

S.I. 2015 No. 76

Miscellaneous Controls Act

CAP. 329

**MISCELLANEOUS CONTROLS (CONTROL OF PRICES) (GENERAL)
REGULATIONS, 2015**

The Minister, in exercise of the powers conferred on him by section 3 of the *Miscellaneous Controls Act*, makes the following Regulations:

1. These Regulations may be cited as the *Miscellaneous Controls (Control of Prices) (General) Regulations, 2015*.

2. In these Regulations,

“retailer” means any person carrying on retail business in a scheduled article;

“scheduled article” means an article specified in the first column of the *Schedule*;

“sell” means to sell or offer for sale any article specified in the first column of the *Schedule*;

“wholesaler” means any person carrying on wholesale business in a scheduled article.

3. A person who

(a) sells or otherwise disposes of; or

(b) purchases or otherwise obtains,

a scheduled article at a wholesale or retail price greater than the price specified opposite the article in the *Schedule* is guilty of an offence and is liable on summary

conviction to a fine of \$5 000 or to imprisonment for a term of 12 months or to both.

4.(1) The price of a scheduled article displayed for the purpose of sale shall be clearly marked or otherwise indicated in plain figures on the scheduled article by the retailer.

(2) Where a scheduled article displayed for the purpose of sale has been weighed or measured in separate quantities for sale by a retailer, the price of that article shall be calculated in accordance with the retail price specified in the *Schedule*, and the calculated price shall be clearly marked or otherwise indicated in plain figures on that article.

(3) A retailer who, without reasonable excuse, contravenes this regulation is guilty of an offence and is liable on summary conviction to a fine of \$2 500 or to imprisonment for a term of 6 months or to both.

5.(1) A wholesaler or retailer who

- (a) fails, as soon as possible after the publication in the *Official Gazette* of any regulations, made under section 3 of the Act relating to the control of the price of any scheduled article, to affix a copy of those Regulations in such a position on the premises of the wholesale or retail business so that the Regulations may be easily read by any customer on those premises;
- (b) refuses, without reasonable excuse, to sell any scheduled article to any person for cash;
- (c) after being requested by a purchaser of a scheduled article, whether for cash or on credit, refuses to issue or cause to be issued to such purchaser a bill in respect of that article setting out
 - (i) the name and address of the seller,
 - (ii) an accurate description of that article, and
 - (iii) the quantity and price thereof;

- (d) in connection with the sale or proposed sale of any scheduled article, imposes on a purchaser or proposed purchaser thereof any condition relating to the purchase of any other article (including any article of the same description as the scheduled article sold or proposed to be sold),

is guilty of an offence and is liable on summary conviction to a fine of \$2 500 or to imprisonment for a term of 6 months or to both.

(2) For the purpose of any legal proceedings under subparagraph (b) or (c) of paragraph (1), a refusal by any employee or agent of a wholesaler or retailer acting in the course of his employment or engagement as such shall be deemed to have been a refusal by that wholesaler or retailer.

(3) For the purpose of any legal proceedings under subparagraph (d) of paragraph (1), any condition specified in that sub-paragraph imposed by an employee or agent of a wholesaler or retailer acting in the course of his employment or engagement as such shall be deemed to have been imposed by that wholesaler or retailer.

6.(1) A person who, pursuant to section 11(1) of the Act, enters any premises in the possession or occupation or under the control of any other person engaged in the business of selling any scheduled article may

- (a) demand access to and inspect all books, documents and vouchers and put any questions relating to such business; and
- (b) seize and take away any article that he has reasonable grounds for believing is evidence respecting a contravention of any provision of these Regulations;

and that person shall, if so required, give a receipt in writing in respect of the article.

(2) A person who

(a) fails to produce for inspection any books, documents or vouchers access to which is demanded under sub-paragraph (a) of paragraph (1);
or

(b) refuses to answer any question put under that sub-paragraph,

is guilty of an offence and is liable on summary conviction to a fine of \$2 500 or to imprisonment for a term of 6 months or to both.

7. These Regulations shall come into operation on the 12th day of October, 2015.

8. *Miscellaneous Controls (Control of Prices) (General) Regulations, 1983 (S.I. 1983 No. 29)* are hereby revoked.

SCHEDULE

(Regulation 2)

ARTICLE	WHOLESALE PRICE (not greater than)	RETAIL PRICE (not greater than)
PETROLEUM PRODUCTS:		
Diesel Fuel	\$1.86151 per litre	\$2.11 per litre
Gasolene	\$2.67417 per litre	\$2.97 per litre
Kerosene	\$0.95572 per litre	\$1.00 per litre
Liquefied Petroleum Gas		\$34.57 per cylinder containing 20 lbs. \$38.03 per cylinder containing 22 lbs. \$43.03 per cylinder containing 25 lbs. \$151.71 per cylinder containing 100 lbs.

Made by the Minister this 9th day of October, 2015.

DONVILLE INNISS

Minister Responsible for Commerce and Small Business Development