

GAS REGULATIONS.

The Department, in conjunction with the Gas Referees, has continued and extended the administration of these regulations, which make provision for safeguards in the matter of heating-value, purity, pressure, price, and measurement of gas. The regulations at present apply only to the gas undertakings in the four chief centres, but it is proposed to extend control during the forthcoming year to a number of the secondary towns, and action in that matter is in hand.

Regular tests have been made during the past year by the Gas Examiners in Auckland, Wellington, and Christchurch, and the tests have shown that the gas in each of these cities has complied with the regulations in regard to purity and pressure. The calorific values of gas supplied have been kept well up to the values declared by the respective companies. A Gas Examiner has (in conjunction with the work of the Dominion Laboratory) recently been appointed in Dunedin, and regular tests in that city will be made from an early date.

The testing and stamping of all meters issued or reissued in Wellington and Auckland is now attended to by Inspectors of Meters, who commenced their duties some months ago.

The expense of control in this matter is not large, and, as the work is carried out in association with the work of the Dominion Laboratory, the expenditure is kept at the lowest possible figure. The companies concerned are called upon to pay levies to cover the cost of examination, &c., and fees are payable in respect of all meters tested.

INVESTIGATIONS.

The Department is continually keeping in touch with the changing conditions in various trades and industries, and exercises the statutory right of full inquiry when circumstances necessitate, both for the reason of restrictive control and for the assistance of industry or commerce. A number of investigations have been made, some of which are dealt with in special paragraphs of the report; others, of a confidential nature, are not published.

In complaints dealing with allegedly unreasonably high prices, or with the operations of trusts or combines, the Department has been given every facility for making its inquiries by interested parties concerned. Generally the complaints from the public have been few in number and trivial in character, open competition in trade and industry in most cases keeping prices at a reasonable level. The complaints from traders themselves as to unfair competition by the selling of goods at or below wholesale cost have increased in number, and this matter is dealt with to some extent in the findings of the Committee of inquiry into the proposed operations of the Proprietary Articles Trade Association, and is receiving the close consideration of the Department.

CHATELS TRANSFER ACT, 1924.

Applications are from time to time made in respect of section 57 of this Act, whereby provision may be made for the protection of bailors of certain chattels (recognized as being the subject of customary hire-purchase agreements) without the necessity of registration. A number of such applications have been received and dealt with during the past year, and inquiries have been made as to the customary trade practices and surrounding circumstances. In only one case has the application been acceded to—namely, in respect of equipment, apparatus, and appliances for use in connection with the consumption of coal-gas.

COMMERCIAL TRUSTS ACT.

While inquiries relative to suggested offences against the provisions of this Act have been made from time to time during the past year, there has been no evidence supporting any such suggestions, and no legal action has been necessary.

There are, of course, many combinations or commercial trusts, so called, in the Dominion, but it is only when such combinations take action of a nature specifically prohibited by the law that action is necessary. As previously pointed out, however, the Department is continuously charged with the duty of inquiring into the circumstances of many trades and industries for the purpose of correcting any possible breaches of the Act. In this matter it must be remembered that not only is the legislation restricted in respect of the nature of the acts which constitute offences, but the law applies only over a portion of the whole field of industry and trade.

During the past year the Privy Council has dealt with the appeal from the judgment of the New Zealand Court of Appeal in the matter of the proceedings taken against certain flour milling and distributing companies. Judgment of the Lords of the Judicial Committee of the Council was delivered in January last, and, as is generally known, the judgment of the New Zealand Appeal Court was reversed and the judgment in the Supreme Court in favour of the defendant companies was upheld. It is to be regretted, however, that the pronouncement of the Privy Council does not, so far as questions of principle are concerned, add anything to the decisions given in previous cases. Their Lordships have in their judgment reviewed in general terms the judgments in the New Zealand Courts, and have, in fact, decided that the Crown has not discharged the burden of proof that the monopoly or control was of such a nature as to be contrary to public interest. Their Lordships have accordingly made it clear not only that each case of this nature must be judged upon the particular circumstances existing, but also that there are no general principles upon which a decision may be arrived at. The judgment has drawn attention to the conflict of opinion between the Judges of the New Zealand Courts as to what is to be regarded as contrary to public interest, and has, in fact, determined the question raised in the flour-milling case purely as a matter of opinion based upon a general consideration of the facts. The concluding paragraph of their Lordships judgment is as follows:—