

*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,  
31st August, 1915.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

*Right Hon. Sir J. G. Ward, Bart.*

REGULATION OF TRADE AND COMMERCE  
AMENDMENT (No. 2).

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A BILL INTITULED

AN ACT to amend the Regulation of Trade and Commerce Act, 1914. Title.

5 WHEREAS in pursuance of a resolution of the House of Representatives on the twenty-sixth day of August, nineteen hundred and fifteen, certain duties of Customs are now being collected on refined mineral oil imported after that day: And whereas it is desirable to fix a maximum price for the sale of all such oil which has been imported free of duty on or before the said twenty-sixth day of August, nineteen hundred and fifteen, and thereby to prevent the imposition of such duties from being used as a pretext for an unjustifiable increase in the price of such merchandise: Preamble.

15 BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Regulation of Trade and Commerce Amendment Act, 1915 (No. 2), and shall be read together with and deemed part of the Regulation of Trade and Commerce Act, 1914 (hereinafter referred to as the principal Act). Short Title.

20 2. In this Act the term "refined mineral oil" means kerosene, motor-spirit, benzine, coal-benzine, benzol, petrol gasoline, petroleum ethers, and petroleum spirits, and includes all mineral oils and mineral spirits similar to any of the foregoing. Interpretation.

3. This Act shall for all purposes be deemed to have come into operation on the first day of September, nineteen hundred and fifteen. Commencement.

25 4. The maximum price of refined mineral oil imported into New Zealand within the meaning of the Customs Act, 1913, on or before the twenty-sixth day of August, nineteen hundred and fifteen, shall Maximum price of refined mineral oil.

be the current price at which goods of the same nature and quality were saleable in the same locality on the twentieth day of August, nineteen hundred and fifteen, if sold in the same quantity and on the same terms as to payment, delivery, and otherwise.

Application of principal Act to sales of refined mineral oil.

5. The maximum price of refined mineral oil as determined by the last preceding section shall for all the purposes of the principal Act be deemed to have been lawfully determined by an Order in Council under that Act, and all the provisions of the principal Act, including the penal provisions thereof, shall apply accordingly in the same manner as if such an Order in Council had been duly made and had come into operation on the first day of September, nineteen hundred and fifteen, and the rights and liabilities of all persons for all things done or suffered on or after that day shall be determined accordingly. 5 10

Modification of contracts already made.

6. When any refined mineral oil imported into New Zealand on or before the twenty-sixth day of August, nineteen hundred and fifteen, is or has been at any time since that day, and whether before or after the commencement of this Act, delivered to a purchaser in pursuance of a contract of sale made since that day and before the commencement of this Act, the purchaser shall be entitled to obtain from the seller a refund of any sum by which the price paid for the oil so delivered exceeds the maximum price of refined mineral oil as determined by this Act, and the contract of sale shall be deemed to be modified accordingly by a reduction of the agreed price, but otherwise shall remain in full force. 20 25

Evidence.

7. Whenever in any proceedings under the principal Act or this Act it becomes a question whether any refined mineral oil was imported after the twenty-sixth day of August, nineteen hundred and fifteen, the burden of proving that it was so imported shall lie upon the seller thereof. 30

*New.*

Interchange of stocks.

7A. (1.) A Collector of Customs at the request of any person who is the owner of any stock of refined mineral oil imported on or before the twenty-sixth day of August, nineteen hundred and fifteen (hereinafter called duty-free stock), and who is also the owner of any stock of refined mineral oil imported after the said day (hereinafter called duty-paid stock), may from time to time approve of the substitution of any mineral oil included in the duty-paid stock for an equal quantity of mineral oil of the same description included in the duty-free stock. 35 40

(2.) On such approval being given, the duty-paid stock to which the approval extends shall in respect of all subsequent dealings therewith be deemed for all the purposes of this Act to be duty-free stock, and the duty-free stock to which the approval extends shall in respect of all subsequent dealings therewith be deemed for all the purposes of this Act to be duty-paid stock. 45

Duration of Act.

8. This Act shall continue in operation during the continuance of the principal Act and no longer.