

CONTROL OF PRICES AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill makes miscellaneous amendments to the Control of Prices Act 1947.

Clause 2: On the passing of this clause the Price Tribunal will be empowered to make Price Orders without the authority of the Minister.

Clause 3 provides for a new method of exempting goods from price control. The proposed section authorizes the publication of a list of all goods subject to price control and provides that any goods not referred to in the list will be exempt from control. The present method, by which specific goods are exempted by notice, will be retained until the first list is published under the new method proposed.

Clause 4 re-enacts the section providing for the delegation of the powers of the Tribunal. At present any such delegation may be made only to the Director of Price Control. The proposed section authorizes a delegation to the Secretary of the Department of Industries and Commerce or other person approved in that behalf by the Minister.

Hon. Mr Watts

CONTROL OF PRICES AMENDMENT

ANALYSIS

Title.	3. Exemption of goods from price control.
1. Short Title.	4. Delegation of powers of Tribunal.
2. Price Orders may be made without authority of Minister.	

A BILL INTITULED

AN ACT to amend the Control of Prices Act 1947.	Title.
BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of	
5 the same, as follows:	
1. This Act may be cited as the Control of Prices Amendment Act 1953, and shall be read together with and deemed part of the Control of Prices Act 1947 (hereinafter referred to as the principal Act).	Short Title. 1947, No. 51
10 2. Section 15 of the principal Act is hereby amended by omitting from subsection one the words "with the authority of the Minister".	Price Orders may be made without authority of Minister.
3. The principal Act is hereby amended by repealing section eighteen, and substituting the following section:	Exemption of goods from price control.
15 "18. (1) The Tribunal may from time to time publish in the <i>Gazette</i> a notice containing a list of goods for the time being subject to a Price Order or to a special approval under Part II of this Act.	

“(2) On the publication of any notice under subsection *one* of this section—

“(a) Every Price Order and special approval shall be deemed to be revoked to the extent to which it applies to any goods not referred to in the said list; and 5

“(b) All goods not referred to in the said list shall be deemed to be exempted from this Part of this Act.

“(3) Any notice published under subsection *one* of this section may identify the goods to which it relates— 10

“(a) By a description of the goods; or

“(b) By a description of the kind or class to which the goods belong.

“(4) Any notice published under subsection *one* of this section may relate to goods— 15

“(a) Sold by wholesalers or by wholesalers of different classes:

“(b) Sold by retailers or by retailers of different classes: 20

“(c) Sold for delivery within specified areas or localities:

“(d) Sold in different quantities, qualities, grades, or classes:

“(e) Sold by or to or for the use of different persons or classes of persons. 25

“(5) Any notice under subsection *one* of this section may be at any time amended or revoked by the Tribunal by a subsequent notice published in the *Gazette* or by a Price Order. 30

“(6) Notwithstanding the foregoing provisions of this section, the Tribunal may from time to time, at any time prior to the publication of a notice under subsection *one* of this section, by notice given in such manner as it thinks fit, exempt any goods or any goods belonging to a specified kind or class from this Part of this Act. 35

“(7) Any notice under subsection *six* of this section may be at any time in like manner amended or revoked.”

Delegation of
powers of
Tribunal.

4. (1) The principal Act is hereby amended by repealing section thirty-nine, and substituting the following section: 40

- “39. (1) With the written consent of the Minister, the Tribunal may from time to time, by notice in writing, either generally or particularly, delegate to the Secretary of Industries and Commerce or any other person
5 approved in that behalf by the Minister all or any of the powers exercisable by it under this Act, including this present power of delegation and the power to give special approvals under section sixteen of this Act, but not including the power to make Price Orders.
- 10 “(2) Subject to any general or special directions given or conditions attached by the Tribunal, the Secretary may exercise any powers that are delegated under this section in the same manner and with the same effect as if they had been conferred on him
15 directly by this section and not by delegation.
- “(3) Whenever the Secretary purports to exercise any power of the Tribunal he shall be deemed, in the absence of proof to the contrary, to be acting in accordance with the terms of a delegation under this
20 section.
- “(4) Any delegation under this section may be at any time in like manner amended or revoked, and no such delegation shall prevent the exercise of any power by the Tribunal.
- 25 “(5) Any person directly or indirectly affected by any act or decision of the Secretary acting pursuant to a delegation under this section may at any time appeal therefrom to the Tribunal by giving to the Secretary a written notice of appeal.
- 30 “(6) The Tribunal may determine any appeal under this section in such manner as it thinks fit, but, unless the Tribunal otherwise orders, the act or decision appealed from shall remain in full force pending the determination of the appeal.
- 35 “(7) For the purposes of this section the term ‘Secretary’ includes any person to whom the powers of the Tribunal are delegated in accordance with this section.”
- (2) This section shall come into force on the first
40 day of January, nineteen hundred and fifty-four.