

ESSENTIAL COMMODITIES

Act 8 of 1991 – 27 April 1991

ARRANGEMENT OF SECTIONS

- 1 Short title
- 2 Interpretation
- 3 Duty to keep reasonable quantity of essential commodities
- 4 Duty to keep registers
- 5 Duty not to stock outside trading premises
- 6 Minister may require monthly returns
- 7 Regulations
- 8 Offences

1 Short title

This Act may be cited as the Essential Commodities Act.

2 Interpretation

“essential commodities” means ration rice, sugar raw and white, flour, laundry soap, edible oil and white oil;

“minimum quantity” means such quantity as may be prescribed, or ten per cent of the average weekly sale, whichever is the higher;

“Minister” means the Minister to whom the subject matter of supplies control is assigned;

“reasonable quantity” means such quantity as may be reasonable in all the circumstances;

“white oil” includes motor gasoline (supergrade), gas oil ‘mazout’, and kerosene ‘pétrole lampant’.

3 Duty to keep reasonable quantity of essential commodities

(1) No person who is licensed as a general retailer (foodstuff) shall fail or refuse –

(a) to keep on his trading premises a minimum quantity of essential commodities, other than white oil; or

(b) to sell to any intending purchaser a reasonable quantity of such commodities.

(2) No person who is licensed as a general retailer (non-foodstuff) and who operates a petrol filling station shall fail or refuse –

(a) to keep on his trading premises a minimum quantity of white oil; or

(b) to sell to any intending purchaser a reasonable quantity of white oil.

4 Duty to keep registers

(1) Every general retailer (foodstuff) shall –

(a) keep a register in which he shall enter the names of his regular clients, if any;

(b) keep a second register in which he shall enter the quantity of essential commodities acquired by him together with –

(i) the price paid;

(ii) the person from whom he effected the purchase; and

(iii) the quantity of each commodity sold every week.

(2) Every general retailer (non-foodstuff) who operates a petrol filling station shall keep a register in which he shall enter the quantity of white oil sold by him every week.

5 Duty not to stock outside trading premises

(1) No person shall keep, in any place other than his trading premises, any essential commodity in such quantity as is not reasonably required by him for a domestic or other non-trading purpose.

(2) Every person who is licensed as a general retailer (foodstuff) shall notify the Minister, in such form as the Minister may determine, of any go-down or place other than his trading premises, where he keeps or stores the goods specified in subsection (1).

(3) For the purposes of subsection (2), trading premises shall not be deemed to include any place which is not directly accessible from the place where customers are served.

6 Minister may require monthly returns

Where the Minister is satisfied that any person is not complying with sections 3 to 5 satisfactorily, he may, by notice in writing, order him to submit to him a monthly return in such form as he may determine.

7 Regulations

(1) The Minister may make such regulations as he thinks fit for the purposes of this Act.

(2) Regulations made under subsection (1) may provide for the designation of officers for the enforcement of this Act.

8 Offences

(1) Every person who fails to comply with sections 3, 4 and 5 of this Act or with an order made under section 6 or with any regulation made under this Act shall commit an offence and shall, on conviction, be liable –

- (a) in the case of a general retailer (foodstuff), to a fine which shall not be less than 5,000 rupees and more than 50,000 rupees, together with imprisonment for a term not exceeding 12 months;
- (b) in the case of a general retailer of white oil, to a fine which shall not be less than 25,000 rupees and more than 100,000 rupees, together with imprisonment for a term not exceeding 12 months.

(2) Section 197(1) of the Criminal Procedure Act and the Probation of Offenders Act shall not apply to an offence under this Act.
