

ELIZABETH II



Prices Act 1975

1975 CHAPTER 32

An Act to amend sections 1, 2 and 9(4) of the Prices Act 1974 and to make consequential amendments in the Schedule to that Act. [8th May 1975]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Section 1 of the Prices Act 1974 (which relates to food Food subsidies) shall have effect with the following amendments, subsidies. namely— 1974 c. 24.

- (a) in subsection (3) (which provides for subsidies for milk produced in a marketing area to be by way of payments making good certain sums paid by Ministers to Milk Marketing Boards in the year ending with 31st March 1975), for the words “ in a marketing area ” there shall be substituted the words “ by a registered producer ” and after the word “ 1975 ” there shall be inserted the words “ and the following year ”;
- (b) in subsection (4)(a) (which provides for certain subsidies for butter to be by way of payments making good sums paid by the Intervention Board for Agricultural Produce in respect of the year ending with 31st March 1975 in pursuance of EEC butter subsidy regulations), after the word “ 1975 ” there shall be inserted the words “, and the sums so paid in respect of the following year,”; and

- (c) in subsection (6) (which provides that the total payments made by the Secretary of State under that section shall not exceed £700 million), for the words “ £700 million ” there shall be substituted the words “ £1,200 million ”;

and in paragraph 2(7) of the Schedule to that Act (which refers to any allowance made, by a Board as defined in the Order mentioned in subsection (3) of the said section 1, in respect of milk supplied by it in the year there mentioned) after the word “ allowance ” there shall be inserted the words “ or payment ” and for the words “ supplied by it in the year ” there shall be substituted the words “ to which that Order applies in any year ”.

(2) The Secretary of State may by order made by statutory instrument provide that, in subsections (3) and (4)(a) of the said section 1 as amended by the preceding subsection, for the words “ the following year ” there shall be substituted the words “ each of the two following years ”; and a statutory instrument made by virtue of this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3) The Secretary of State may by order made by statutory instrument provide—

- (a) that for the sum for the time being specified in subsection (6) of the said section 1 as amended by virtue of this section there shall be substituted such a larger sum (not exceeding £1,700 million) as is specified in the order; and
- (b) that any order previously made in pursuance of this subsection shall cease to have effect;

but an order in pursuance of this subsection shall not be made before 1st April 1976 and shall not be made unless a draft of the order has been approved by a resolution of the House of Commons.

Regulation
of price of
food etc.
1974 c. 24.

2.—(1) Section 2 of the Prices Act 1974 (under which the Secretary of State has power to make orders for regulating the price of food and certain other goods) shall have effect with the following amendments, namely—

- (a) at the end of paragraph (b) of subsection (1) (under which retailers selling goods of which the price is regulated by an order under paragraph (a) of that subsection may be required to display information about the effect of the order) there shall be inserted the words “ or to keep that information available in writing in accordance with the order under this paragraph and on request in accordance with the order to produce and permit inspection of the document containing the information; ”;

(b) in subsection (1), after paragraph (b) as amended by the preceding paragraph there shall be inserted the following paragraph—

“(c) require persons selling, or who have after the coming into force of this paragraph sold, such food or other goods as are mentioned in paragraph (b) above to keep such records as may be specified in the order as being records which the Secretary of State considers are needed for the efficient enforcement of an order under paragraph (a) above.”,

and accordingly in subsection (4)(c) of that section (which refers to either paragraph of subsection (1)) for the word “either” there shall be substituted the word “any”;

(c) subsection (5) (which provides that no order under that section shall apply to any sale after 31st March 1975 but that the Secretary of State may for that date substitute a subsequent date which is not later than 31st March 1976) and paragraph (b) of subsection (8) (which prohibits the making of an order under subsection (5) unless a draft of the order has been approved by a resolution of each House of Parliament) are hereby repealed;

(d) in subsection (6) (which provides for consultation before an order is made under subsection (1)(a) of that section) after the word “(1)(a)” there shall be inserted the words “or (c)”;

and section 9(4) of that Act (under which none of its provisions requiring consultation requires further consultation in cases where the Secretary of State is satisfied that there has been sufficient consultation before the passing of that Act) shall have effect, in relation to consultation required by virtue of paragraph (d) of this subsection, as if the reference to the passing of that Act were to the passing of this Act.

(2) Where it appears to the Secretary of State that there are special circumstances in consequence of which it would be just to authorise a particular person to charge, for a sale of a thing of a particular description, a price exceeding the maximum price which by virtue of an order under section 2(1)(a) of the Prices Act 1974 1974 c. 24. he is authorised to charge for a sale of a thing of that description, the Secretary of State may, by notice in writing given in such manner as he thinks fit, authorise that person to charge for a sale of a thing of that description a price not exceeding a price specified in the notice; and a sale in accordance with the authorisation shall be deemed to be permitted by the order.

(3) A notice giving an authorisation in pursuance of the preceding subsection—

(a) may contain provision as to the conditions subject to which the authorisation is given; and

(b) shall, where it contains such a provision, cease to have effect if any of the conditions is not satisfied; and

(c) may be revoked by the Secretary of State by notice in writing given in such manner as he thinks fit.

1974 c. 24.

(4) In paragraph 11 of the Schedule to the Prices Act 1974 (which provides that in relation to an offence in respect of an order under section 2(1)(a) of that Act the powers conferred by paragraph 9 of that Schedule may also be exercised by such an officer as is mentioned in the said paragraph 11), after the word "2(1)(a)" there shall be inserted the words " or (c) ".

Supplemental.

3.—(1) This Act may be cited as the Prices Act 1975, and this Act and the Prices Act 1974 may be cited together as the Prices Acts 1974 and 1975.

(2) This Act extends to Northern Ireland.

(3) There shall be paid out of money provided by Parliament or, as the case may be, into the Consolidated Fund any increase attributable to this Act in the sums which, under the Prices Act 1974, are payable out of money so provided or into that Fund.

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