

# PRICES REGULATION.

11° GEO. V., No. XVI.

No. 16 of 1920.

**AN ACT to amend and continue the operation of the Prices Regulation Act, 1919.**

[Assented to 15th December, 1920.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the *Prices Regulation Act Amendment and Continuance Act, 1920*, and shall be read as one with the Prices Regulation Act, 1919, hereinafter referred to as the principal Act.

Sittings open to public except under certain circumstances. Evidence on oath.

2. The sittings of the Commissioners at which witnesses are examined shall be held at such time and place as may be fixed by the chairman, and except so far as the Commissioners, in their discretion, may think fit to sit in camera, shall be open to the public, and the evidence shall be taken on oath.

Power to forfeit necessary commodities. Cf. N.S.W., 1919, No. 47, s. 17. S.A., No. 1414, s. 17.

3. (1.) If the commissioners are satisfied—

(a) that a person has in his custody or under his control any foodstuff or necessary commodity and has failed, on demand and tender of the fixed price, to supply any particular person with such foodstuff or necessary commodity; or

(b) that any foodstuff or necessary commodity which, in their opinion, should be distributed for public use is being withheld from sale,

the commissioners may recommend to the Governor that such foodstuff or necessary commodity be forfeited.

(2.) The Governor may thereupon, by notice in the *Gazette*, order that the whole of such foodstuff or necessary

commodity, or such quantity thereof as is specified in such notice, be forfeited to the Crown.

4. When any foodstuff or necessary commodity has been so forfeited, it shall be lawful for any member of the police force, or any person thereunto authorised in writing by the Minister—

- (a) to seize any foodstuff or necessary commodity which he has reasonable cause to believe is forfeited under this Act;
- (b) to store the same in any place provided by the Minister for the purpose; and
- (c) to sell or otherwise dispose of the same at such times and in such manner as the Minister may direct, or as may be prescribed.

Power to seize and dispose of necessary commodities.  
Of. N.S.W., 1919, No. 47, s. 18.  
S.A., No. 1414, ss. 19 and 20.

5. When any foodstuff or necessary commodity is seized under this Act, the person who was the owner thereof prior to the forfeiture shall be entitled to be paid therefor by the Minister at the fixed price, after deducting—

- (a) the amount of any penalties imposed on such person in any proceedings under this Act, whether in respect of the goods so seized or otherwise, and the amount of any costs awarded against him in such proceedings, or so much of such amounts as have not already been paid; and
- (b) the costs and expenses of any application to the commissioners for a forfeiture, whether in respect of the foodstuff or necessary commodity so seized or any other foodstuff or necessary commodity; and
- (c) the costs and expenses of searching for, seizing, storing, and selling or otherwise disposing of such foodstuff or necessary commodity.

Compensation.  
Of. N.S.W., 1919, No. 47, s. 19.  
S.A., No. 1414, s. 21.

6. Any member of the police force or person thereunto authorised in writing by the Minister may at any time enter into and search any premises or vessel where any foodstuff or necessary commodity forfeited or liable to seizure under this Act is, or is supposed to be, and, if necessary for that purpose, may break into and use force to enter such premises or vessel, and may break open any chests, trunks, packages, or other things in which any such foodstuff or necessary commodity is or is supposed to be.

Power to search.  
Of. N.S.W., 1919, No. 47, s. 20.  
S.A., No. 1414, s. 22.

Determination  
of prices.  
Cl. Vic., No.  
3030, s. 10 (1)  
(b).

7. In addition to, but without affecting the generality of the powers conferred by section ten of the principal Act, the Governor may, by Order in Council, determine the maximum prices, whether retail or wholesale, which may be charged for foodstuffs and necessary commodities in any proclaimed area, on the basis of producing, manufacturing, landed, delivery, or other cost; and may, in like manner, declare what items may or may not be included in such cost, and whether, in determining such cost, regard is to be had to the invoiced cost of materials used, or to the cost of replacing the materials used, or to any other method or principle specified in the Order in Council.

Prices of  
specified goods  
to be marked  
or Price list  
exhibited.

8. Every retail dealer in goods in any proclaimed area shall, if required so to do by an order in writing of the commissioners, mark in plain figures the prices of all goods of the kind specified in such order which are kept by him for sale, or exhibit and keep exhibited on his business premises a written or printed list of such prices, whether such specified goods have been declared to be foodstuffs or necessary commodities for the purposes of the principal Act or not.

Penalty: Twenty pounds.

Amendment of  
sections 14 and  
15 of the prin-  
cipal Act.

9. The proviso to section fourteen of the principal Act is hereby transposed and inserted in section fifteen of the principal Act to follow subsection (2) thereof.

Continuance of  
principal Act.

10. The principal Act, as amended by this Act, shall continue in force and effect until the thirty-first day of December, one thousand nine hundred and twenty-one, and no longer.

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