

Sd/ Ali Hassan Mwinyi

ALI HASSAN MWINYI
PRESIDENT OF ZANZIBAR
AND
CHAIRMAN OF THE REVOLUTIONARY
COUNCIL.

12th JULY 1985.

AN ACT TO REPEAL THE PRICE CONTROL DECREE AND TO MAKE
BETTER PROVISIONS FOR THE CONTROL OF PRICES AND MATTERS
INCIDENTAL THEREON AND CONNECTED THEREWITH.

ENACTED by the House of Representatives of Zanzibar.

PART I

PRELIMINARY

Short title
and
commencement.

Act

- 1. (1) This Act may be cited as the Price Control
- (2) The Act shall come into operation on the 1st day of July, 1985.

Interpretation.

requires:-

"Assistant Price Commissioner" means, in relation to a region, the Assistant Price Commissioner appointed for that region under section 13(2)(a) and in relation to a district, the Assistant Price Commissioner appointed for that district under section 13(3)(a);

"goods" includes all chattels (other than things in action and money), growing crops and things attached to or forming part of the land, which are agreed to be severed before sale or under a contract of sale;

"hire" includes a transaction in the nature of a hire-purchase;

"maximum hire charge" means the maximum lawful charge at which goods may be hired in accordance with the provisions of this Act;

"maximum price" means the maximum lawful price at which goods may be sold in wholesale, sub-wholesale, retail or otherwise, as the case may be, in accordance with the provisions of this Act, and may include such maximum commission in relation to the sale of such goods as may from time to time be fixed under the provisions of this Act; and includes maximum hire charge for any goods and also, in relation to any service, the maximum service charge;

"maximum service charge" means the maximum lawful charge at which any service may be rendered in accordance with the provisions of this Act;

"member" in relation to the Price Commission means a member of the Commission and includes the Chairman of the Commission;

"Minister" means the Minister for the time being responsible for Trade;

"National Price Commission" or the "Price Commission" means the National Price Commission established by section 3;

"price controlled goods" means goods the maximum price for which has been fixed by a notice issued or deemed to have been issued under this Act;

"Price Inspector" means a Price Inspector appointed under section 28;

"producer" means any person producing goods in the course of his business;

"sale" with its grammatical variations and cognate expressions means any transaction whereby any article is delivered by one person to another for any material consideration pursuant to a contract under which the ownership in the article has passed to such other person or his principal,

or so passes at the time of the delivery or will or may pass on the happening of any event agreed upon by the parties; and includes an agreement to sell and an offer to sell; and an offer to sell shall include the exposing of goods for sale, the publication of a price list, the furnishing of a quotation or any other act or notification whatsoever by which willingness to enter into any transaction of sale is expressed; and the words "sell", "seller", "buyer", "buy", "purchase" and "purchaser" shall be construed accordingly;

"selling price" means the actual net price charged to the purchaser of the goods concerned, after all discounts or other allowances have been deducted, and references to the price in relation to any sale shall be construed as references to such selling price;

"service" includes the sale or hire of goods, where sold or hired in connection with the rendering of service;

"supply" includes sale or hire;

"trader" means:-

- (i) any person, other than a commission agent or a clearing and forwarding agent, who is required to take out a licence under the provisions of the Trade Licensing Act, 1983;
- (ii) any person who carries on the business of supplying goods or services whether or not such person is required to take out a licence under the Trade Licensing Act, 1983; or
- (iii) any person carrying on business in the course of which he supplies goods or services for the purpose of or in pursuance of a contract made by him for work, labour and materials.

PART II

ESTABLISHMENT OF THE NATIONAL PRICE COMMISSION,
ITS COMPOSITION, FUNCTIONS AND POWERS.

Establishment
of the
National Price
Commission.

3. (1) There is hereby established a National Price Commission which shall consist of:-
- (a) the Commissioner who shall be the Chairman and shall be appointed by the President; and
 - (b) not less than four and not more than six other members who shall be appointed by the Minister.
- (2) The Minister shall appoint the Secretary to the Commission.

Procedure
of the
Commission
as provided
under the
Schedule.

4. The Constitution and proceedings of, and otherwise in relation to the Price Commission shall be as provided under the provisions of the Schedule to this Act.

Amendment
of
Schedule.

5. Where it is necessary and for the public interest to add to, amend vary or replace the Schedule to this Act, the President may do so by order published in the Gazette.

Functions and
powers in
relation to
price
structure.

6. (1) The functions of the National Price Commission shall be:-
- (a) to determine reasonable price structures on a national basis and to provide for their orderly variation when necessary;
 - (b) to ensure that prices of goods and services in Zanzibar are compatible with and conform to the National policy;
 - (c) to perform such other functions as are conferred on it by this Act or as the President may, from time to time, by order published in the Gazette, confer upon it.
- (2) For the avoidance of doubts it is hereby declared that the power to determine price structures in relation to goods or services include the powers to:-

- (a) fix maximum prices for the sale of any goods:-
 - (i) by any person to any person; or
 - (ii) by their manufacturer or importer to a wholesaler or sub-wholesaler; or
 - (iii) by a wholesaler or sub-wholesaler in such goods to a retailer in such goods; or
 - (iv) by a retailer in such goods to a consumer; or
 - (v) by a manufacturer, importer, wholesaler, sub-wholesaler or retailer in such goods to a person whether or not such person is a trader in such goods; or
 - (vi) by a person who is not a trader in any particular goods to a trader in such goods;
- * (b) fix the maximum service charge that may be made for any services;
- (c) fix the maximum hire charge that may be made for the hire of any goods;
- (d) fix the maximum price, or prescribe the manner in which the maximum price shall be ascertained, of any used goods, whether for sale by traders in such goods, or by the owners of such goods;
- (e) fix the maximum amount including interest and other charges that may be charged in respect of any goods sold by way of hire-purchase;
- (f) prescribe the type of packing, weight, size, quality and the processing and ingredients of any goods manufactured in Zanzibar.

* (3) For the purposes of this section the Price Commission may fix the maximum price or any maximum charge in respect of the sale or hire of any goods or the rendering of any services by declaring in any manner whatsoever how such maximum price or charge shall be ascertained.

Uniformity
of prices.

7. In all circumstances, the Commission shall endeavour to fix similar prices for the whole of Zanzibar and Pemba.

Determination
of price
structures.

8. (1) The Price Commission may, from time to time, determine and review, in accordance with the provisions of this Act, price structures on a national basis of goods and services. ||

(2) Where in the opinion of the Minister it is in the national interest that the prices of any goods or services or class of goods or services be controlled on a national basis under this Act or that the prices of any goods so controlled be reviewed, he may direct the Price Commission to determine or review such prices and the Price Commission shall proceed to do so in accordance with the provisions of this Act. ||

Factors to
be taken
into account
in
determining
prices.

9. (1) The National Price Commission shall, in determining the price structure of any goods or services or class of goods or services, have regard to:-

- (a) the commodities and services essential to the community;
- (b) the need to avoid unduly rapid or frequent variations in prices;
- (c) the need to preserve and promote the competitive position of local products in the domestic market as well as in foreign markets;
- * (d) the need to prevent the income of peasants and workers in Zanzibar from being effected adversely by unnecessary and unjustified price increases;
- (e) the need to maintain fair relationships among the incomes of different sectors of the community;
- * (f) the need to ensure the continued ability of the Government to finance development programmes and recurrent expenditure;
- (g) the need to provide circumstances under which local manufacturing, processing and service industries are able to maintain efficiency and expand their business;
- * (h) the need to provide circumstances conducive to a healthy and orderly development of trade and commerce in rural as well as urban areas;

- (1) such guidelines as to margins or otherwise as the Minister may, from time to time issue.
- (2) In addition to the factors specified in subsection (1), the National Price Commission shall:-
 - (a) in determining the maximum ex-factory price for goods manufactured in Zanzibar, take into account the direct costs of production, the general overhead expenses, the normal wear and tear of capital assets, the cost of holding stocks of goods and materials, a margin in relation to the turnover and the capital employed, the level of excise duty, sales tax and other similar taxes and duties payable by or collected from the manufacturer;
 - (b) in determining the maximum importer's selling prices for goods imported by the importer, take into account the c.i.f. cost of the goods, the landing, handling and clearing charges, the customs duties and other similar taxes payable by the importer, the inventory carrying and storage costs and a margin in relation to the turnover and the capital employed;
 - (c) in determining the maximum wholesale and subwholesale prices, take into account the manufacturer's importer's, or as the case may be, wholesaler's maximum price, the cost of transport to the point at which the wholesale or the sub-wholesale price applies, the inventory carrying and storage costs and a margin in relation to the turnover and the capital employed;
 - (d) in determining the maximum retail prices of any goods, take into account the relevant manufacturer's, importer's, wholesaler's and sub-wholesaler's maximum prices in relation to such goods, the cost of transport to the point at which the retail price applies, the inventory carrying and storage costs and a margin in relation to the turnover and the capital employed;

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- (e) in determining the maximum retail prices for services, take into account the cost of material (if any) used, the direct and the overhead costs of providing the service, and a margin in relation to the turnover and the capital employed;
 - (f) in determining the maximum prices for agricultural commodities and products, take into account the production costs (including the labour of the peasants engaged in the production), the transport expenses, any statutory levy or fee payable in respect of the commodity or product, the storage and marketing costs, and the processing expenses, if any; and in particular, the Commission shall have regard to securing a rational structure of ex-factory, in to store, out of store, and processed product prices.
- (3) Notwithstanding the provisions of subsections (1) and (2), the Minister may, in relation to any goods or services, direct the Price Commission to take into account any additional or alternative factor or to determine the price structure on any basis specified in such direction and every such direction shall be given effect to by the Price Commission.

Other powers
of the
National
Price
Commission.

10. (1) For the effective and proper discharge of its functions under this Act, the Commission shall have power to:-

- (a) receive and review application in respect of prices from the consumers or any public authority;
- (b) receive and review application for determination or variation of maximum prices from manufacturers, wholesalers, sub-wholesalers, retailers and persons who provide services;
- (c) conduct a review of prices;
- (d) secure access to any relevant data concerning production, importation or trade of any goods from any person or other organisation.

(2) The Price Commissioner may, by notice in writing, require any person carrying on any business in Zanzibar to produce to him, within such time as he may specify in the notice:-

- (a) a copy of the balance sheet or the profit and loss account of such business in respect of such financial year or years as may be specified in the notice;
- (b) a return of income made by such person in respect of any year for the purposes of assessment of income tax or personal tax;
- (c) inventory records and other records and documents in relation to the business;
- (d) such other information as the Price Commissioner may consider relevant.

(3) Any person who fails to comply with any notice under subsection (2) shall be guilty of an offence.

Restriction of review of prices.

* 11. Subject to any directions of the Minister in that behalf, the Price Commission shall not review the ex-factory prices of locally manufactured goods or the prices for services more than once in any calendar year.

Decision of the Commission not subject to review by courts.

12. No decision of the Price Commission, made or purporting to have been made pursuant to any provision of this Part shall be subject to review by any court on any ground whatsoever.

PART III

ESTABLISHMENT OF THE PRICE CONTROL COMMITTEES

Price Control Committees of the Regions and Districts.

13. (1) There is hereby established a Price Control Committee in every Region and District of Zanzibar.

(2) The composition of the Price Control Committee of the Region shall be:-

- (a) the Regional Administrative Officer as the Chairman (and hereinafter referred to as the Assistant Price Control Commissioner);
- (b) such other members not exceeding five as members and who shall be appointed by the Minister in consultation of the Regional Commissioner of that Region;

(3) The composition of the Price Control Committee of the District shall be:-

- (a) The District Administrative Officer as the Chairman (and hereinafter referred to as the Assistant Price Control Commissioner); and
- (b) such other members not exceeding three who shall be appointed by the Minister in consultation with the Regional Commissioner of that Region.

Functions of the Price Control Committees.

14. The functions of the Price Control Committees shall be:-

- (a) to ensure that the prices as fixed by the National Price Commission are effected everywhere in Zanzibar;
- (b) to ensure that the business men do not hoard the goods;
- (c) to do any other thing which the Commission may direct them to do.

PART IV

CONTROL OF PRICES

Publication of prices.

15. (1) Where the Price Commission has fixed the maximum prices of any goods or class of goods, a list of such goods and the prices fixed thereof shall be published in the Gazette for the notice of the public.

(2) In any prosecution for an offence under this Act, ignorance of the contents of any such list in the Gazette shall not be a defence.

(3) With effect from the date of the publication of the notice in the Gazette, the maximum prices of the goods shall be the prices as described in the list.

Display of lists of maximum prices of price controlled goods.

16. (1) Any trader or other person or class of traders or persons supplying or dealing with price-controlled goods or price-controlled services shall be required to display in Kiohili in a prominent manner and in a conspicuous position so that it may be easily read and is clearly legible to customers in those parts of their business premises, a list of the current maximum prices for such price-controlled goods or services.

(2) An order under this section may apply to Zanzibar as a whole or to any area or areas thereof and may provide for the form in which any such list of maximum prices or maximum hire charges or maximum services charges which it requires to be displayed shall be arranged.

Books of accounts.

17. Every trader, manufacturer, producer or any other person supplying price-controlled goods or rendering price-controlled services shall keep such books of account or other records in respect of his dealings in price-controlled goods or services and make such entries therein as may be prescribed by regulation made under this Act, and shall preserve such books of account or records after the date of the last entry wherein for a period of two years or such longer period as may be so prescribed.

Issue of invoices.

18. (1) Every manufacturer, producer, trader or commission agent:-

(a) shall at the time of sale or hire to a wholesaler, sub-wholesaler or retailer, issue to the buyer an original invoice containing the following particulars:-

- (i) the name of the seller or person letting on hire;
- (ii) the name of the purchaser or hirer;
- (iii) the date of the sale or hire;
- (iv) a description sufficiently exact to identify the price-controlled goods;
- (v) the quantity of the price-controlled goods sold or hired;
- (vi) the prices or charges charged therefor including any charge for commission; and

(b) shall retain in his records a duplicate copy of such invoice, which need not contain the name of the seller or person letting on hire.

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sale, hire or
service shall
show such
maximum price
or charge. price

(2) Every manufacturer, producer, trader or commission agent:-

(a) shall at the time of sale or hire of price-controlled goods by retail to a consumer supply the consumer an original invoice containing the following particulars:-

- (i) the name of the seller or person letting on hire;
- (ii) the date of the sale or hire;
- (iii) a description sufficiently exact to identify the price-controlled goods;
- (iv) the quantity of the price-controlled goods sold or hired; and
- (v) the prices or charges charged therefor including any charge for commission; and

(b) shall retain in his records a duplicate copy of such invoice which need not contain the name of the seller or person letting on hire.

(3) For the purposes of this section the seller or person letting on hire shall specify in writing the price or charge which he assigns to each class of price-controlled goods included in the transaction.

(4) Every person who renders to any person any price-controlled service for which a charge has been or is to be made shall, as soon as possible after such service has been rendered, supply to such person an invoice describing the said service and showing the charge which has been or is to be made for such service, including any charge for commission, and the selling price of any materials used in connection therewith and shall keep a copy of every such invoice in his records.

PART V

OFFENCES AND PENALTIES

19. Any person who sells or lets on hire any price-controlled goods or renders any price-controlled service at a price or charge which exceeds the maximum price or the maximum sale, hire or service above maximum price or charge.

service charge, as the case may be, or charges any commission exceeding the maximum commission, shall be guilty of an offence.

Sale of price-controlled goods not conforming with requirements.

20. Any trader who sells, lets on hire, purchases, or is in possession of any price-controlled goods manufactured in Zanzibar which do not conform as to packing, weight, size, quality or the processing or ingredients thereof with any order made under this Act shall be guilty of an offence.

Failure to display prices, etc.

21. Any person who fails to comply with the requirements:-

- (a) in regard to the display of maximum prices and charges, imposed by section 16; or
- (b) in regard to the keeping of books of account and records, the making of entries therein, and the preservation thereof, imposed by section 17; or
- (c) in regard to the supply or retention of invoices imposed by section 18,

shall, unless he has been exempted from compliance with such obligations, be guilty of an offence.

Falsification of documents.

22. Any person who in relation to any dealing in price-controlled goods or price-controlled services falsifies any document, record, book or account concerning his trade or business, or knowingly or recklessly makes an entry therein which is false or incorrect in any material particular, or neglects to make an entry concerning any dealing in price-controlled goods or price-controlled services which should have been made in the normal course of trade and the absence of which makes such document, record, book or account false or incorrect, shall be guilty of an offence.

Price-controlled article sold together with article not price-controlled.

23. (1) Where any price-controlled article and any article which is not price-controlled are sold together by trader to a buyer at a single price in excess of the aggregate of the maximum price of the price-controlled and the normal price of the article not price-controlled when sold separately, the trader shall be deemed to have sold the price-controlled article at a price in excess of the maximum price and shall be guilty of an offence.

(2) Where any price-controlled article is supplied by a trader in the course of a service for which no maximum service charge is fixed and the price charged by him for such service includes the price of the article and other articles (if any) supplied by him in the course of rendering such service, then if such price so charged exceeds the aggregate of the maximum price of the price-controlled article and the normal charge of the service, taking into account all the articles, other than the price-controlled article, supplied by the trader, the trader shall be deemed to have sold the price-controlled article at a price in excess of the maximum price and shall be guilty of an offence.

(3) Where a person renders a price-controlled service and at the same time for the same price renders a service in respect of which no maximum price has been fixed or supplies any article not price controlled, then if the price charged exceeds the aggregate of the maximum price of such service in respect of which maximum price is fixed and the normal price of such other service or article not price-controlled, such person shall be deemed to have charged for the price-controlled service a service charge in excess of the maximum service charge and shall be guilty of an offence.

(4) For the purposes of this section "normal price" means:-

- (a) in relation to any article, the price at which similar article was normally sold, on or about the date when the offence is alleged to have been committed, by other traders in the same locality in which the accused carries on the business in the course of which the offence is alleged to have been committed;
- (b) in relation to any service, means the price at which similar service was normally rendered, on or about the date when the offence is alleged to have been committed, by other persons engaged in the business of rendering similar service in the same locality in which the accused carries on the business in the course of which the offence is alleged to have been committed.

Offences to obstruct authorities.

24. Any person who:-
- (a) obstructs any person authorized by this Act to enter and inspect any premises or to examine any books, accounts or other documents; or
 - (b) refuses or delays or fails to produce any books, accounts or other documents relating to his trade or business which he may be required under this Act to produce; or
 - (c) refuses to furnish any information or who knowingly or without reasonable grounds for believing the same to be true furnishes false information upon demand being made by a person authorized by this Act to demand the same; or
 - ✧ (d) fails to comply with any order, requirement or notice lawfully given or made under this Act,
- shall be guilty of an offence.

Penalty.

✧ 25. (1) Any person who is guilty of any offence under this Act shall, upon conviction, be liable to a fine not exceeding fifty thousand shillings or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

(2) In addition to such penalty all of his goods in that shop shall be confiscated and licence withdrawn for a period of three years.

PART VI

MISCELLANEOUS PROVISIONS

Display of prices of goods not price-controlled.

26. (1) The Price Commission may, with the consent of the Minister, and by order in the Gazette, require all or any category of traders dealing or authorized by their business licence to deal in any price-controlled goods to display, in such manner as may be specified in such order, prices of all or any class of goods (whether or not price-controlled) sold or exposed for sale by such traders.

(2) Any person to whom any order made under this section applies and who fails to comply with any requirement of such order, shall be guilty of an offence.

Burden of proof.

27. In any proceeding under this Act, the burden of proving that any sale did not take place or that the price charged did not exceed the maximum prescribed price, or that he did not hoard the goods, shall lie upon the accused.

Appointment of Price Inspectors.

28.(1) The Price Commissioner may, by writing under his hand, appoint any public officer or other person to be a Price Inspector for the purposes of this Act.

(2) In addition to the powers conferred upon a Price Inspector by the provisions of this Act, he shall have the power generally to investigate and report upon any non-compliance with any provision of this Act.

(3) Every Price Inspector shall be issued with a letter of identity in the form approved by the Price Commissioner and shall, where in the course of the discharge of his functions under this Act he is required by any person to produce such letter for inspection, produce the same to such person for his inspection.

General powers.

29. (1) The Price Commissioner, any Assistant Price Commissioner, any Price Inspector, any police officer of or above the rank of Sub-Inspector or members of the Commission or Committee shall have the power :-

(a) to enter and inspect any premises in the occupation or under the control of any trader, manufacturer, producer, commission agent, clearing and forwarding agent or other person supplying price-controlled goods or rendering price-controlled services;

(b) to examine and make copies of, or seize, any books, accounts or other documents relating to the trade or business of any trader, manufacturer, producer, commission agent, clearing and forwarding agent or other person supplying price-controlled goods or rendering price-controlled services.

(2) Upon entering any premises in pursuance of the powers conferred by this section, the person authorized to enter the said premises shall, before proceeding to exercise any of the other powers conferred by subsection (1) of this section, inform the person present on such premises who is or who reasonably appears to be for the time being in charge of such premises of his intention to exercise his powers under this section.

(3) When any books, accounts or other documents are seized in pursuance of the provisions of paragraph (b) of subsection (1) the person seizing the same shall:-

- (a) furnish the owner thereof with a receipt therefor;
- (b) be responsible to the owner thereof for the safe custody of the same; and
- (c) return the same to the owner thereof as soon as his purpose therewith has been served;

Provided that the provisions of paragraph (c) of this subsection shall not be construed as derogating from the provisions of any other law for the time being in force which authorizes the retention by a police officer of such books, accounts or other documents.

(4) Nothing in subsection (3) shall be construed as requiring any person to return or be responsible for the safe custody of any books, accounts or other documents which have been handed to a police officer or which have been produced as exhibits in proceedings before any court.

(5) The Price Commissioner, any Assistant Price Commissioner, or any person authorized in that behalf by writing by either the Commissioner or an Assistant Commissioner shall have the power:-

- (a) to order in respect of any price-controlled goods, or any goods in relation to which an order has been made under section 26, that when exposed or offered for sale or hire, they shall bear such mark or label as may be specified in the order for the purpose of indicating their quality, grade, price or place of origin;
- (b) by order in the Gazette, to prescribe the place in which any price-controlled goods may be stored.

(6) The Price Commission may, with the consent of the Minister, take such measures and do such acts, matters and things as in its opinion are necessary for the proper enforcement of the provisions of this Act.

Exclusion of price controlled goods.

30. Where, in the opinion of the Minister the application of the provisions of this Act to any price-controlled goods or price-controlled services is or is likely to be detrimental to the public interest he may, by order in the Gazette, and for such period and subject to such conditions as he may in such order specify, exclude such goods or services from the application of all or any of the provisions of this Act.

Regulations.

31. (1) The Minister may make regulations for the better carrying into effect of the purposes and provisions of this Act.

(2) The Minister may give the Price Commission or the Price Commissioner or an Assistant Price Commissioner any direction not inconsistent with the provisions of this Act or any direction given by the President under this Act, and every such direction shall be given effect to accordingly.

Repeal of Decree 2/79 and savings.

32. (1) The Price Control Decree, No. 2 of 1979 is hereby repealed.

(2) Notwithstanding the repeal of the Price Control Decree, all subsidiary legislation made under that Decree shall, in so far as they may be applicable, continue in force and have effect as subsidiary legislation made under the corresponding provision of this Act, until such time as they may be amended or revoked.

SCHEDULE

Interpretation.

1. In this Schedule "the appointing authority" means:-

- (a) in relation to the Price Commissioner, the President;
- (b) in relation to any other member, the Minister.

Membership.

2. (1) A member of the Commission, other than the Price Commissioner shall, unless his appointment is sooner determined by the appointing authority, or he otherwise ceases to be a member, hold office for a period of three years from the date of his appointment, and shall be eligible for re-appointment.

(2) Any member of the Board may at any time resign by giving notice in writing to the appointing authority and from the date of approval of the notice by the appointing authority, he shall cease to be a member.

Casual vacancies.

3. Where any member ceased to be a member for any reason before the expiry of his term of office, the appointing authority may appoint another person in his place and the person so appointed shall hold office for the remainder of the term of office of his predecessor.

Meetings.

4. (1) An ordinary meeting of the Commission shall be convened by the Chairman at least twice annually and the notice specifying the place, date and time of the meeting shall be sent to each member at his usual place of business or residence not less than three days before the date of such meeting.

(2) The chairman shall be bound to convene a special meeting of the Commission upon receipt of a request in writing in that behalf signed by not less than two other members. Not less than three days' notice of such meeting shall be given to all members of the Commission in the manner prescribed in sub-paragraph (1).

(3) The chairman presiding at any meeting of the Commission may invite any person who is not a member to participate in the deliberations of the Commission but any such person shall not be entitled to vote.

Procedure.

5. (1) The chairman and three other members shall form a quorum for a meeting of the Commission.

(2) At any meeting of the Commission a decision of the majority of the members present and voting shall be deemed to be a decision of the Commission. In the event of an equality of votes the chairman shall have a casting vote in addition to his deliberative vote.

(3) Notwithstanding the provisions of sub-paragraph (2), where the chairman so directs, a decision may be made by the Commission without a meeting by circulation of the relevant papers among all the members and the expression in writing of their views, but any member shall be entitled to require that any such decision shall be deferred until the subject matter shall be considered at a meeting of the Commission.

Minutes.

6. Minutes in proper form of each meeting of the Commission shall be kept and shall be confirmed by the Commission at the next meeting and signed by the chairman of the meeting.

Vacancy,
etc. not to
invalidate
proceedings.

7. Subject to the provisions of paragraph 5 relating to quorum, the Commission may act notwithstanding any vacancy in the membership thereof (other than a vacancy in the office of chairman) and no act or proceeding of the Commission shall be invalid by reason only of some defect in the appointment of a person who purports to be a member thereof.

Orders,
directions,
etc.

8. All orders, directions, notices or documents made or issued by the Commission shall be signed by:-

- (a) the Price Commissioner; or
- (b) any member of the Commission or other officer of the Price Commissioner's department authorized in writing by the Price Commissioner in that behalf.

Commission
may regulate
its own
proceedings.

9. Subject to the provisions of this Schedule the Commission shall have power to regulate its own proceedings.

Passed in the House of Representatives on 14th day of June,
1935.

(IDI P. HASSAN)

CLERK TO THE HOUSE OF
REPRESENTATIVES.