

*Changes to legislation: There are currently no known outstanding effects for the Prices Act 1974, Cross
Heading: Price regulation, price marking and price range notices. (See end of Document for details)*

SCHEDULE

ENFORCEMENT

Price regulation, price marking and price range notices

- 5 (1) Any person who contravenes an order under section ^{F1}... 4 ^{F1}... of this Act shall be guilty of an offence and liable—
- (a) on conviction on indictment, to a fine;
 - (b) on summary conviction, to a fine not exceeding £400.
- ^{F2}(2)
- (3) Section 23 of the ^{M1}Trade Descriptions Act 1968 (offences due to fault of other person) and section 24(1) and (2) of that Act (defence of mistake, accident, etc.) shall have effect in relation to an offence in respect of an order under section 4 of this Act as they have effect in relation to an offence under that Act.

Textual Amendments

- F1** Words in [Sch. para. 5\(1\)](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 16](#) Group 2
- F2** [Sch. para. 5\(2\)](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 16](#) Group 2

Modifications etc. (not altering text)

- C1** Para. 5 extended by [Price Commission Act 1977 \(c. 33\)](#), [s. 13\(5\)](#); modified by [S.I. 1977/1224](#), [reg. 2](#)

Marginal Citations

- M1** [1968 c.29](#).

- 6 It shall be the duty of every local weights and measures authority to enforce within their area any such order as is mentioned in paragraph 5(1) above.
- ^{F3}7

Textual Amendments

- F3** [Sch. para. 7](#) omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), [s. 100\(5\)](#), [Sch. 6 para. 11\(2\)](#); [S.I. 2015/1630](#), [art. 3\(i\)](#) (with [art. 8](#))

- 8 (1) Proceedings for an offence under paragraph 5 above shall not be instituted except by or on behalf of a local weights and measures authority.
- (2) Proceedings for any such offence shall not be instituted—
- (a) unless there has been served on the person charged a notice in writing of the date and nature of the offence alleged, being (except where he is a street trader) a notice served before the expiration of the period of thirty days beginning with that date; or
 - (b) after the expiration of the period of three months beginning with that date.
- (3) Such a notice as is mentioned in sub-paragraph (2)(a) above may be served on any person [^{F4}—

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- (a) if the proceedings are to be instituted in England and Wales, in accordance with Criminal Procedure Rules; or
- (b) otherwise,] either by serving it on him personally or by sending it to him by post at his usual or last known residence or place of business in the United Kingdom or, in the case of a company, at the company’s registered office.

[^{F5}(3A) For the purposes of sub-paragraph (3)(a)—

- (a) Criminal Procedure Rules (as they have effect from time to time) apply to the notice as if it were a document to be served in criminal proceedings before a magistrates’ court, and
- (b) any magistrates’ court may discharge functions conferred on a court by those Rules in relation to such service.]

(4) Sub-paragraph (1) above does not apply to Scotland.

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Textual Amendments

F4 Words in [Sch. para. 8\(3\)](#) inserted (28.6.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), s. 51(3), [Sch. 1 para. 3\(a\)](#)

F5 [Sch. para. 8\(3A\)](#) inserted (28.6.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), s. 51(3), [Sch. 1 para. 3\(b\)](#)

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Textual Amendments

F6 [Sch. para. 9](#) omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 11\(2\)](#); S.I. 2015/1630, art. 3(i) (with art. 8)

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Textual Amendments

F7 [Sch. para. 10](#) omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 6 para. 11\(2\)](#); S.I. 2015/1630, art. 3(i) (with art. 8)

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Textual Amendments

F8 [Sch. para. 11](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 16](#) Group 2

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