



THE  
**NEW ZEALAND GAZETTE**  
EXTRAORDINARY.

Published by Authority.

WELLINGTON, FRIDAY, FEBRUARY 24, 1922.

*Board of Trade Regulations.—Maximum Price of Wheat.*

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 23rd day of February, 1922.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the power and authority conferred upon him by section twenty-six of the Board of Trade Act, 1919, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby, on the recommendation of the New Zealand Board of Trade, make the following Board of Trade Regulations fixing the maximum price of wheat grown in New Zealand.

REGULATIONS.

INTERPRETATION.

1. THESE regulations may be cited as the Board of Trade (Maximum Price of Wheat) Regulations, 1922.
2. These regulations shall come into operation on the day after the publication thereof in the *Gazette*.
3. In these regulations—
  - “Wheat,” “free wheat,” and “good milling-wheat” mean wheat, free wheat, and good milling-wheat within the meaning of the Board of Trade (Wheat Industry) Regulations, 1922 :
  - “Government price” means, in respect of wheat sold for delivery in any month, the price payable by Government brokers under the Board of Trade (Wheat Industry) Regulations, 1922, for good milling-wheat sold to the Government for delivery in the same month :
  - “Miller’s price” means, in respect of wheat sold for delivery in any month, the price receivable by Government brokers for good milling-wheat sold by them on account of the Government for delivery in the same month in accordance with the Board of Trade (Wheat Industry) Regulations, 1922.
  - “Nearest port” means the port of entry under the Customs Act, 1913, nearest to the place in which the wheat is grown :
  - “Railway-station” means the railway-station nearest to the place in which the wheat is grown, and refers to wheat grown in the North Island or in the Provincial Districts of Marlborough and Nelson only.
4. When wheat is sold without express provision as to the month of delivery it shall be deemed to have been sold for delivery in the month in which the contract is made, and the maximum price shall be determined accordingly.

WHEAT INFERIOR TO GOOD MILLING-WHEAT.

5. The maximum price of free wheat inferior in quality to good milling-wheat, when sold by the grower, shall be a price equivalent as regards the grower to the Government price of Tuscan wheat for the same month of delivery, less 2d. per bushel.
6. (1.) The maximum price of free wheat inferior in quality to good milling-wheat, when sold wholesale by millers, brokers, or other purchasers from the growers free on board or rail

at the nearest port or railway-station on the usual trade terms as established at the date of this Order in Council, shall be the Government price for good milling-wheat of Tuscan variety delivered free on board or rail at the nearest port or railway-station in the same month, less 1d. per bushel.

(2.) When sold otherwise than free on board or rail at the nearest port or railway-station on the said trade terms, the maximum price shall be a price equivalent as regards the seller to the maximum price aforesaid.

7. The maximum price of free wheat inferior in quality to good milling-wheat, when sold retail for delivery in any month by any person other than the grower, shall be the same as the price lawfully payable for similar wheat of Tuscan variety when sold wholesale by millers, brokers, or other purchasers from the growers for delivery in the same month free on board at Lyttelton on the usual trade terms, with the following additions only to such lawful price—namely, an addition of 15 per cent., together with a further addition of the transit charges actually paid by the retail seller of such wheat.

GOOD MILLING-WHEAT.

8. (1.) The maximum price of seed-wheat being good milling-wheat (other than machine-dressed wheat), when sold for delivery free on board or rail at the nearest port or railway-station on the usual trade terms as established at the date of this Order in Council, shall be the millers’ price for good milling-wheat of the same description delivered free on board or rail at the nearest port or railway-station in the same month, with an addition of 5d. per bushel.
- (2.) When sold otherwise than free on board or rail at the nearest port or railway-station on the usual trade terms as aforesaid, the maximum price shall be a price equivalent as regards the seller to the maximum price aforesaid.

MACHINE-DRESSED SEED-WHEAT.

9. The maximum price of machine-dressed seed-wheat shall be the maximum price fixed by the last preceding clause, with the further addition of 5d. per bushel.

F. D. THOMSON,  
Clerk of the Executive Council.

*Board of Trade (Wheat Industry) Regulations, 1922.*

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 23rd day of February, 1922.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by section twenty-six of the Board of Trade Act, 1919, it is enacted that the Governor-General in Council may, on the recommendation of the Board of Trade, by regulation, made provision for the regulation and control of industries in any manner deemed necessary for the maintenance and prosperity of those industries and the economic welfare of New Zealand : And whereas by section forty-seven of the Customs Act, 1913, as extended by the Customs Amendment Act, 1921, it is enacted that the Governor-General may by Order in Council prohibit the exportation of any goods the prohibition of the exportation of which is in his opinion necessary in the public interest :

And whereas it is deemed necessary in the public interest to control the wheat industry, and to prohibit the exportation of wheat unless certain conditions have been complied with:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in exercise of the powers hereinbefore mentioned, and of all other powers enabling him in that behalf, acting by and with the advice and consent of the Executive Council of the said Dominion and on the recommendation of the Board of Trade, doth hereby make the following regulations relating to the control of the wheat industry, and the prohibition of the exportation of wheat save subject to the conditions hereinafter prescribed.

#### REGULATIONS.

1. THESE regulations may be cited as the Board of Trade (Wheat Industry) Regulations, 1922.

2. These regulations shall come into operation on the day after the publication thereof in the *Gazette*.

3. In these regulations, except where a contrary intention appears,—

“Wheat” means wheat of any kind or quality grown in New Zealand during the season 1921–22 or in any season previous to the season 1921–22:

“Free wheat” means—

(a.) Any wheat after purchase and resale by the Government in pursuance of the scheme of purchase set forth in these regulations for gristing into wheat products for human consumption only:

(b.) Any wheat after its purchase and resale by the Government in pursuance of the said scheme of purchase for resale to intending growers and licensed brokers for seed purposes only:

(c.) Any wheat which has been offered to the Government for purchase for resale in New Zealand in pursuance of the said scheme of purchase, and has been rejected as being unmerchantable or otherwise not of a kind or quality required by the Government, and being wheat after it has been dealt with in the manner prescribed by clause 17 of these regulations:

“Good milling-wheat” means wheat suitable for milling, and weighing not less than 60 lb. per imperial bushel measure, or of a quality superior thereto:

“Tuscan” includes all varieties of Tuscan, also Talavera, Dreadnought, Red Marvel, Federation, Yandalla King, John Brown, McCallum's, Bordier, Sensation, and Victor; also all varieties not classed as Hunters or Pearl herein:

“Hunters” includes all varieties of Hunters, also Webb's Challenge, Webb's Stand-up White, Velvet-ear, and Redchaff:

“Pearl” includes Pearl, Velvet, and Bobs:

“Government” means His Majesty the King in respect of the Government of the Dominion of New Zealand:

“Minister” means Minister of Agriculture:

“Government Grader” means a Grader nominated by the Wheat Controller for the purposes of these regulations.

#### PART I.—PRIVATE DEALINGS IN WHEAT PROHIBITED.

4. (1.) Save in accordance with and pursuance of the scheme of purchase and sale set forth in these regulations, it shall not be lawful for any person, whether as principal, agent, or otherwise, to purchase or agree or offer to purchase any wheat other than free wheat, or to be concerned in the making of any such purchase, agreement, or offer by any other person, whether in New Zealand or elsewhere, or to be concerned in the fulfilment or performance of any agreement for the purchase of any such wheat, whether such agreement has been made in New Zealand or elsewhere, and whether it has been made before or after the making of these regulations.

(2.) Save in accordance with and pursuance of the scheme of purchase and sale set forth in these regulations, it shall not be lawful for any person, whether as principal, agent, or otherwise, to sell or agree or offer to sell any wheat other than free wheat, or be concerned in the making of any such sale, agreement, or offer by any other person, whether in New Zealand or elsewhere, or to be concerned in the fulfilment or performance of any agreement for the sale of any such wheat, whether such agreement has been made in New Zealand or elsewhere, and whether it has been made before or after the making of these regulations.

5. In the foregoing regulations the terms “purchase” and “sale” include any mode of acquisition or disposition by agreement other than acquisition or disposition by way of security only.

6. For the purposes of the foregoing regulations an option or right of purchase or sale shall be deemed to be an agreement to purchase or to sell, as the case may be.

7. Notwithstanding anything in these regulations, it shall be lawful for the grower of any wheat to sell to any person, and for the purchaser to purchase, any quantity or quantities thereof not exceeding in the aggregate 100 bushels.

#### PART II.—CONTROL OF THE WHEAT TRADE.

8. Good milling-wheat will be purchased and resold by the Government in accordance with the scheme hereinafter in these regulations set forth.

9. All purchases and sales of wheat by the Government will be effected through the agency of brokers appointed by the Minister and acting on account of the Government, and hereinafter referred to as Government brokers.

10. (1.) Every broker so appointed shall hold office at the will of the Minister.

(2.) Every person holding office on the making of these regulations as a Government broker pursuant to the Board of Trade (Sale and Purchase of Wheat) Regulations, 1921, shall be deemed to have been appointed a Government broker under these regulations for the district for which he held office under the first-mentioned regulations.

11. Government brokers will be required to give to the Government such security as the Minister may require for the due performance of their contract with the Government and for due obedience to these regulations.

12. (1.) The general control, supervision, and execution of this scheme of purchase and sale will be in the hands of a Controller appointed by the Minister and acting on behalf of the Government, and hereinafter called the Wheat Controller.

(2.) The person holding office on the making of these regulations as the Wheat Controller under the Board of Trade (Sale and Purchase of Wheat) Regulations, 1921, shall be deemed to have been appointed as Wheat Controller under and for the purposes of these regulations.

(3.) The Wheat Controller may exempt from these regulations sales or purchases of wheat grown by any wheat-grower in areas specified by the Wheat Controller, and may also exempt wheat grown from seed of recognized merit in respect to purity of variety, subject to such terms and conditions as he may fix as regards price.

13. The headquarters of the Wheat Controller shall be at Christchurch.

14. (1.) There will be associated with the Wheat Controller an advisory committee to be known as the Wheat Trade Committee and to consist of such representatives of the wheat-growers, flour-millers, and Government brokers as the Minister may from time to time appoint.

(2.) The persons holding office on the making of these regulations as the Wheat Trade Committee under the Board of Trade (Sale and Purchase of Wheat) Regulations, 1921, shall be deemed to have been appointed members of the Wheat Trade Committee under and for the purposes of these regulations.

15. Every Government broker will be appointed for a particular district to be defined by the Minister in appointing such broker, and it shall not be lawful for any such broker to purchase for the Government under these regulations any wheat grown elsewhere than in the district for which he has been appointed.

#### PART III.—PURCHASES OF WHEAT BY THE GOVERNMENT.

16. Government brokers will buy good milling-wheat on account of the Government at the following prices:—

A. Good milling-wheat grown in the South Island elsewhere than in the Provincial Districts of Nelson and Marlborough:—

(1.) Sold for delivery free on board at the nearest port:—

(a.) In January, February, March, or April, 1922, 5s. 6d. per bushel for Tuscan, 5s. 9d. per bushel for Hunters, 6s. 3d. per bushel for Pearl.

(b.) In May, 1922, 5s. 6½d. per bushel for Tuscan, 5s. 9½d. per bushel for Hunters, 6s. 3½d. per bushel for Pearl.

(c.) In June, 1922, 5s. 7½d. per bushel for Tuscan, 5s. 10½d. per bushel for Hunters, 6s. 4½d. per bushel for Pearl.

(d.) In July, 1922, 5s. 8½d. per bushel for Tuscan, 5s. 11½d. per bushel for Hunters, 6s. 5½d. per bushel for Pearl.

(e.) In August, 1922, 5s. 9d. per bushel for Tuscan, 6s. per bushel for Hunters, 6s. 6d. per bushel for Pearl.

(f.) In September, 1922, 5s. 9½d. per bushel for Tuscan, 6s. 0½d. per bushel for Hunters, 6s. 6½d. per bushel for Pearl.

(g.) In or after October, 1922, 5s. 10½d. per bushel for Tuscan, 6s. 1½d. per bushel for Hunters, 6s. 7½d. per bushel for Pearl.

(2.) Sold for delivery otherwise than free on board at the nearest port: A price equivalent as regards the seller to the prices aforesaid.

B. Good milling-wheat grown in the North Island or in the Provincial Districts of Nelson or Marlborough:—

(1.) Sold for delivery free on rail at the nearest railway-station: The same price as that fixed by subclause A hereof for good milling-wheat grown in the South Island (elsewhere than in Nelson or Marlborough) and sold for delivery free on board at the nearest port, with an addition of 4d. per bushel.

(2.) Sold for delivery otherwise than free on rail at the nearest railway-station: A price equivalent as regards the seller to the price aforesaid.

17. Government brokers will not purchase on behalf of the Government any wheat other than good milling-wheat; nevertheless it shall not be lawful for any person to sell wheat of any quality otherwise than to the Government unless and until it has been offered to a Government broker for sale to the Government in pursuance of these regulations, and has been rejected as unmerchantable or as not being good milling-wheat.

18. In these regulations “nearest port” means the port of entry under the Customs Act, 1913, nearest to the place where the wheat is grown, and “nearest railway-station” means the railway-station nearest to the place where the wheat is grown.

19. Sacks will be paid for in addition to the above prices at fair market value, not exceeding 1s. 1d. for 48 in. sacks and 1s. for smaller sizes.

20. When wheat is sold to a Government broker without express agreement as to the month of delivery it shall be deemed to be sold for delivery in the month in which the contract is made.

21. When wheat is sold to a Government broker for delivery by instalments in different months, or on different terms or conditions, the sale of each instalment shall be deemed to be a separate contract.

22. Save in special cases at the express direction of the Wheat Controller, and on such terms as may be approved by him, wheat will be so purchased by a Government broker only on the terms that the seller will deliver the same to a purchaser from the Government as directed by the broker, whether free on board, free on rail, direct to the purchaser's store, or otherwise. Save as aforesaid, the Government broker will in no case accept delivery on behalf of the Government, or act as a warehouseman for the Government. The Government broker may, however, act at the same time as the broker, agent, or warehouseman either of the seller to the Government or of the buyer from the Government, on such terms as may be mutually agreed upon by the parties.

23. All wheat so purchased by the Government shall become the property of the Government on delivery thereof in accordance with the terms of the contract if the wheat is in conformity with the contract.

24. (1.) On such delivery of wheat the Government broker, on being satisfied that the wheat so delivered is in accordance with the contract, will forward to the Wheat Controller a voucher in duplicate, in such form as the Controller may require, authorizing the payment of the contract price.

(2.) The sum so payable will be paid by the Wheat Controller as imprestee to the seller, or to any other person authorized by the seller in that behalf by a written authority transmitted through the broker to the Controller.

(3.) Such payments will be made on the 1st and 14th days of each calendar month in the case of all vouchers duly received by the Controller at least seven days before any such pay-day.

(4.) If any pay-day is a holiday, payment will be made on the next following business day.

25. Every contract made by a Government broker for the purchase of wheat on account of the Government shall be made in accordance with and shall incorporate the provisions of these regulations so far as applicable to contracts of purchase, and the rights and obligations of the parties shall be determined accordingly.

#### PART IV.—SALES OF WHEAT BY THE GOVERNMENT.

26. No sales of wheat shall be made by a Government broker on account of the Government except to persons holding a warrant issued by the Wheat Controller authorizing the holder to purchase wheat, and hereinafter referred to as a wheat-purchase warrant.

27. Every such warrant will contain such conditions and restrictions as the Wheat Controller thinks fit, and no sale shall be made to the holder otherwise than in conformity with these conditions and restrictions.

28. Every wheat-purchase warrant may be cancelled at any time for any reason which the Controller in his absolute discretion thinks sufficient.

29. No such warrant shall be transferable.

30. Each flour-miller will be required to purchase and take delivery of the full quantity of each variety of wheat the purchase of which is authorized under these warrants as soon as is practicable in the discretion of the Wheat Controller, and this obligation will be enforced by the Wheat Controller by withholding or cancelling the wheat-purchase warrants of any flour-miller who makes default herein. All Government brokers shall in effecting sales of wheat observe all directions given to them by the Wheat Controller in this behalf.

31. The price at which wheat is so sold by a Government broker on account of the Government shall be the price per bushel at which it was purchased by the broker on account of the Government with the addition of 9d. per bushel.

32. Payment for wheat so sold and delivered shall be made by the buyer to the Government broker on account of the Government, and the terms of payment shall be such as may be agreed upon between the buyer and the broker, being either cash on delivery, cash against shipping documents, or cash within seven days after delivery. All purchase-money in arrear and unpaid shall bear interest at the rate of 8 per centum per annum.

33. When wheat is sold for delivery by instalments each instalment shall be treated as the subject of a separate contract, and payment shall be made accordingly.

34. All moneys so received by a Government broker shall be paid by him into the Public Account immediately on the receipt thereof, and all moneys not so paid into the Public Account shall bear interest at the rate of 8 per centum per annum until so paid.

35. Every Government broker will guarantee to the Government the due payment by the buyer of the purchase-money for all wheat so sold to him by that broker, and on default made by the buyer the purchase-money, with all accrued interest thereon, shall be recoverable by the Government from the broker.

36. After delivery to the buyer the wheat shall be in all respects at the buyer's risk, but the property in the wheat shall not pass to the buyer until the purchase-money has been received by the Government broker; and on default made by the buyer, the broker or the Wheat Controller may take and retain possession of the wheat on behalf of the Government as a security for the purchase-money.

37. Every contract made by a Government broker for the sale of wheat on account of the Government shall be made

in accordance with and shall incorporate the provisions of these regulations so far as applicable to contracts of sale, and the rights and obligations of the parties shall be determined accordingly.

38. No wheat purchased from any seller other than the Government shall be used in the manufacture of flour save with the consent of the Wheat Controller and subject to such conditions, including the payment to him of 3s. per bushel, as he may decide.

#### PART V.—TERMS OF EMPLOYMENT OF BROKERS.

39. In respect of every contract for the purchase of wheat by a Government broker on account of the Government the broker shall be entitled to receive from the Government a commission of  $\frac{1}{4}$ d. for every bushel delivered in pursuance of and in conformity with that contract.

40. In respect of every contract for the sale of wheat by a Government broker on account of the Government the broker shall be entitled to receive from the Government a commission of  $\frac{1}{4}$ d. for every bushel delivered in pursuance of and in conformity with that contract.

41. It shall not be lawful for a Government broker to receive, directly or indirectly, any additional commission or remuneration from any party other than the Government in respect of the making of any such contract of purchase or sale; but nothing herein contained shall prevent the broker from receiving from any such party remuneration for services rendered in respect of storage or otherwise howsoever in addition to the services of making the contract of purchase or sale.

42. It shall not be lawful for any Government broker to give, offer, or promise to any person any rebate, refund, commission, allowance, gratuity, or other valuable consideration as an inducement to that person to sell or purchase wheat to or from the Government through that broker, or for the reason that he has so sold or purchased wheat.

43. It shall not be lawful for a Government broker to purchase, whether for himself or on account of any other person, any wheat of a quality inferior to good milling-wheat except under the authority of a license issued to the broker in that behalf by the Wheat Controller, and in accordance with the terms of that license. Any such license may be at any time cancelled by the Controller for any reason which in his absolute discretion he thinks sufficient.

44. In all matters within the scope of their employment and not specifically provided for by these regulations the Government brokers shall act in accordance with directions from time to time received from the Wheat Controller.

45. Government brokers shall from time to time make to the Wheat Controller such returns relative to the business done by them as the Controller may require.

46. Every appointment of a Government broker shall be deemed to incorporate, as a contract between the broker and the Government, the provisions of these regulations so far as they relate to the rights, powers, duties, and liabilities of such brokers.

#### PART VI.—DISPUTES.

47. When any dispute arises as to whether any wheat offered to a Government broker for sale to the Government is good milling-wheat, or when any dispute arises as to whether any wheat delivered in fulfilment of any contract of purchase or sale entered into by Government brokers on account of the Government is in accordance with the contract in respect of kind, quality, or condition, the dispute shall be determined by a Government Grader, and his decision shall be final.

48. When any dispute, other than as mentioned in the last preceding clause, arises between the parties to any contract entered into by a Government broker on account of the Government, or between a Government broker and the Government, or between a Government broker and the export agent appointed under Part X hereof, or between a Government broker and any seller or purchaser of wheat to or from the Government, touching the meaning or operation of these regulations, or of any contract so entered into, the dispute shall be determined by the Wheat Controller, whose decision shall be final.

49. Nothing in the last two preceding clauses shall apply to any prosecution for an offence against these regulations.

50. (1.) Subject to the foregoing provisions as to the settlement of disputes, the following weights shall be accepted by all parties as the basis of settlement in all contracts for the purchase or sale of wheat by or to the Government:—

Wheat delivered direct to a mill—flour-millers' weights.

Wheat delivered free on board—customary free-on-board weights.

Wheat delivered ex store either to mills or free on board—ex-store weights.

Wheat delivered into store for export—into-store weights as certified by the export agent appointed under Part X hereof.

(2.) The only deductions from such weights shall be 3lb. tare per sack.

#### PART VII.—OFFENCES.

51. Every person shall be guilty of an offence against these regulations, and shall be liable accordingly, who does or attempts or conspires to do any act declared by these regulations to be unlawful.

52. Every Government broker shall be guilty of an offence against these regulations, and shall be liable accordingly, who commits any wilful breach of his contract with the Government under these regulations.

53. Every seller of wheat to the Government or purchaser of wheat from the Government under these regulations who commits a wilful breach of his contract with the Government

shall be guilty of an offence against these regulations, and shall be liable accordingly.

54. Every person who, being a servant or agent of any Government broker or of any such seller or purchaser of wheat, wilfully does any act whereby or in consequence of which such Government broker, seller, or purchaser breaks his contract with the Government shall be guilty of an offence against these regulations and shall be liable accordingly.

55. Every person who deceives or attempts to deceive a Government broker or the Wheat Controller in the exercise of his functions under these regulations shall be guilty of an offence against these regulations and shall be liable accordingly.

56. Every person who incites, aids, abets, counsels, or procures any other person, or conspires with any other person, to commit an offence against these regulations shall be guilty of an offence against these regulations and shall be liable accordingly.

57. Every person who fails to make in accordance with these regulations any return required thereby or in pursuance thereof, or who makes any such return which is false or misleading in any particular, shall be guilty of an offence against these regulations and shall be liable accordingly.

58. Every person who, whether as principal, agent, or otherwise, sells or purchases, or agrees or offers to sell or purchase, wheat at a price in excess of the maximum price thereof as determined for the time being under the Board of Trade Act, 1919, shall be guilty of an offence against these regulations and shall be liable accordingly.

#### PART VIII.—RETURNS.

59. On or before the 7th day of September, 1922, every grower of wheat shall make to the Wheat Controller a return showing as at 31st day of August, 1922—

- (a.) The number of bushels of each variety of wheat grown by him and threshed but not yet sold and delivered :
- (b.) How much of such wheat still lies on the grower's farm :
- (c.) The location of any such wheat which is stored or held elsewhere.

60. On or before the 7th day of September, 1922, every grower of wheat shall make to the Wheat Controller a return showing as at 31st day of August, 1922—

- (a.) The estimated quantity of wheat, in bushels, which the grower has still unthreshed, the quantities of each variety of wheat to be stated separately :
- (b.) The probable date of threshing and delivery to the market.

61. In the case of all wheat remaining unthreshed at the 31st day of August, 1922, the grower shall within one week after the threshing thereof make to the Wheat Controller a return showing the actual yield of each variety.

62. On or before the 31st day of March, 1922, every flour-miller carrying on business in New Zealand shall make to the Wheat Controller a return showing—

- (a.) His probable requirements of wheat for milling for the period between the 1st day of March, 1922, and the 28th day of February, 1923 :
- (b.) His carry-over of stocks of wheat, flour, bran, and pollard as at the 28th day of February, 1922.

63. Every flour-miller carrying on business in New Zealand shall, on or before the 15th day of each calendar month, commencing in March, 1922, make to the Wheat Controller a return showing full particulars of all wheat delivered to him during the last preceding calendar month in pursuance of purchases made by him.

64. The Wheat Controller, or his duly authorized representative, may require any person to give to him any information in such person's possession, and to produce any books or documents in his possession or under his control, relating to the sale or purchase of any wheat, whether grown in New Zealand or not, and of whatever season's crop, and whether such person is a party to such sale or purchase or not. Any person withholding any such information or failing to produce such books or documents shall be guilty of an offence against these regulations and shall be liable accordingly.

65. In making all such returns as aforesaid the person by whom the return is to be made shall use such forms and give such additional particulars as the Wheat Controller may from time to time require.

66. (1.) Every person who, whether as principal or agent, and whether personally or through an agent, enters into any contract for the purchase of free wheat otherwise than from the Government shall, within seven days after the day of the making of the contract, make or cause to be made to the Wheat Controller a return of such contract containing the following particulars :—

- (a.) The names and addresses of the purchaser and seller :
- (b.) The date on which the contract was made :
- (c.) The class and quantity of wheat so purchased :
- (d.) The agreed date and place of delivery :
- (e.) The price of the wheat per bushel :
- (f.) The price of the sacks :
- (g.) Particulars of any terms or conditions which are not in accordance with the established custom of the trade at the date of these regulations :
- (h.) If the contract is made or evidenced by any written document, a copy of that document :
- (i.) A declaration made by or on behalf of the purchaser that the price of the wheat is not in excess of the maximum price as fixed at the date of the contract by any Order in Council made under the Board of Trade Act, 1919.

(2.) Nothing in this clause shall render necessary a return of any contract for the purchase of wheat in any quantity less than 100 bushels, save that two or more contracts

made by the same purchaser at or substantially at the same time (whether from the same or different sellers) shall be deemed to be one contract for the purpose of this exemption.

#### PART IX.—SEED-WHEAT.

67. Notwithstanding anything to the contrary in these regulations, a Government broker in purchasing wheat on account of the Government may, with the permission of the Wheat Controller, resell that wheat or any part thereof to the broker himself as seed-wheat at a price equivalent to the price for sales on account of the Government calculated in accordance with clause 31 hereof.

68. No commission shall be payable to the broker in respect either of the purchase or resale of any wheat so dealt with.

69. The Government broker shall pay to the Government the purchase-money for all seed-wheat so purchased by him in cash on the delivery of the wheat to the broker in pursuance of the contract.

70. In all other respects these regulations shall apply to any such resale by the Government to a Government broker in the same manner as if the Government broker were an independent third person purchasing the wheat from the Government through that broker.

71. Save with the permission of the Wheat Controller, it shall not be lawful for a broker who has so purchased seed-wheat to dispose of it in any manner otherwise than by sale thereof as seed-wheat to farmers.

72. Any surplus of seed-wheat so purchased by a Government broker, and undisposed of by sale to farmers before the close of the sowing season of the year 1922, may be demanded by the Wheat Controller for the Government, and shall thereupon be resold to the Government by the broker at the price hereinbefore prescribed for good milling-wheat sold to the Government for delivery in the month in which such demand was made by the Wheat Controller.

#### PART X.—EXPORT OF WHEAT.

73. The export of wheat, save with the approval of the Minister of Customs given on the recommendation of the Wheat Controller, is hereby prohibited.

74. The Minister may, subject to such terms and conditions, including the payment of commission, as he may prescribe, appoint a person, firm, or company (hereinafter referred to as the export agent) to obtain, through Government brokers on behalf of the Government, such quantities and qualities of wheat as the Wheat Controller may from time to time direct, and to effect on such behalf the export and disposal of such wheat at such prices and on such terms and conditions as the Wheat Controller may direct or approve.

75. The Wheat Controller may require any Government broker to offer to the export agent any specified parcel of wheat, or all wheat, over which such Government broker may have the power of disposal before offering such wheat to any other purchaser from the Government.

76. With respect to all wheat offered to the export agent the following provisions shall apply :—

- (a.) Upon receipt of directions in writing from the export agent, the Government broker shall forward such wheat to such broker's order to the destination prescribed in such directions.
- (b.) Such proportion (if any) of such wheat as is certified by a Grader approved by the Wheat Controller to be equal to export standard will be accepted by the export agent, and the value thereof, calculated on the basis of the prices fixed under clauses 16 and 19 hereof, and on weights certified by the export agent, will be payable by the Government to the owner of such wheat or his authorized agent.
- (c.) A commission of 1d. per bushel on the quantity of wheat accepted for export in accordance with clause (b) hereof will be paid to the Government broker by the Wheat Controller, such commission to be in lieu of and not in addition to the commission prescribed by clauses 39 and 40 hereof.

77. The export agent will be entitled to receive from the Government such commission on the quantity of wheat purchased by him for export as may be approved by the Minister, and will in addition, with respect to costs incurred with the approval of the Wheat Controller, be entitled to a refund of the net amount of his disbursements. Payment for services rendered by the export agent by direction of the Wheat Controller, other than those services agreed to be rendered in return for the commission herein referred to, will be made in such amounts as may be approved by the Minister.

78. The Wheat Controller is hereby empowered to dispose of wheat on behalf of the Government at such prices as may be approved by the Minister, subject to the condition that no wheat disposed of under this regulation shall be resold or offered for resale within the Dominion of New Zealand. Failure to export, within such time as the Wheat Controller may direct, wheat purchased under this regulation, or the resale or purchase of any such wheat in New Zealand, shall constitute a breach of these regulations, and the purchaser from the Government and any subsequent purchasers shall be liable accordingly.

79. All contracts for the sale of wheat under this Part of these regulations shall be executed by the Wheat Controller on behalf of the Government.

80. The Order in Council of the 27th September, 1921, making the Board of Trade (Wheat Futures) Regulations is hereby revoked.

F. D. THOMSON,  
Clerk of the Executive Council.