

Published on the 17th day of June, 1963.

No. 36 of 1963.

BRITISH GUIANA

ORDER

Made Under

THE EMERGENCY POWERS REGULATIONS, 1963

(No. 7 of 1963)

WHEREAS on the 10th day of May, 1963, the Governor duly appointed me, the Minister of Works and Hydraulics, to be the Competent Authority for the purposes of all the Emergency Powers Regulations, 1963, in which the expression Competent Authority occurs;

AND WHEREAS it appears to me to be necessary for maintaining supplies essential to the life of the community to regulate the distribution, sale, purchase, use and consumption of certain articles, and to control the prices at which such articles shall be sold:

NOW THEREFORE under regulation 31 of the Emergency Powers Regulations, 1963, and by virtue and in exercise of all powers enabling me in that behalf, I do hereby order as follows:-

1. This Order may be cited as the Emergency Powers (Control of Prices) Order, 1963.

2. For the purposes of this Order

"actual cost" means

(a) in the case of a sale by wholesale, the value of the article as declared in the Customs bill of entry including duty with the addition of not more than 5 per centum; or

(b) in the case of a sale by retail the purchase price paid by the retailer; or

(c) where a wholesaler or retailer is unable to ascertain the cost to him of a price controlled article in the manner set out in either paragraph (a) or paragraph (b) of this Article, such cost as may be fixed in writing by, or on behalf of, the Competent Authority.

"deodorised coconut oil" means any oil manufactured from the kernel of the coconut and which has been subjected to any process or treatment whatsoever for removing the characteristic odour or flavour or acidity of the crude oil.

"Georgetown and within one mile of the boundaries thereof" means the City of Georgetown as defined by the Georgetown Town Council Ordinance, Chapter 152, and any area within one mile of the boundaries thereof but does not include any land west of the Demerara River.

"price controlled article" means any article or thing the maximum price of which is for the time being controlled.

"wholesale" means the sale of any price controlled article to:-

- (a) any person whose premises are licensed or on which any licence duty is due and payable under the provisions of the Tax Ordinance, Chapter 298, for the sale of any of the said articles to the public, or
- ~~(b) any person who sells any of the said articles in a market licensed under the provisions of the Tax Ordinance, Chapter 298, or~~
- (c) a huckster licensed, or liable to pay licence duty, under the provisions of the Hucksters Licensing and Control Ordinance, Chapter 119, or
- (d) any person who in the conduct of the business of a bakery uses any of the said articles for the manufacture of bread for sale to the public.

"wholesaler" means any person who, either on his own behalf or on behalf of a principal, sells, offers to sell, exposes for sale or assists in the sale, of, any price controlled article by wholesale.

"retail" means the sale or disposal, other than by wholesale of any price controlled article.

"retailer" means any person who, either on his own behalf or on behalf of a principal, sells, offers to sell, exposes for sale or assists in the sale or disposal of any price controlled article by retail.

"North-West District" means the North-West District as proclaimed under the District Government Ordinance, Chapter 56.

3.(1) This Order shall apply in those parts of British Guiana specified in the second schedule hereto.

(2) The maximum selling prices of the articles specified in the first schedule hereto shall be those specified therein.

4.(1) The retail selling prices of all price controlled articles sold, offered or exposed for sale, by retail shall be legibly marked thereon or otherwise indicated in plain figures for the information of the public.

(2) The wholesale selling prices of all price controlled articles sold, offered or exposed for sale, by wholesale shall be legibly marked thereon or otherwise indicated in plain figures for the information of retailers and the public.

(3) The owner or person in charge of any premises where any of the articles specified in the first schedule hereto is offered

the said premises a list showing clearly the maximum prices for the time being fixed in respect of such articles.

5.(1) No wholesaler or retailer shall for the purposes of his trade or business store any price controlled articles on any premises or in any place other than his trade or business premises without the consent in writing of the Competent Authority.

(2) No person shall permit any price controlled article to be stored on any premises or in any place in his possession or under his control in contravention of the provisions of the preceding paragraph.

(3) The occupier or person in control of any premises or place in which price controlled articles of foodstuff are found in quantities exceeding his reasonable household requirements shall be deemed in the absence of a reasonable explanation to have contravened the provisions of paragraph (2) of this Article.

6.(1) Every wholesaler or retailer shall keep full and complete records of his calculations of the actual cost and the maximum selling price of all price controlled articles exposed for sale or on display on his premises.

(2) Every wholesaler or retailer shall file the invoices relating to all importations or purchases made by him in such manner that the records referred to in the preceding paragraph can be readily checked.

(3) All goods to which this Article applies which are exposed for sale by wholesale shall bear some mark by which entries relating to them in the records required to be kept under paragraph (1) of this Article may be identified.

(4) Every huckster licensed; or liable to pay licence duty under the provisions of the Hucksters Licensing and Control Ordinance, Chapter 119, shall produce on demand by any person authorised by the Competent Authority or any police officer or constable the invoices relating to the goods carried by him in any container, box, package or vehicle, or in any other manner whatsoever.

7.(1) No person carrying on a wholesale business which includes the selling for use or consumption in British Guiana of any price controlled article shall refuse without reasonable cause, to sell for cash by wholesale to any customer, being a retailer, the normal quantity of the said articles previously sold to him.

(2) Whenever a wholesaler possesses a stock of any price controlled article of which there is otherwise a shortage in the local market, the Competent Authority may by order in writing require such wholesaler to sell to such retailer or retailers as shall be named in the order, the quantities therein specified of such article and upon tender of immediate payment of the maximum wholesale price of the quantities of the article so specified, the wholesaler shall sell such quantities in accordance with the order.

(3) Where in respect of any imported price controlled arti

retailer a smaller quantity than is contained in the package in which it is imported and this necessitates the wholesaler providing additional labour and an extra package or container, the wholesaler may add to the proportionate wholesale price of the article a sum not exceeding five per centum of such price:

Provided that such percentage shall not be added in the case of any canned or tinned goods.

8.(1) Every wholesaler who sells or disposes of any price controlled article shall ~~at the time of the sale or disposal~~ supply the purchaser with an invoice or receipt or other similar document containing the particulars of the quantity and weight or measure of the articles sold and shall retain in his possession a duplicate of such invoice or receipt or other record of such sale.

(2) Every invoice or receipt or other document made in pursuance of the preceding paragraph in respect of the sale or disposal of an imported price controlled article shall state the name or description of the article as it is named or described on the invoice or bill of lading relating to the importation thereof, and the quantity, and weight or measure, as well as the name and address of the purchaser.

(3) Every invoice or receipt or other similar document made by a wholesaler in pursuance of paragraph (1) of this Article in respect of the sale of a price controlled article which has not been imported, shall state the name or description of the price controlled article as it is named or described in any control of prices order for the time being in force.

9. Every wholesaler of any articles of foodstuff the maximum prices of which are prescribed in the first schedule hereto, shall display in a prominent position, for the information of the public, in or on the premises in which he conducts his business, a list which names only those articles as aforesaid which he has in his possession or under his control.

10. Every retailer shall expose for sale items of all price controlled articles in his possession for the purposes of his trade or business.

11.(1) No person carrying on a retail business which includes the selling for use or consumption in British Guiana of any price controlled article shall refuse, without reasonable cause, to sell for cash to any customer the normal quantity of any of the said articles previously sold to him.

(2) For the purpose of this Order the owner of any retail business, his agent, clerk or other person in charge of that business or in attendance on customers, shall be deemed to be a person carrying on a retail business.

12.(1) Where a retail price in respect of any article is prescribed by this Order no retailer shall sell a lesser quantity of

Provided that -

- (a) where the prices of two quantities of any article are prescribed this paragraph shall apply to the lesser amount so prescribed;
- (b) where a purchaser asks for a lesser quantity than that specified, the retailer may sell such purchaser such lesser quantity.

(2) If the purchaser requests the sale of any of the articles set out in the first schedule hereto in a lesser quantity than that specified in the said schedule and the proportionate amount of the maximum price as therein fixed includes a fraction of a cent, the wholesaler or retailer may, in the absence of agreement to the contrary, demand payment of one cent in respect of such fraction.

13.(1) No person shall sell, offer, or expose for sale, or buy any price controlled article at a price exceeding the maximum price prescribed by this Order, or in connection with a sale or disposition of any price controlled article, enter or offer to enter into any artificial or fictitious transaction or make or demand any unreasonable charge.

(2) Except under and in accordance with the provisions of an Order made by the Competent Authority the imposition by the vendor of any condition in connection with the sale of any price controlled article is hereby prohibited.

14. The Competent Authority, any person duly authorised in writing by the said authority in that behalf, or any member of the Police Force duly authorised as aforesaid may enter and inspect any premises whatsoever for the purpose of ascertaining whether there has been any contravention of any of the provisions of this Order.

15. The provisions of this Order are subject to any special directions or authorisations which may be given in writing from time to time by the Competent Authority.

16. This Order shall come into effect on the 17th day of June, 1963.

Ordered this 17th day of June, 1963.

RAM KARRAN,
Minister of Works & Hydraulics.
Competent Authority.

FIRST SCHEDULE

MAXIMUM PRICES

I No.	II ARTICLE	III In Georgetown and within one mile of the boundaries thereof at the rate of -	IV In those portions of the North West District, and Berbice River included in paragraphs 1 and 2 respectively, of the Second Schedule at the rate of -	V Elsewhere at the rate of -
1.	<p>(a) Refined Deodorised Coconut Oil - Manufacturer's Price Competent Authority's Price Wholesale (in 40-gallon drum and over) Wholesale (less than a drum) Retail</p> <p>(b) Refined Deodorised Soya Bean Oil - Competent Authority's Price Wholesale (in 40-gallon drum and over) Wholesale (less than a drum) Retail</p>	<p>\$2.53 per gln. \$2.43 " " \$2.48 " " \$2.50 " " \$2.64 " " .33 per pint</p> <p>\$2.43 per gln. \$2.48 " " \$2.50 " " \$2.64 " " .33 per pint</p>	<p>36¢ per pint</p> <p>36¢ per pint</p>	<p>\$2.52 per gln. \$2.54 " " 35¢ per pt.</p> <p>\$2.52 per gln. \$2.54 " " 35¢ per pt.</p>