MATHEA,
Prices Control Commissioner.