



Counter-Inflation Act 1973

1973 CHAPTER 9

PART V

SUPPLEMENTAL

Modifications etc. (not altering text)

- C1** Pt. V repealed so far as unrepealed by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), ss. 33(5), **Sch. 2** (the repeal being in force except as regards ss. 17(6)(8)(9), 18(4)(5), 19, 20(4)(5)(i)(iii)(7), 23(2) and Sch. 4 para. 4(1)(2)(a)(c)-(f)(3)(4): in the case of these excepted provisions the repeal is expressed by [S.I. 1980/497](#) to come into operation on 1.1.2011)

15 F1

Textual Amendments

- F1** Ss. 1(1)(2)(5)(6), 2, 5, 6(1)-(6), 9, 10, 15, 17(1)(5), 20(1)(2)(6), 21, 22, 23(3) repealed by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), **Sch. 2** and [S.I. 1980/497](#)

16 F2

Textual Amendments

- F2** Ss. 3, 4, 6(7), 11-13, 16, 17(7)(10), 18(1)-(3)(6), 20(3)(8) repealed by [Price Commission Act 1977 \(c. 33\)](#), **Sch. 3**

17 **Offences**

(1) F3

Changes to legislation: There are currently no known outstanding effects for the Counter-Inflation Act 1973, Part V. (See end of Document for details)

- (2) F4
- (5) F3
- (6) ^{F5}where an offence under this Act [^{F6}or the ^{M1}Price Commission Act 1977] committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly. [^{F6}Where the affairs of a body corporate are managed by its members, the preceding provisions of this subsection shall apply in relation to acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.]
- (7) F7
- (8) Nothing contained in or having effect under this Act [^{F8}or the ^{M2}Price Commission Act 1977], and nothing made illegal by this section, shall give rise to any criminal or tortious liability for conspiracy, or to any other liability in tort . . . ^{F9}
- (9) Proceedings for an offence under this Act shall not be instituted in England or Wales except by or with the consent of the Attorney General, or in Northern Ireland except by or with the consent of the Attorney General for Northern Ireland [^{F10}and in any such proceedings it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.]
- (10) F7

Textual Amendments

- F3** Ss. 1(1)(2)(5)(6), 2, 5, 6(1)–(6), 9, 10, 15, 17(1)(5), 20(1)(2)(6), 21, 22, 23(3) repealed by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), [Sch. 2](#) and S.I. 1980/497
- F4** S. 17(2)–(4) repealed by S.I. 1974/1218, [Sch. 1 para. 14](#)
- F5** Words repealed by [Price Commission Act 1977 \(c. 33\)](#), [Sch. 33](#)
- F6** Words inserted by [Price Commission Act 1977 \(c. 33\)](#), [Sch. 2 para. 4\(b\)](#) ([Sch. 2 para. 4\(b\)](#) is repealed by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), [Sch. 2](#) and by S.I. 1980/497 it is provided that the repeal comes into operation on 1.1.2011)
- F7** Ss. 3, 4, 6(7), 11–13, 16, 17(7)(10), 18(1)–(3)(6), 20(3)(8) repealed by [Price Commission Act 1977 \(c. 33\)](#), [Sch. 3](#)
- F8** Words inserted by [Price Commission Act 1977 \(c. 33\)](#), [Sch. 2 para. 4\(c\)](#) ([Sch. 2 para. 4\(c\)](#) is repealed by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), [Sch. 2](#): in S.I. 1980/497 it is provided that the repeal by [Sch. 2](#) of the 1980 Act so far as relating to s. 17(8) of the Counter Inflation Act 1973 comes into force on 1.1.2011)
- F9** Words repealed by [Price Commission Act 1977 \(c. 33\)](#), [Sch. 3](#)
- F10** Words inserted by [Price Commission Act 1977 \(c. 33\)](#), [Sch. 2 para. 4\(d\)](#) ([Sch. 2 para. 4\(d\)](#) is repealed by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), [Sch. 2](#) and by S.I. 1980/497 it is provided that the repeal comes into operation on 1.1.2011)

Modifications etc. (not altering text)

- C2** S. 17(6)(8)(9) repealed (1.1.2011) by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), s. 33(4), [Sch. 2](#) and S.I. 1980/497

Changes to legislation: There are currently no known outstanding effects for the Counter-Inflation Act 1973, Part V. (See end of Document for details)

Marginal Citations

- M1** 1977 c. 33(99:6).
- M2** 1977 c. 33(99:6).

18 Offences by unincorporated bodies.

- (1) ^{F11}
- (4) Where an offence is alleged to have been committed under this Act by an unincorporated body . . . ^{F12}
 - (a) proceedings for the offence shall be brought in the name of that body (and not in that of any of its members),
 - (b) for the purpose of any such proceedings any rules of court relating to the service of documents shall have effect as if that body were a corporation, and
 - (c) any fine imposed on conviction shall be enforceable, by way of execution, diligence or otherwise, against the funds of that body.
- (5) Where an offence mentioned in subsection (4) above is an offence punishable on conviction on indictment, section 33 of the ^{M3}Criminal Justice Act 1925 and [^{F13}Schedule 3 to the ^{M4}Magistrates' Courts Act 1980] shall have effect as if the said body were a corporation.
- (6) ^{F11}

Textual Amendments

- F11** Ss. 3, 4, 6(7), 11–13, 16, 17(7)(10), 18(1)–(3)(6), 20(3)(8) repealed by [Price Commission Act 1977 \(c. 33\)](#), [Sch. 3](#)
- F12** Words repealed by [Price Commission Act 1977 \(c. 33\)](#), [Sch. 3](#)
- F13** Words substituted by virtue of [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), [Sch. 8 para. 5](#)

Modifications etc. (not altering text)

- C3** S.18(4)(5) repealed (1.1.2011) by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), s. 33(4), [Sch. 2](#) and S.I. 1980/497

Marginal Citations

- M3** 1925 c. 86(39:1).
- M4** 1980 c. 43(82).

19 Application to Scotland.

- (1) The provisions of this section shall have effect for the application of this Act to Scotland.
- (2) (a) Where an offence mentioned in section 18(4) of this Act is an offence punishable on conviction on indictment [^{F14}section 74 of the ^{M5}Criminal Procedure (Scotland) Act 1975] (proceedings on indictment against bodies corporate) shall have effect as if the said body were a body corporate.
- (b) Section 17(8) of this Act shall not apply but nothing contained in, or having effect under, this Act or made illegal by that section shall be relevant for the purposes of any proceedings in reparation . . . ^{F15}

Changes to legislation: There are currently no known outstanding effects for the Counter-Inflation Act 1973, Part V. (See end of Document for details)

Textual Amendments

- F14** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **s. 460(1)(b)**
F15 Words repealed by [Price Commission Act 1977 \(c. 33\)](#), **Sch. 3**

Modifications etc. (not altering text)

- C4** [S. 19](#) repealed (1.1.2011) by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), **s. 33** (4), Sch. 2 and [S.I. 1980/497](#)

Marginal Citations

- M5** [1975 c. 21\(39:1\)](#)

20 Application to Northern Ireland.

- (1) **F16**
 (3) **F17**
 (4) Where an offence mentioned in section 18(4) of this Act is an offence punishable on conviction on indictment, section 18 of the ^{M6}Criminal Justice Act (Northern Ireland) 1945 and [^{F18}Schedule 4 to the ^{M7}Magistrates' Courts (Northern Ireland) Order 1981] (procedure on charge of an offence against a corporation) shall have effect as if the body there mentioned were a corporation.
 (5) **F19**
 (a) **F19**
 (b) **F20**
 and Schedule 4 to this Act shall apply as if
 (i) for references to a local weights and measures authority and to an inspector or chief inspector appointed under the Weights and ^{M8}Measures Act 1963 there were substituted respectively references to the Ministry of Commerce for Northern Ireland and any of its officers;
 (ii) **F21**
 (iii) references in paragraph 4 to a Minister of the Crown included references to a Minister of Northern Ireland and to a department of the Government of Northern Ireland.
 (6) **F16**
 (7) **F22**
 (8) **F17**

Textual Amendments

- F16** [Ss. 1\(1\)\(2\)\(5\)\(6\), 2, 5, 6\(1\)–\(6\), 9, 10, 15, 17\(1\)\(5\), 20\(1\)\(2\)\(6\), 21, 22, 23\(3\)](#) repealed by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), **Sch. 2** and [S.I. 1980/497](#)
F17 [Ss. 3, 4, 6\(7\), 11–13, 16, 17\(7\)\(10\), 18\(1\)–\(3\)\(6\), 20\(3\)\(8\)](#) repealed by [Price Commission Act 1977 \(c. 33\)](#), **Sch. 3**
F18 Words substituted by [S.I. 1981/1675 \(N.I. 26\)](#) art. 170 (2), Sch. 6 Pt. I para. 29
F19 Words and s. 20 (5) (a) repealed by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), Sch. 2
F20 [S. 20\(5\) \(b\)](#) repealed by [Price Commission Act 1977 \(c. 33\)](#), **Sch. 3**

Changes to legislation: There are currently no known outstanding effects for the Counter-Inflation Act 1973, Part V. (See end of Document for details)

- F21** S. 20(5) (ii) repealed by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), **Sch. 2**
F22 S. 20(7) repealed by [Northern Ireland Constitution Act 1973 \(c. 36, SIF 29:3\)](#), **Sch. 6 Pt. I**

Modifications etc. (not altering text)

- C5** S. 20(4) (5) (i) (iii) repealed (1.1.2011) by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), s. 33(4), **Sch. 2** and S.I. 1980/497
C6 S. 20(5) (i): the reference to Ministry of Commerce for Northern Ireland to be construed as a reference to Department of Economic Development for Northern Ireland: [Northern Ireland Constitution Act 1973 \(c. 36, SIF 29:3\)](#), **Sch. 5 para. 8(1)** and S.I. 1982/846 (N.I. 11), **arts. 4, 5(1)**

Marginal Citations

- M6** 1945 c. 15 (N.I.)
M7 1964 c. 21 (N.I.)
M8 1963 c. 31(131)

21, 22 **F23**

Textual Amendments

- F23** Ss. 1(1)(2)(5)(6), 2, 5, 6(1)–(6), 9, 10, 15, 17(1)(5), 20(1)(2)(6), 21, 22, 23(3) repealed by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), **Sch. 2** and S.I. 1980/497

23 Short title, supplemental provisions and repeals.

- (1) [^{F24}*This Act may be cited as the Counter-Inflation Act 1973.*]
(2) Schedules 3 and 4 to this Act (provisions about orders and notices, and about enforcement) shall have effect for supplementing this Act.
(3) **F24**

Textual Amendments

- F24** Ss. 1(1)(2)(5)(6), 2, 5, 6(1)–(6), 9, 10, 15, 17(1)(5), 20(1)(2)(6), 21, 22, 23(1)(3) repealed by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), **Sch. 2** and S.I. 1980/497

Modifications etc. (not altering text)

- C7** S. 23(2) repealed (1.1.2011) by [Competition Act 1980 \(c. 21, SIF 124:1\)](#), **Sch. 2** and S.I. 1980/497

Changes to legislation:

There are currently no known outstanding effects for the Counter-Inflation Act 1973, Part V.