

**Reprint**  
**as at 12 May 2011**

**Economic Stabilisation (Prices of  
Automotive Diesel Oil and Fuel  
Oil) Regulations 1975**

(SR 1975/267)

Economic Stabilisation (Prices of Automotive Diesel Oil and Fuel Oil)  
Regulations 1975: revoked, on 12 May 2011, by clause 3 of the Regulatory  
Reform (Revocations) Order 2011 (SR 2011/99).

Denis Blundell, Governor-General

**Order in Council**

At the Government House at Wellington this 17th day of November  
1975

Present:

His Excellency the Governor-General in Council.

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989  
have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together  
with other explanatory material about this eprint.

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

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.

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### Regulations

#### **1 Title and commencement**

- (1) These regulations may be cited as the Economic Stabilisation (Prices of Automotive Diesel Oil and Fuel Oil) Regulations 1975.
- (2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

#### **2 Interpretation**

- (1) In these regulations, unless the context otherwise requires,—  
**Bulk consumer**, in relation to Part 1 of the Schedule to these regulations, means a person who purchases automotive diesel oil in lots of 1,000 litres or more:.

Regulation 2, Bulk consumer: this definition was amended, as from 15 August 1985, by regulation 2 Economic Stabilisation (Prices of Automotive Diesel Oil and Fuel Oil) Regulations 1975, Amendment No 19 (SR 1985/202) by substituting the expression “1,000 litres” for the expression “200 litres”.

#### **Minister***[Revoked]*

Minister: this definition was revoked, as from 22 December 1978, by regulation 2(2) Economic Stabilisation (Prices of Automotive Diesel Oil and Fuel Oil) Regulations 1975, Amendment No 4 (SR 1978/326).

*[Revoked]*

**price** includes every valuable consideration whatsoever whether direct or indirect; and **indirect consideration** includes every valuable consideration whatsoever, which, in effect relates to the sale of any automotive diesel oil or fuel oil, although ostensibly relating to any other matter or thing.

- (2) For the purposes of these regulations, the price of automotive diesel oil or fuel oil shall be deemed to have been increased if there has been any variation in the nature, quality, or quantity of such goods or in the terms of sale of such goods, being a variation that is disadvantageous to the purchaser of the goods, without a corresponding reduction in price.
- (3) For the purposes of these regulations, the publication or exhibition of a price list in respect of any automotive diesel oil or fuel oil, or the furnishing of a quotation for any such goods, or the exposure of any such goods with a specification or an indication of the price thereof attached thereto or displayed in the vicinity thereof or in connection therewith, shall be deemed to constitute the making of a charge for those goods.

## **2A Administration of regulations**

Any powers and functions which the Minister may exercise under the Economic Stabilisation Act 1948 for the purposes of these regulations shall be exercised by the Minister of Energy.

Regulation 2A was inserted, as from 22 December 1978, by regulation 2 Economic Stabilisation (Prices of Automotive Diesel Oil and Fuel Oil) Regulations 1975, Amendment No 4 (SR 1978/326).

## **3 Control of prices**

- (1) The maximum prices that may be charged for automotive diesel oil of a kind described in Part 1 and for fuel oil of any of the kinds described in Part 2 of the Schedule hereto shall be the appropriate prices specified in relation to such diesel oil or fuel oil and mode of sale in that Schedule:  
Provided that the maximum price that may be charged for automotive diesel oil imported into and sold in the Chatham Islands shall be the appropriate maximum price specified in the Schedule hereto reduced by 0.33c per litre and increased by any county dues levied on such automotive diesel oil under the Chatham Islands County Council Empowering Act 1980.

- (2) Where in any particular locality, at the commencement of these regulations, an additional charge was customarily included in the price of fuel oil of any of the kinds specified in Part 2 of the Schedule hereto by reason of the locality in which it was sold, the appropriate maximum price may be increased by such locality price differential normally being charged in relation to sales of that kind in that locality.
- (3) Where the sum payable on any sales of automotive diesel oil or fuel oil if computed under the Schedule to these regulations would amount to a sum containing part of 1c, then the sum so payable may be increased above the maximum lawful price to the whole cent above that price if the part amounts to half a cent or more, but the maximum lawful price shall be reduced to the whole cent below if the part is less than half a cent.

Regulation 3(1) was amended, as from 7 August 1984, by regulation 2 Economic Stabilisation (Prices of Automotive Diesel Oil and Fuel Oil) Regulations 1975, Amendment No 17 (SR 1984/200) by substituting the word “The” for the words “Notwithstanding anything in the Stabilisation of Prices Regulations 1974, the,” and was further amended, as from 26 April 1985, by regulation 2 Economic Stabilisation (Prices of Automotive Diesel Oil and Fuel Oil) Regulations 1975, Amendment No 18 (SR 1985/80) by substituting, in the proviso, the words “any county dues levied on such automotive diesel oil under the Chatham Islands County Council Empowering Act 1980” for the words “the dues for the time being payable in respect of such diesel oil under the Chatham Islands Dues Regulations 1951”.

### **3A Goods and services tax taken into account**

It is hereby declared that the amount of goods and services tax has been taken into account in fixing the maximum prices set out in the Schedule to these regulations, and no amount shall be added to those prices pursuant to section 78(3) of the Goods and Services Tax Act 1985.

Regulation 3A was inserted, as from 11 February 1987, by regulation 2 Economic Stabilisation (Prices of Automotive Diesel Oil and Fuel Oil) Regulations 1975, Amendment No 26 (SR 1987/14).

### **4 Prohibited transactions**

No person shall—

- (a) enter into any transaction, or make any contract or arrangement, purporting to do, whether presently or at some future time or upon the happening of any event or

contingency, anything that contravenes or will contravene the provisions of these regulations; or

- (b) enter into any transaction, or make any contract or arrangement, whether orally or in writing, or do any thing, for the purpose of or having the effect of, in any way, whether directly or indirectly, defeating, evading, avoiding, or even preventing the operation of these regulations in any respect.

## **5 Evidence**

In any proceedings for an offence against these regulations in respect of the sale of any automotive diesel oil or fuel oil the production by or on behalf of the informant of a verified copy of any entry in any accounts or records kept by or on behalf of the defendant, or of any invoice, receipt, sales docket, or other document issued by or on behalf of the defendant, and purporting to disclose the price at which such goods have been sold, shall, in the absence of proof to the contrary, be sufficient evidence of the sale of the goods and of the price charged therefor.

## **6 Offences and penalties**

Without limiting the provisions of section 18 of the Economic Stabilisation Act 1948, every person commits an offence who without lawful justification or excuse, acts in contravention of or fails to comply with any provision of or requirement under these regulations, and is liable accordingly on summary conviction to the penalties specified in subsection (3) of the said section 18, namely:

- (a) in the case of an individual, to imprisonment for a term not exceeding 3 months, or to a fine not exceeding \$400 and (if the offence is a continuing one) to a further fine not exceeding \$10 for every day during which the offence continues, or to both such imprisonment and such fines:
- (b) in the case of a company or other corporation, to a fine not exceeding \$1,000 and (if the offence is a continuing

one) to a further fine not exceeding \$40 for every day during which the offence continues.

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## Schedule

r 2(1), 3

### Part 1

#### Maximum prices for automotive diesel oil

Sales to Bulk Consumers (Prices for sales in drums are for delivery at vendor's premises. Delivery elsewhere in drums may be charged extra for actual costs of delivery.)			
By Wholesale- retailer to Retailer Per Litre	Per Litre	Delivered for Home Heating Per Litre	Retail Ex Pump or Drum Per Litre
64.6c	66.8c	69c	69c

### Part 2

#### Maximum prices for fuel oil to users

Schedule was substituted, as from 11 February 1987, by regulation 3 Economic Stabilisation (Prices of Automotive Diesel Oil and Fuel Oil) Regulations 1975, Amendment No 26 (SR 1987/14).

Light Fuel Oil (220 seconds)	39.9c per litre
Heavy Fuel Oil (1000 seconds)	38.2c per litre

P G Millen,  
Clerk of the Executive Council.

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### **Explanatory note**

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

These regulations fix the maximum prices that may be charged for automotive diesel oil and certain fuel oils under certain classes of sale (which oils are removed from the scope of the Stabilisation of Prices Regulations 1974). The prices for automotive diesel oil include the local authorities petroleum tax. Special provision is made in respect of the price of automotive diesel oil sold in the Chatham Islands.

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Issued under the authority of the Regulations Act 1936.  
Date of notification in *Gazette*: 20 November 1975.

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**Notes****1 General**

This is an eprint of the Economic Stabilisation (Prices of Automotive Diesel Oil and Fuel Oil) Regulations 1975. The eprint incorporates all the amendments to the regulations as at 12 May 2011. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

**2 About this eprint**

This eprint has not been officialised. For more information about eprints and officialisation, please see <http://www.pco.parliament.govt.nz/eprints/>.

**3 List of amendments incorporated in this eprint  
(most recent first)**

Regulatory Reform (Revocations) Order 2011 (SR 2011/99): clause 3

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