

LAND & DEEDS OFFICE

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GISBORNE



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, 21 APRIL 1977

Published by Authority

WELLINGTON: TUESDAY, 26 APRIL 1977

Commission of Inquiry into the Distribution of Motor Vehicle Parts

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

To all unto whom these presents shall come, and to:

KEITH ROBERT CONGREVE, of Auckland, retired President of the Price Tribunal;

ALEXANDER CAMPBELL BEGG, of Christchurch, retired farmer;

JOHN ALEXANDER CONNOLLY, of Upper Hutt, Chartered Accountant;

GREETING:

WHEREAS it is expedient that inquiry should be made into the source of supply, distribution, and pricing of motor vehicle parts (as defined in the Schedule to these presents) distributed in New Zealand:

Now, therefore, pursuant to the Commissions of Inquiry Act 1908, I, Sir Edward Denis Blundell, the Governor-General of New Zealand, acting by and with the advice and consent of the Executive Council, hereby appoint you, the said Keith Robert Congreve, Alexander Campbell Begg, and John Alexander Connolly, to be a Commission to inquire into, report upon, and make recommendations upon—

(1) The source of supply, distribution, and pricing of motor vehicle parts (as defined in the Schedule to these presents) distributed in New Zealand, with particular regard to the following matters:

- (a) The modes of supply and distribution of motor vehicle parts sold as replacement parts, and the incidence of any practices affecting the supply, distribution, and prices of such parts:
- (b) The detailed costing or pricing of motor vehicle parts used in the manufacture or assembly in New Zealand of new motor vehicles or new machinery (including breakdowns of the costing of parts imported in packs or lots):

- (c) The manner in which suppliers and distributors determine the selling prices of motor vehicle parts sold as replacement parts:
- (d) The mark-ups and margins being applied to motor vehicle parts sold or supplied as replacement parts at their different levels of distribution or in the course of the performance of services:
- (e) The costs being incurred in the distribution of motor vehicle parts sold or supplied as replacement parts and the costs being incurred in obtaining, stocking, and handling such parts by persons who use them in the performance of services:
- (f) The effect of Government policy, including the application of any law, tariff, customs duty, or tax, on the supply, distribution, or pricing of motor vehicle parts:
- (g) The efficiency of the supply and distribution of motor vehicle parts sold or supplied as replacement parts in New Zealand:
- (h) The quality of the service enjoyed by persons obtaining or seeking to obtain motor vehicle parts for use as replacement parts:
- (i) Any significant differences between the landed cost of motor vehicle parts imported for use as replacement parts and the landed cost of—
 - (i) Parts of the same kind if they were imported for use as replacement parts from different places or sources overseas; and
 - (ii) Parts of the same kind when imported for use in the manufacture or assembly in New Zealand of new motor vehicles or new machinery:
- (j) Any significant differences between the pricing of motor vehicle parts sold or supplied by manufacturers in New Zealand for use as replacement parts and the costing or pricing of motor vehicle parts supplied or made by such manufacturers for use in the manufacture or assembly in New Zealand of new motor vehicles or new machinery:

(k) The reasonableness or otherwise of the pre-tax profits realised by importing wholesalers, wholesalers, and retailers of motor vehicle parts sold or supplied as replacement parts, being profits of, or attributable to, the replacement parts activities of such wholesalers and retailers:

(l) The steps, if any, which in the light of the findings on the preceding terms of reference should be taken in the public interest in order to promote the effective and efficient and most economical supply and distribution of motor parts at prices and in a manner reasonable to sellers and purchasers:

(2) Any associated matters that may be thought by you to be relevant to the general objects of the inquiry:

(3) The need for any additional legislation or for any change in any legislation or law, Government policy, or practice, and the scope of the same:

And, with the like advice and consent, I do hereby appoint you the said Keith Robert Congreve to be the Chairman of the said Commission:

And for the better enabling you to carry these presents into effect you are hereby authorised and empowered to make and conduct any inquiry under these presents, in accordance with the Commissions of Inquiry Act 1908, at such times and places as you consider expedient, with power to adjourn from time to time and place to place as you think fit, and so that these presents shall continue in force and the inquiry may at any time and place be resumed although not regularly adjourned from time to time or place to place:

And you are hereby strictly charged and directed that you shall not at any time publish or otherwise disclose, save to me in pursuance of these presents or by my direction, the contents or purport of any report so made or to be made by you or any evidence or information obtained by you in exercise of the powers hereby conferred upon you except such evidence

or information as is received in the course of a sitting open to the public:

And it is hereby declared that the powers hereby conferred shall be exercisable notwithstanding the absence at any time of any one of the members hereby appointed so long as the Chairman, or a member deputed by the Chairman to act in his stead, and one other member are present and concur in the exercise of the powers:

And it is hereby declared that you have liberty to report your proceedings and findings under this Commission from time to time if you shall judge it expedient so to do:

And, using all due diligence, you are required to report to me in writing under your hands not later than the 31st day of July 1977 your findings and opinions on the matters aforesaid, together with such recommendations as you think fit to make in respect thereof.

SCHEDULE

In this Order in Council, "motor vehicle parts"—

(a) Means component parts (including electrical parts) of—

(i) A motor vehicle as defined in section 2 of the Transport Act 1962; or

(ii) Any agricultural or horticultural machinery, being ploughs, harrows, hoes, cultivators, seed or fertiliser distributors, harvesting or threshing machinery, or mowers; but

(b) Does not include—

(i) Secondhand component parts; or

(ii) Tyres or tubes; or

(iii) Accessories.

Given in Executive Council under the hand of His Excellency the Governor-General this 26th day of April 1977.

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