

TRINIDAD AND TOBAGO.

No. 28.—1920.

I ASSENT,

[L.S.]

J. R. CHANCELLOR,

Governor.

15th September, 1920.

AN ORDINANCE to authorize the Governor to fix maximum prices for the sale of foodstuffs and fuel for consumption in the Colony and to authorize the seizure of foodstuffs and fuel with a view to their sale for consumption in the Colony.

[15th September, 1920.]

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Food and Fuel Short title. Control Ordinance, 1920.
2. In this Ordinance, unless the context otherwise Definitions. requires—

The expression "Foodstuff" includes anything capable of being used as food for man or of being converted into food for man,

The expression "Fuel" includes all mineral and vegetable oils and their derivatives, firewood, coal, lignite, and charcoal.

Power to fix
maximum
prices of food
and fuel.

3.—(1.) The Governor, may, if he thinks fit, from time to time by order published in the *Royal Gazette* (which shall be judicially noticed) fix the maximum retail price and also, if he thinks fit, the maximum wholesale price at which any foodstuff or fuel, whether imported or produced or manufactured in the Colony, may be sold or bought for consumption in the Colony, and may from time to time in like manner:—

- (a.) Fix different prices for the sale of any foodstuff or fuel in different localities,
- (b.) Fix different prices for the sale of any imported foodstuff or fuel and for the sale of the same foodstuff or fuel produced or manufactured in the Colony,
- (c.) Define for the purposes of this Ordinance the meaning of the expressions "retail" and "wholesale" as applied to any foodstuff or fuel,
- (d.) Declare whether a maximum price is or is not to include the whole or any part of the cost of delivery or of the container or package, and
- (e.) Prohibit or permit the imposition by the vendor of any condition on the sale of any foodstuff or fuel.

(2.) No person shall without the licence of the Governor sell or buy for consumption in the Colony or contract or attempt so to sell or buy any foodstuff or fuel at a price higher than that so fixed. But nothing in this section shall make it unlawful to buy at any price for importation goods which have not yet been imported.

(3.) If there shall be any contravention of the provisions of this section or of any order made under this section, every person who is a party to such contravention, and also the owner of the foodstuff or fuel with respect to which a contravention takes place, unless he proves that the contravention took place without his knowledge, instigation, consent, or approval, shall on summary conviction before a magistrate be liable for each offence to a fine not exceeding fifty pounds, and, in addition, to a fine not exceeding the maximum price at which the sale or attempted sale with respect to which the contravention took place could lawfully have been made.

(4.) The burden of proving that a sale or purchase of any article was not for consumption in the Colony shall lie on the person alleging the same.

4.—(1.) If any person carrying on a retail business which includes the selling for consumption in the Colony of any foodstuff or fuel of which the maximum price is for the time being fixed under this Ordinance refuses without reasonable excuse to sell for cash a reasonable quantity of any such foodstuff or fuel on demand by an intending purchaser, he shall on summary conviction before a magistrate be liable to a fine not exceeding ten pounds. ^{Refusal to sell by retail.}

(2.) It shall not be a reasonable excuse within the meaning of this section that the intending purchaser has not previously been a customer or is not a regular customer of the vendor or that the vendor wishes to reserve a stock for sale to regular customers.

(3.) This section applies only to foodstuffs or fuel to which the Governor by order published in the *Royal Gazette* (which shall be judicially noticed) declares this section to be applicable and with respect to which the Governor in like manner declares what is to be considered a reasonable quantity for the purposes of this section.

5.—(1.) With a view to ensuring a sufficient supply of foodstuffs and fuel for consumption in the Colony, the Governor may, if he thinks fit, from time to time order that any foodstuff or fuel be seized and sold to such persons and subject to such conditions as the Governor shall deem expedient for the purpose of ensuring the ultimate retail sale of the food or fuel so seized for consumption in the Colony. ^{Power to order seizure of food and fuel.}

(2.) The seizure may be effected by any member of the Constabulary who may use any necessary force, and may, if necessary, break, enter, and search any building at any time in the day time.

(3.) Any person who resists or obstructs any such seizure or secretes or removes any foodstuff or fuel ordered to be seized or attempts to do any of those things shall on

summary conviction before a magistrate be liable to a fine not exceeding fifty pounds.

Payment for articles of food and fuel seized.

6. All foodstuffs and fuel seized under this Ordinance shall as soon as practicable after seizure be paid for at the maximum wholesale price for the time being fixed under this Ordinance, or, if no such price has been fixed, then at such price as a Judge of the Supreme Court shall on application being made to him in chambers decide to be a fair price.

Disclosure of stocks of food and fuel.

7. The Governor may from time to time order any person to make a statutory declaration within such time as may be specified in the order giving full and accurate particulars of all stocks of any foodstuff or fuel mentioned in the order belonging to him or in his possession, power, or control and the place of storage of the same, and any person who fails or neglects to comply with such order shall be liable on summary conviction before a magistrate to a fine not exceeding fifty pounds.

Effect of seizure on contracts.

8. No person shall be liable for any breach of contract if the breach is caused by a seizure effected under this Ordinance.

Power to prohibit exportation.

9.—(1.) Without prejudice to any other power of prohibiting or regulating the exportation of goods from the Colony, the Governor may, if he thinks fit, from time to time by order published in the *Royal Gazette* (which shall be judicially noticed) prohibit the export of any foodstuff or fuel of which, in the opinion of the Governor, it is expedient to retain stocks for consumption in the Colony, or permit the export of any such foodstuff or fuel only on the conditions specified in the order.

Ord. No. 178.

(2.) This section shall have effect as if it formed part of the Customs Ordinance as amended by any subsequent enactment, and every person concerned in the exportation or attempted exportation of any foodstuff or fuel in contravention of any order made under this section shall on summary conviction before a magistrate be liable for each

offence to a fine not exceeding one hundred pounds and, in addition, to a fine not exceeding the export value of the foodstuff or fuel so exported or attempted to be exported.

Passed in Council this seventh day of September, in the year of Our Lord one thousand nine hundred and twenty.

G. D. OWEN,
Acting Clerk of the Council.