



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, 3 JULY 1958

Published by Authority

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Price Order No. 1745 (Spirits and Beer)

PURSUANT to the Control of Prices Act 1947, the Price Tribunal hereby makes the following Price Order:

1. This order may be cited as Price Order No. 1745, and shall come into force on the 9th day of July 1958.

2. (1) Price Order No. 1442* is hereby revoked.

(2) The revocation of the said order shall not affect the liability of any person for any offence in relation thereto committed before the coming into force of this order.

3. (1) In this order, unless the context otherwise requires,—

“Beer” includes ale, beer, stout, porter, and all other malt liquors in respect of which beer duty in accordance with Part III of the Finance Act 1915 is payable:

“Licensing Trust” means any licensing trust now or hereafter established under any Act:

“Original bottle”, in relation to any sale, means any bottle filled in accordance with customary trade practice and to its normal capacity prior to and not for the purpose of that sale:

“Ounce” means fluid ounce as defined in the Weights and Measures Proclamation 1946†:

“Spirits” means whisky, rum, brandy, or gin:

“Standard measure” means five-eighths of an ounce.

(2) Terms and expressions defined in the Licensing Act 1908, when used in this order, have the meanings severally assigned thereto by that Act.

(3) For the purposes of this order a Licensing Trust shall be deemed to be the holder of a publican's licence, and any premises maintained by a Licensing Trust in which liquor is sold or supplied shall be deemed to be licensed premises, and the person for the time being charged with the management of any such premises shall be deemed to be the licensee thereof.

APPLICATION OF THIS ORDER

4. (1) Subject to the provisions of this order, this order applies with respect to the sale by the holder of a publican's licence or accommodation licence for consumption on licensed premises, and to the sale by the holder of a conditional licence under the authority of that licence, of drinks containing spirits or beer.

(2) This order shall not apply to any liquor sold by the bottle and in its original bottle.

FIXING MAXIMUM PRICES OF SPIRITS TO WHICH THIS ORDER APPLIES

5. (1) Subject to the provisions of this order, the maximum price that may be charged by the holder of a publican's licence or an accommodation licence for consumption on licensed premises, or by the holder of a conditional licence under the authority of that licence, for any drink containing spirits shall be—

(a) Where the quantity of spirits contained in the drink is less than a full standard measure, 9d.

(b) Where the quantity of spirits contained in the drink is a full standard measure, or more than a full standard measure, 1s. 3d. for each full standard measure.

(2) Where any drink containing a full standard measure or more than a full standard measure of spirits, other than French brandy, is served in a lounge or a dining-room of licensed premises, the maximum price of the drink shall be 1s. 6d. for each full standard measure of spirits contained in the drink. Where any such drink served as aforesaid contains less than a full standard measure of spirits, the maximum price of the drink shall be 1s. 3d.

(3) Where any drink containing a full standard measure or more than a full standard measure of French brandy is served in a lounge or dining-room of licensed premises, the maximum price of the drink shall be 2s. 3d. for each full standard measure of French brandy contained in the drink. Where the quantity of French brandy contained in any such drink served as aforesaid is less than a full standard measure, the maximum price of the drink shall be 1s. 9d.

4. (i) Where the purchaser of any drink containing spirits requests a split-sized bottle of aerated water to be served with the drink, an additional charge may be made for such bottle.

(ii) For the purposes of this order the term “split-sized” in relation to any bottle means a bottle containing approximately 6 oz and known in the hotel trade as split-sized.

(iii) Except as provided in paragraph (i) hereof, no additional charge may be made where any flavouring or diluting ingredient of a non-intoxicating nature is added to the drink.

(5) This clause shall not apply to drinks containing more than one kind of spirits.

(6) The maximum price of any brandy sold on licensed premises (otherwise than by the original bottle) for consumption off the licensed premises shall be at the rate of 1s. 8d. per ounce. In addition to that price a reasonable price may be charged for the bottle in which the brandy is delivered to the purchaser, but any charge so made shall be refunded to the purchaser on the return of the bottle.

FIXING MAXIMUM PRICES OF BEER TO WHICH THIS ORDER APPLIES

6. (1) Subject to the provisions of this order, the maximum price that may be charged for beer by the licensee of licensed premises for consumption on the premises shall be—

(a) 8d. for 8½ oz provided that such price may be increased by 1d. for each oz in excess of 8½ oz.

(b) Where the quantity of beer requested is less than 8½ oz: 8d., provided that where such quantity is 5 oz or less: 6d.

Provided that where the beer is served in a container filled from the original bottle the maximum price of the drink shall be 9d. irrespective of the quantity served.

(2) Where the beer is served in a lounge or dining room of licensed premises the maximum price of the drink shall be 1s. 3d. irrespective of the quantity served.

7. Subject to the provisions of this order the maximum price that may be charged for beer by the holder of a conditional licence under the authority of that licence shall be 8d. irrespective of the quantity served, provided that where the beer is served in a container filled from the original bottle the maximum price shall be 9d. irrespective of the quantity served.

8. Unless the purchaser specifically requests less than 8½ oz of beer he shall be served with not less than 8½ oz except where the beer is served in the lounge or dining room, or is beer served from its original bottle, or is beer sold by the holder of a conditional licence under the authority of that licence.

9. Where the purchaser of beer requests the addition of any flavouring or diluting ingredient of a non-intoxicating nature to his drink, the provisions of this clause shall apply as if all the drink consisted of beer.

GENERAL

10. Notwithstanding anything in the foregoing provisions of this order and subject to such conditions, if any, as it thinks fit, the Tribunal, on application by the licensee of any licensed premises or by the holder of a conditional licence, may authorise special maximum prices in respect of any drinks to which this order applies where special circumstances exist or for any reason extraordinary charges (freight or otherwise) are incurred by the applicant. Any authority given by the Tribunal under this clause may apply with respect to a particular drink or class of drinks or may relate generally to drinks to which this order applies sold by the applicant while the approval remains in force. Any authority given under this clause shall be exhibited in the manner prescribed by clause 11 hereof in respect of price orders.

11. For the purposes of this order liquor shall be deemed to be served in a lounge or a dining-room only if it is served to the purchaser by the licensee or his servant in the lounge or dining-room and not directly to the purchaser over a counter.

12. Every licensee of any licensed premises, and every holder of a conditional licence, shall keep a copy of this price order or a statement of the retail prices fixed thereby prominently displayed in every place in the licensed premises where drinks are sold or in every place of sale or disposal of liquor under the authority of the conditional licence (as the case may be) in such a position that customers may examine the price order or statement without having to ask for its production and without having to obtain permission to examine it.

Dated at Wellington this 4th day of July 1958.

The seal of the Price Tribunal was affixed hereto in the presence of—

[L.S.] W. F. STILWELL (Judge), Presiding Member.
H. PEARCE, Member.
F. F. SIMMONS, Member.

*Gazette, 15 January 1953, Vol. I, p. 59
†S.R. 1946/68, p. 141