



**THE STABILISATION OF PRICES REGULATIONS 1974,
AMENDMENT NO. 6**

—
DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 23rd day of August
1977

Present:

THE HON. V. S. YOUNG PRESIDING IN COUNCIL

PURSUANT to the Economic Stabilisation Act 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

—
REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Stabilisation of Prices Regulations 1974, Amendment No. 6, and shall be read together with and deemed part of the Stabilisation of Prices Regulations 1974* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Interpretation—Regulation 2 of the principal regulations is hereby amended by inserting, after the definition of the term “price”, the following definitions:

“‘Professional body’ means any society, institute, or other body whose membership is comprised wholly or principally of persons who render professional services:

“‘Professional services’ means—

“(a) Services (whether as accountants, auditors, consultants, advocates, investigators, or advisers) performed by chartered accountants or chartered accountants in public practice within the meaning of the New Zealand Society of Accountants Act 1958:

“(b) Services of actuaries in their capacity as such:

“(c) Services of architects registered under the Architects Act 1963 in their capacity as such:

“(d) Services performed by chiropodists registered under the Medical and Dental Auxiliaries Act 1966 in their capacity as such:

“(e) Chiropractic services, being services performed by chiropractors registered under the Chiropractors Act 1960 in their capacity as such:

“(f) Dental services, being services performed by registered dentists within the meaning of the Dental Act 1963 in their capacity as such:

“(g) Services performed by dietitians registered under the Dietitians Act 1950 in their capacity as such:

“(h) Services of insurance brokers in their capacity as such:

“(i) Legal services, being services performed by practitioners within the meaning of the Law Practitioners Act 1955 in their capacity as such:

“(j) Medical services, being the provision of medical or surgical advice or attendance and the performance of surgical operations, performed by registered medical practitioners within the meaning of the Medical Practitioners Act 1968:

“(k) Services performed by medical technologists registered under the Medical and Dental Auxiliaries Act 1966 in their capacity as such:

“(l) Nursing services, being services performed by nurses registered under the Nurses Act 1971 in their capacity as such:

“(m) Services performed by occupational therapists registered under the Occupational Therapy Act 1949 in their capacity as such:

“(n) Services of optometrists or dispensing opticians registered under the Optometrists and Dispensing Opticians Act 1976 in their capacity as such and of optical dispensers in their capacity as such:

“(o) Services of professional engineers or technologists, being persons practising as consultants in the field of—

“(i) Civil engineering:

“(ii) Mechanical, aeronautical, marine, electrical, or electronic engineering:

“(iii) Mining, quarrying, soil analysis, or other forms of minerology or geology:

“(iv) Agronomy, forestry, livestock rearing, or ecology:

“(v) Metallurgy, chemistry, biochemistry, or physics:

“(vi) Any other form of engineering or technology of a kind similar to those referred to in the preceding subparagraphs of this paragraph:

“(p) Services of patent attorneys in their capacity as such:

“(q) Services of physiotherapists registered under the Physiotherapy Act 1949 in their capacity as such:

“(r) Services performed by radiographers in their capacity as such:

“(s) Services performed by real estate agents within the meaning of the Real Estate Agents Act 1976 in their capacity as such:

“(t) Services of sharebrokers licensed under the Share-brokers Act 1908 in their capacity as such:

“(u) Services of ship brokers in their capacity as such:

“(v) Services of surveyors of land (including surveyors registered under the Surveyors Act 1966), quantity surveyors, surveyors of buildings or other structures, and surveyors of ships, in their capacity as such:

“(w) Services performed by valuers of land or of chattels in their capacity as such:

“(x) Veterinary services performed by veterinary surgeons registered under the Veterinary Surgeons Act 1956 in their capacity as such.”

3. Exemptions—(1) Regulation 3 of the principal regulations is hereby amended by revoking subclause (2) (as amended by regulation 3 (3) of the Stabilisation of Prices Regulations 1974, Amendment No. 3), and substituting the following subclauses:

“(2) Nothing in these regulations except regulations 2, 23A, 23B, 24, 27, 28, 32 (to the extent that that regulation is applicable), 35, 38, 40, and 41 shall apply with respect to any professional services.

“(2A) For the avoidance of doubt it is hereby declared that nothing in these regulations shall limit or affect—

“(a) The Social Security Act 1964 or any regulations made under that Act; or

“(b) Any power conferred by, or any decision given pursuant to, that Act or any such regulations.”

(2) The Second Schedule to the principal regulations is hereby amended by revoking clause 12 (as substituted by regulation 3 (4) of the Stabilisation of Prices Regulations 1974, Amendment No. 3) and clause 13.

(3) Subclauses (3) and (4) of regulation 3 of the Stabilisation of Prices Regulations 1974, Amendment No. 3, are hereby consequentially revoked.

4. New regulations inserted—The principal regulations are hereby amended by inserting in Part VI, before regulation 24, the following regulations:

“23A. Notification by professional bodies of scales of charges for professional services—(1) Every professional body which has, before the commencement of this regulation,—

“(a) Issued a scale of prices for professional services provided by its members or any of them; or

“(b) Made any rule or recommendation which affects the prices at which its members or any of them provide their professional services; or

“(c) Given any advice to any of its members with respect to the prices at which those members may or should provide their professional services,—

(whether or not the members or any of them are obliged by the rules of the body or by law to observe any such scale, rule, recommendation, or advice) shall, if that scale, rule, recommendation, or advice remains in force, with or without amendment, at the commencement of this

regulation, forward to the Secretary, within 14 days after the commencement of this regulation, a copy of that scale, rule, recommendation, or advice, as that scale, rule, recommendation, or advice stood at the commencement of this regulation.

“(2) Every professional body which, after the commencement of this regulation,—

“(a) Issues a scale of prices for professional services provided by its members or any of them (other than such a scale in force at the commencement of this regulation); or

“(b) Issues a variation of any scale of prices for professional services provided by its members or any of them; or

“(c) Makes or varies any rule or recommendation which affects the prices at which its members or any of them provide their professional services; or

“(d) Gives any advice to any of its members with respect to the prices at which those members may or should provide their professional services,—

(whether or not the members or any of them are obliged by the rules of the body or by law to observe any such scale, variation, rule, recommendation, or advice) shall, within 14 days after the date on which it first issues that scale or variation or makes or varies the rule or recommendation or first gives that advice, forward a copy of that scale, variation, rule, recommendation, or advice to the Secretary.

“23B. Records, returns, and surveys in respect of charges for professional services—(1) Subject to subclause (3) of this regulation, every person who, on the coming into force of this regulation, is in the business of performing professional services shall—

“(a) In any case where his price for those services or any of them is determined in accordance with a standard rate fixed before the contract for the performance of those services is made,—

“(i) Complete and retain a record of the rate prevailing on the coming into force of this regulation; and

“(ii) Complete and retain a record of any subsequent increase in that rate (including the date of the application of that increase); and

“(b) In every other case,—

“(i) Complete and retain a record of the normal prices charged by him for his professional services on the coming into force of this regulation (including a statement of prices for different kinds of professional services and of the formula or other basis on which those prices were determined); and

“(ii) Complete and retain a record of any subsequent change (including the date of its application) in any component item of that formula or other basis if that change effects an increase in any of those normal prices.

“(2) Subject to subclause (3) of this regulation, every person who is in the business of performing professional services (other than a person who was in that business on the coming into force of this regulation) shall—

“(a) In any case where his price for those services or any of them is determined in accordance with a standard rate fixed before

the contract for the performance of those services is made,—

“(i) Complete and retain a record of the rate prevailing at the date on which he first transacted business after the coming into force of this regulation; and

“(ii) Complete and retain a record of any subsequent increase in that rate (including the date of the application of that increase); and

“(b) In every other case,—

“(i) Complete and retain a record of the normal prices charged by him for his professional services as at the date on which he first transacted business after the coming into force of this regulation (including a statement of prices for different kinds of professional services and of the formula or other basis on which those prices were determined); and

“(ii) Complete and retain a record of any subsequent change (including the date of its application) in any component item of that formula or other basis if that change effects an increase in any of those normal prices.

“(3) Nothing in subclause (1) or subclause (2) of this regulation shall require any person to complete and retain any record with respect to the price of any of the professional services performed by him—

“(a) If the price for that service is determined and charged in accordance with—

“(i) A scale issued by the professional body of which he is a member, being a scale which fixes specifically an actual price or actual rate; or

“(ii) A scale of actual fees or charges where, under the provisions of any Act, that scale has been fixed or approved by the Governor-General or the Governor-General in Council or any Minister of the Crown; or

“(b) If he is an employee of a person or of a partnership on whose behalf the service is performed or is a member of a partnership, and that person or partnership completes and retains a record in accordance with subclause (1) or subclause (2) of this regulation, as the case may require.

“(4) Where, under subclause (1) or subclause (2) of this regulation, any person is obliged to complete a record, he shall complete that record forthwith after the obligation to complete it arises.

“(5) Every person to whom subclause (1) or subclause (2) of this regulation applies shall, within 7 days after being requested so to do by the Secretary, furnish to the Secretary a copy of all or any of the records required to be completed and retained by him under the subclause.

“(6) The Secretary may from time to time, by notice in the *Gazette* or by notice given in accordance with section 17 of the Act, require any person who performs professional services or each person who is a practising member of any professional body or profession or is a member of any specified class of persons who perform professional services to furnish to the Secretary, in a specified form or in a form acceptable to the Secretary, a return in writing showing—

“(a) Full details of the prices, being charged by him for the performance of any professional services described in the notice or of

the formula or other basis of calculating prices for any professional services so described (including different categories thereof), and details of amounts charged for materials or disbursements:

“(b) The date on which those prices or that formula or basis were adopted, and the date of adoption of any previous prices, formula, or basis or of any change in any component item thereof.

“(7) Returns under subclause (6) of this regulation may be required to be furnished within a specified time or at specified intervals or both.

“(8) Without limiting the provisions of regulation 24 of these regulations, the Secretary may, of his own motion or at the request of the Minister, from time to time conduct and maintain surveys of the prices being charged by any class or description of persons for any professional services or any class of professional services, and may report thereon to the Minister.”

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Stabilisation of Prices Regulations 1974.

The general purpose of the amendments made by these regulations is to ensure that particulars of charges for professional services are supplied to the Secretary of Trade and Industry or can be obtained by him.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 24 August 1977.

These regulations are administered in the Department of Trade and Industry.