

BRITISH GUIANA

ORDER

MADE UNDER

THE TRADE ORDINANCE, 1958.

(No. 34 of 1958).

UNDER SECTION 5 OF THE TRADE ORDINANCE, 1958, IN ACCORDANCE WITH ARTICLE 22 OF THE CONSTITUTION OF BRITISH GUIANA AND BY VIRTUE AND IN EXERCISE OF ALL POWERS ENABLING HIM IN THAT BEHALF, IT IS HEREBY ORDERED BY THE GOVERNOR AS FOLLOWS:—

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

2. For the purpose 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;
- (d) “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* 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† for the sale of any of the said articles to the public; or

* Cap. 152.

† Cap. 298.

- (b) any person who sells any of the said articles in a market licensed under the provisions of the Tax Ordinance*; or
- (c) a huckster licensed, or liable to pay licence duty, under the provisions of the Hucksters Licensing and Control Ordinance**; 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†.

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

(2) Subject to the provisions of paragraph (3) of this article the maximum wholesale or retail price of any article specified in the first or second schedule hereto shall be the price specified therein against the name of that article or, if no price is so specified, the price arrived at according to the formula set out in either of the said schedules for determining the price of that article:

Provided that where the maximum price at which any article is to be retailed is based on an addition to the actual cost of a percentage of that cost and the retailer is also the importer of that article he may add the prescribed wholesale percentage, if any, to the actual cost before adding the retail percentage.

(3) Where in respect of any imported price controlled article of food-stuff specified in this Order a wholesaler sells to a 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.

* Cap. 298.

** Cap. 119.

† Cap. 56.

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 or exposed for sale shall display in a prominent position in or on 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 article 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* 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 any 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 that wholesaler to sell to such retailer or retailers as shall be named in the order, the quantities therein specified of that article and upon tender of immediate payment of the maximum wholesale price of the quantities of the article so specified, that wholesaler shall sell such quantities in accordance with the order.

* Cap. 119.

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 article 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 any such article than that in respect of which the price is prescribed:

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.

FIRST SCHEDULE.

1, No.	II Article	III	IV	V
		In Georgetown and within one mile of the boundaries thereof at the rate of —	In those portions of the North West District, and Ber- bice River included in paras. 1 and 2 respectively, of the Third Schedule at the rate of —	Elsewhere at the rate of —
I	(a) Refined Deodorised Coconut Oil— Manufacturer's Price Competent Author- ity's Price Wholesale (in 40- gln. drum and over) Wholesale (less than a drum) Retail	\$2.53 per gln. \$2.43 " " \$2.48 " " \$2.50 " " \$2.64 " " .33c. per pint	36c. per pint	\$2.52 per gln. \$2.54 " " .35c. per pint.
	(b) Refined Deodorised Soya Bean Oil — Competent Author- ity's Price Wholesale (in 40- gln. drum and over) Wholesale (less than a drum) Retail	\$2.43 per gln. \$2.48 " " \$2.50 " " \$2.64 " " .33c. per pint	36c. per pint	\$2.52 per gln. \$2.54 " " .35c. per pint.
	(c) Crude Coconut Oil — Manufacturer's/Pro- ducers Price Wholesale (in drums) Wholesale (less than a drum) Retail	\$1.92 per gln. \$1.96 " " \$1.98 " " .26c. per pint	\$1.92 per gln. \$1.96 " " \$1.98 " " .28c. per pint	\$1.92 per gln. \$1.96 " " \$1.98 " " .26c. per pint
	(d) Copra Meal — Manufacturer's Price ex factory (including bag) Wholesale (including bag)	\$4.30 per cwt. \$4.48 per cwt.		
2.	SUGAR — (1)			
	(a) Colony White Producers Wholesale Retail	\$8.60 per 100 lbs. \$8.75 per 100 lbs. 2 lbs. for 19c .	11c. per lb.	\$8.60 per 100 lbs. \$8.75 per 100 lbs. 10c. per lb.
	(b) Yellow Crystals Producers Wholesale Retail	\$6.75 per 100 lbs. \$6.90 per 100 lbs. 2 lbs. for 15c.	9c. per lb.	\$6.75 per 100 lbs. \$6.90 per 100 lbs. 8c. per lb.

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 Ber- bice River in- cluded in paras. 1 and 2 respec- tively, of the Third Schedule at the rate of—	V Elsewhere at the rate of —
2.	(c) Dark Crystals Producers .. Wholesale .. Retail	\$5.65 per 100 lbs. \$5.80 per 100 lbs. 2 lbs. for 13c.	2 lbs. for 15c.	\$5.65 per 100 lbs. \$5.80 per 100 lbs. 2 lbs. for 13c.
3.	RICE — (2) Super White A White B Brown A Brown B Mixed Broken .. Stock Feed ..	14c. per pt. 13c. per pt. 2 pts. for 23c. 2 pts. for 23c. 2 pts. for 17c. 7c. per pint 2 pts. for 11c.	2 pts. for 29c. 2 pts. for 27c. 12c. per pint 12c. per pint 9c. per pint 2 pts. for 15c. 6c. per pint.	14c. per pt. 13c. per pt. 2 pts. for 23c. 2 pts. for 23c. 2 pts. for 17c. 7c. per pt. 2 pts. for 11c.

No.	Article	Wholesale		Maximum Retail Prices	
		Maximum percentage which may be added to actual cost.	In George- town and within one mile of the boundaries thereof at the rate of —	In those por- tions of the North West District, and the Berbice River included in paras. 1 & 2 respectively, of the third schedule at the rate of —	Elsewhere at the rate of —
4.	Flour (Extra and Super)	2%	2 lbs. for 25c.	14c. per lb.	2 lbs. for 27c.
5.	Split peas	2%	17c. per lb.	2 lbs. for 39c.	2 lbs. for 37c.
6.	Salted Fish	3%	46c. per lb.	2 lbs. for 97c.	2 lbs. for 95c.
7.	Pickled Beef	5%	70c. per lb.	2 lbs. for \$1.47	2 lbs. for \$1.45
8.	Pickled Pork Tails	5%	64c. per lb.	2 lbs. for \$1.35	2 lbs. for \$1.33

No.	Article	Wholesale	Retail	
			Maximum percentage which may be added to actual cost	
		Maximum percentage which may be added to actual cost.	In Georgetown and within one mile of the boundaries thereof.	Elsewhere
9.	Cooking Butter	3%	12½ %	15%
10.	Milk Powder (3)	3%	8%	10½ %

No.	Article	Maximum Wholesale Prices.	Maximum Retail Prices.		
			In Georgetown and within one mile of the boundaries thereof at the rate of —	In those portions of the North-West District, and the Berbice River included in paras. 1 and 2 respectively, of the Third Schedule at the rate of —	Elsewhere at the rate of—
11.	Evaporated Milk — Carnation } ..	\$11.25 per case of 48-14 oz. tins.	25c. per tin.	27c. per tin	26c. per tin
	Four Cows } ..				
	Other Brands ..	\$10.90 per case of 48-tins 14½ oz.	24c. per tin	26c. per tin	25c. per tin
12.	Sardines in oil or tomato sauce ..	\$14.75 per case of 100 ¾ oz. tins.	16c. per tin	18c. per tin	17c. per tin
13.	Matches				
	Manufacturer's Price ..	\$11.45 per case			
	Other wholesalers—sold in cases ..	\$12.50 per case			
	sold by gross ..	\$2.54 per gross			
	Retail		2c. per box	3c. per box	2 boxes for 5c.

(1) Maximum wholesale price at the Village District of Bartica (Essequibo River — As shown in Column III plus 4 per cent.

Maximum wholesale price at Springlands (Berbice) — As in Column III, plus 8 per cent on Colony White; plus 10 per cent on Yellow Crystals.

Maximum wholesale price at New Amsterdam (Berbice) — As in Column III, plus 6 per cent on Colony White; plus 8 per cent on Yellow Crystals.

Maximum retail price at Christianburg, Mackenzie and Wismar, Demerara River — As in Column V, plus 1 cent per lb.

Maximum retail price at the Village District of Bartica, Essequibo River, the islands of Leguan, Wakenaam and Fort Island—As in Column V, plus 1 cent per lb. on Dark Crystals.

- (2) The Grades specified are those fixed by the B.G. Rice Marketing Board Notice No. 289 published in the Gazette of the 29th September, 1962.
- (3) Milk Powder includes milk, partly skimmed milk or skimmed milk, buttermilk or whey which has been concentrated to the form of powder or solid by the removal of its water.

SECOND SCHEDULE

I No.	II Article	III Wholesale	IV Retail	
			Maximum percentage which may be added to actual cost.	
			In Georgetown and within one mile of the boundaries thereof.	Elsewhere
I	Spare for tractors, grain milling, machinery, trucks (Industrial), woodworking machinery. (1)	25%	15%	20%

(1) Maximum wholesale percentage at Bartica (Essequibo River) — As in Column III, plus 4 per cent on all items in this List.

Maximum wholesale percentage at Springlands (Berbice) — As in Column III, plus 4 per cent on all items in this List.

Maximum wholesale percentage at New Amsterdam (Berbice) — As in Column III, plus 2½ per cent on all items in this List.

Maximum retail percentage in North West District—As in Column IV, plus 10 per cent on all items in this List.

THIRD SCHEDULE

Parts of British Guiana to which this Order applies —

- That part of the North West District situated within thirty miles of the Atlantic Ocean and elsewhere in British Guiana situated within twenty-five miles of the Atlantic Ocean.
- The area within five miles of either bank of the Berbice River to the south of that part of British Guiana defined in paragraph 1 of this schedule and extending as far south as the junction of the Kibilibiri River with the Berbice River.
 - That part of the watershed between the Berbice River and the Demerara River known as the Ituni Settlement of the Demerara Bauxite Company Limited.
- The area within five miles of either bank of the Demerara River to the south of that part of British Guiana defined in paragraph 1 of this schedule and extending as far south as the junction of the Hibibia River with the Demerara River.

4. (i) The area within five miles of either bank of the Essequibo River to the south of that part of British Guiana defined in paragraph 1 of this schedule and extending as far south as the southern boundary of the Village District of Bartica.
- (ii) All of the islands in the Essequibo River, north of the Village District of Bartica.

Ordered this 14th day of September, 1963.

R. F. A. GREY,
Governor.