
CHAPTER 339

PRICE CONTROL

LIST OF AUTHORISED PAGES

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ARRANGEMENT OF SUBSIDIARY LEGISLATION

SECTION 3

Price Control (General) Regulations.

CHAPTER 339
PRICE CONTROL
PRICE CONTROL (GENERAL) REGULATIONS
(SECTION 3)
[Commencement 28th March, 1973]

S.I. 18/1973
S.I. 7/1974
S.I. 47/1974
S.I. 107/1975
S.I. 50/1976
S.I. 71/1980
S.I. 23/1981
S.I. 26/2008
S.I. 20/2015
S.I. 33/2015
S.I. 87/2015
S.I. 88/2015
S.I. 1/2016
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S.I. 19/2016
S.I. 45/2016
S.I. 63/2016
S.I. 78/2016

- 1.** These regulations may be cited as the Price Control (General) Regulations. Citation.
- 2.** (1) In these Regulations, unless the context otherwise requires — Definition.
- “the Act” means the Price Control Act; *S.I. 7/1974.*
- “article” means any item of goods specified in the Schedule to these regulations; *S.I. 47/1974.*
- “retailer” means any person who during the course of any business sells any article by retail;
- “sea freight” means that element in the price of goods that is attributable to the transportation by sea of the goods from the point of embarkation of the goods in any one island of The Bahamas to the first point of disembarkation of the goods in another such island, being the island in which the goods are to be sold by retail; *S.I. 47/1974.*
- “sell” includes – *S.I. 7/1974.*
- (a) to offer for sale;
- (b) to expose or display for sale,
- and cognate expressions shall be construed accordingly;
- “VAT” means value added tax imposed and payable in accordance with the Value Added Tax Act. *S.I. 20/2015.*
Ch. 370A.
- “wholesaler” means any person who during the course of any business sells any article by wholesale.

(2) In these regulations any reference to selling any article wholesale is a reference to selling it to a person who buys it for the purpose of selling it in the course of a business carried on by that person, and any reference to selling any article by retail is a reference to selling it to a person as being a person who buys it otherwise than for such purpose.

(3) Where the maximum retail price of any article would, but for this paragraph of this regulation include a fraction of a cent, then in the calculation of that price the following rules shall be observed, that is to say —

- (a) if the fraction is less than half a cent it shall not count as part of the price;
- (b) if the fraction is half a cent or more it shall count as a cent.

Maximum
wholesale and
retail selling
price.
S.I. 71/1980.

3. (1) Subject to paragraph (2) the maximum wholesale and retail selling prices for any article shall be the appropriate prices set forth opposite such article in the Schedule.

(2) Where any article is sold in any quantity less than that in respect of which the maximum price is specified in the Schedule, the maximum price for that lesser quantity of the article shall bear the same proportion to the maximum price specified as the lesser quantity bears to the quantity in respect of which the latter price is specified.

VAT-inclusive
pricing.
S.I. 20/2015.

Ch. 370A.

3A. Effective on the 1st day of January, 2015, all prices required to be displayed under or pursuant to the Act or these and other Regulations made pursuant to the Act shall, in accordance with section 10 of the Value Added Tax Act, be displayed inclusive of value added tax.

Offences.
S.I. 23/1981.

4. (1) Any person who sells or buys any article wholesale or by retail at a price exceeding the maximum price specified in respect of that article by these Regulations shall be guilty of an offence and liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months.

- (2) A wholesaler or retailer who —
 - (a) fails or neglects, as soon as possible after the publication in the Gazette of any regulations made under section 3 of the Act relating to the control of the price of any article, to affix a copy

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- of such regulations on any premises used by him for the purpose of selling articles wholesale or by retail in such a position that those regulations may be easily read by persons on those premises; or
- (b) refuses without reasonable excuse to sell any article for cash to any person; or
 - (c) on selling any article, whether the sale be for cash or on credit, refuses, after being so requested by the purchaser thereof to issue or cause to be issued to such purchaser a bill setting out —
 - (i) the name and address of the seller;
 - (ii) the date of the sale; and
 - (iii) an accurate description of that article and the quantity and price thereof; or
 - (d) in conjunction with the sale of any article imposed on the purchaser thereof any condition relating to —
 - (i) the purchase of any other article whatsoever (including any article of the same description as the article sold); or
 - (ii) the payment of any premium or like sum; or
 - (iii) the giving of any consideration in addition to the price which such person is permitted by these regulations to charge for such article,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding two thousand five hundred dollars or to imprisonment for a term not exceeding six months.

(3) For the purposes of any legal proceedings under sub-paragraph (b) or (c) of paragraph (2) of this regulation, a refusal by any employee or agent acting in the course of his employment or engagement as such of a wholesaler or retailer shall be deemed to be a refusal by the wholesaler or retailer.

(4) For the purposes of any legal proceedings under sub-paragraph (d) of paragraph (2) of this regulation, any conditions specified in that sub-paragraph proved to have been imposed by an employee or agent acting in the course of his employment or engagement as such, of a wholesaler

or retailer shall be deemed to have been imposed by that wholesaler or retailer.

Hoarding
prohibited.

S.I. 107/1975.

5. (1) No person shall hoard any article for speculation or profiteering.

(2) A person shall be presumed to hoard an article for speculation or profiteering where —

- (a) being a wholesaler he has the article in stock but refuses to sell it to a bona fide purchaser or retailer;
- (b) being a retailer, he has the article in stock but the article is not available for sale to the customer at the shop of the retailer.

(3) A person who contravenes paragraph (1) shall be guilty of an offence and liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months.

(4) No prosecution for a contravention of paragraph (1) shall be instituted without the consent of the Attorney-General.

Display of price.
S.I. 107/1975.
S.I. 26/2008.

6. (1) A retailer shall mark on each article the retail price of that article, so that it shall be clearly legible to the customer.

(2) No retailer shall mark more than one retail price on an article unless he does so for the purpose of lowering the retail price of that article.

(3) Where more than one price appears on an article, the article shall sell at the lowest price marked.

- (4) A retailer who —
 - (a) fails to mark the retail price on an article; or
 - (b) marks the retail price illegibly; or
 - (c) obliterates a retail price so that it is no longer legible; or
 - (d) increases the retail price marked on an article,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding two thousand five hundred dollars or to imprisonment for a term not exceeding six months.

(5) In construing this regulation, a price marked on the article by the exporter or manufacturer shall be disregarded.

(6) This regulation may, by notice of the Minister published in the Gazette, be extended to other goods.

(7) For the purposes of any legal proceedings under paragraph (2) or (4) of this regulation, any act or omission of an employee or agent acting in the course of his employment or engagement as such of a retailer, shall be deemed to be the act or omission of such retailer. *S.I. 50/1976.*

7. (1) Where, in any shop or store or part thereof, articles or goods or produce are sold by weight, weighing scales shall be placed on or near the counter where these articles, goods or produce are exposed so as to be immediately available to the customer. *Provision of weighing scales. S.I. 107/1975.*

(2) A wholesaler or retailer who fails to place weighing scales within the immediate reach of the customer in the circumstances referred to in paragraph (1) shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding three months.

NOTE

The Schedule to these Regulations is omitted from this revised edition.