



PROFITEERING ACT.

Functions of the Various Committees.

LOCAL COMMITTEES.

(1) Local Committees can only hear complaints respecting the retail sale or offer for sale of any article or class of articles to which the Act has been applied by Order of the Lieutenant-Governor.

(2) The Act does not apply to any articles which are from time to time declared to be controlled, nor to the sale of any articles for export from the Isle of Man nor to the sale of articles by public auction or competitive tender.

(3) Complaints must be made in writing within four days of the sale or transaction.

(4) Complaints are to be heard in public unless in any particular case, due regard being given to the interests of the parties and to all the circumstances of the case, the Local Committee direct that the complaint or any part of the proceedings thereon shall be heard in private.

(5) On the hearing of the complaint the Local Committee, after giving the parties an opportunity of being heard may either dismiss the complaint, or may, if they are satisfied that the profit made or sought on the retail sale of the article which is the subject of the complaint was, in view of all the circumstances, unreasonable, declare the price which would yield a reasonable profit, and require the seller to repay to the complainant any amount paid by the complainant in excess of such reasonable price.

In addition to making the Order referred to above the Local Committee may take proceedings against the seller in a Court of Summary Jurisdiction, and if, on such proceedings, the Court is satisfied that the price charged or sought was such as to yield a profit which is in view of all the circumstances unreasonable, the seller will be liable on summary conviction before a High-Bailiff or two Justices to a fine not exceeding Two Hundred Pounds, or to imprisonment for a term not exceeding three months, or to both such imprisonment and fine.

The Local Committee should only take proceedings in a Court of Summary Jurisdiction in cases in which the Local Committee are satisfied, after due consideration, that the circumstances are such as to justify proceedings being taken, and that there is a reasonable prospect of such proceedings being successful. In deciding whether proceedings should be taken in any particular case the Local Committee should have regard to all the circumstances of the case.

APPEAL TRIBUNAL.

(6) APPEALS.—An Appeal Tribunal for the Island has been established, to which appeals may be made by the seller from any order or decision of the Local Committee other than a decision to take proceedings before a Court of Summary Jurisdiction.

An appeal from the decision of the Local Committee to the Appeal Tribunal must be made not later than three clear days after the decision in writing of the Local Committee shall have been delivered to the parties to the complaint, or within such extended time as for good reasons shown the Local Committee may allow. A form is prescribed for making the appeal, copies of which may be obtained from the Clerks to the Local Committees.

(7) **ALLEGED PROFITTEERING BY WHOLESALE TRADERS TO BE REFERRED TO THE LIEUTENANT-GOVERNOR.**—If upon investigation, or determination of any complaint it shall appear to the Local Committee or Appeal Tribunal that the price charged or sought about which the complaint was made is in view of all the circumstances unreasonable, but that the unreasonable price so charged or sought was due to the price charged by the wholesale trader, the Local Committee or Appeal Tribunal should dismiss the complaint or allow the appeal as the case may be, and should refer the case to the Lieutenant-Governor.

(8) **RESTRICTION OF TRADE TO BE AVOIDED.**—Local Committees and Appeal Tribunals should bear in mind that it is not the intention of the Lieutenant-Governor to take any action which will hamper or restrict legitimate commercial enterprise or which will prevent any person or company from making a reasonable profit on their business transactions.

CENTRAL COMMITTEE.

(9) The Central Committee has power in respect of any article to which the Act applies—

- (a) To investigate prices, costs and profit at all stages, and to require any person to appear before them to give evidence upon oath and to furnish such information and to produce such documents as they may with the concurrence of the Lieutenant-Governor require, and to authorise any person to administer an oath for that purpose.

Under this section the Committee may on their own initiative cause an inquiry to be made and report to the Lieutenant-Governor.

- (b) To receive and investigate and determine complaints and to make all such orders (except orders fixing prices) and to do all such things with reference to the matters aforesaid as the Lieutenant-Governor is authorised to make or do in respect of the WHOLESALE sale of any article or class of articles to which the Act is from time to time applied.

- (c) To obtain from all available sources, information as to the nature, extent and development of trusts, companies, firms, combinations, agreements, and arrangements connected with mining, manufactures, trade, commerce, finance or transport, having for their purpose or effect the regulation of the prices or output of commodities or services produced or rendered in the Isle of Man or imported into the Isle of Man, or the delimitation of markets in respect thereof, or the regulation of transport rates and services, in so far as they tend to the creation of monopolies or to the restraint of trade.

The powers conferred upon the Committee under this section will only be exercised at the direction of the Lieutenant-Governor.

ARTICLES, OR CLASS OF ARTICLES TO WHICH THE ACT HAS BEEN APPLIED.

A—ALL ARTICLES OF WEARING APPAREL.

Including:—

1. Suits of Clothing (excluding Standard Clothing).
2. Hats and Caps.
3. Collars, Ties and Neckcloths.
4. Shirts and Sleeping Suits.
5. Underclothing.
6. Socks and Stockings.
7. Shirts.
8. Handkerchiefs.
9. Boots, Shoes, Slippers, Goloshes and Leggings.
10. Umbrellas, Sunshades, and Walking Sticks.
11. Scarves, Jerseys and Sweaters.

Including:—

12. Gloves.
13. Overcoats and Waterproofs.
14. Braces and Belts.
15. Dresses, Blouses, Mantles & Skirts.
16. Petticoats and Dressing Gowns.
17. Corsets.
18. Overalls.
19. Ribbons.
20. Veils.
21. Hairpins, Combs and Hair Nets.
22. Materials (Woolen, Cotton, Silk, or Mixture).
23. Travelling Rugs.
24. Trunks, Bags and Valises.

B.—ALL HOUSEHOLD UTENSILS AND REQUISITES.

Including:—

1. Pots and Pans.
2. Glass Ware.
3. Aluminium Ware.
4. China Ware.
5. Enamel Ware.
6. Earthenware.
7. Tin Ware.
8. Brushes of all kinds.
9. Cloths and Dusters.
10. Table and Bed Linen.
11. Blankets.
12. Cutlery.
13. Lamps and Lamp-shades.
14. Mincing Machines.
15. Towels.

Including:—

16. Disinfectants (Household).
17. Polishing Pastes and Powders.
18. Boot and Shoe Polishes.
19. Soap and Soap Substitutes.
20. Quilts and Eiderdowns.
21. Mattresses.
22. Pillows and Bolsters.
23. Sponges, Sponge Bags and Hot-Water Bottles.
24. Razors.
25. String Twine and Rope.
26. Rolling Pins, Meat and Bread Boards.
27. Curtains.

C.—ALL ARTICLES FOR MENDING AND KNITTING.

Including:—

1. Work Baskets.
2. Scissors.
3. Knives.
4. Cottons, Silks, Wools and Thread used for Sewing, Mending Knitting and Darning.
5. Needles (including Knitting Needles).
6. Tape and Braids.

Including:—

7. Pins (including Safety Pins).
8. Elastic.
9. Laces (Boot, Shoe, and Corset).
10. Hooks and Eyes.
11. Fasteners (Dress).
12. Buttons.
13. Thimbles.
14. Sewing Machines.

D.—ALL ARTICLES OF FURNITURE (EXCLUDING ANTIQUE FURNITURE)

Including:—

1. Tables.
2. Chairs.
3. Dressers.
4. Sideboards.
5. Bedsteads and Beds.
6. Washstands.
7. Chests of Drawers.
8. Dressing Tables.
9. Cupboards.
10. Wardrobes.

Including:—

11. Meat Safes.
12. Fire Irons.
13. Fenders.
14. Coal Scuttles.
15. Carpets and Rugs.
16. Floor Covering.
17. Sofas, Couches and Chesterfields.
18. Linoleum and Oilcloth and Cork Carpet.
19. Mirrors and Looking Glasses.

E.—ALL BUILDING MATERIALS.

Including:—

1. Bricks.
2. Building Stone.
3. Slates.
4. Tiles.
5. Cement.
6. Lime.
7. Sand.
8. Ballast.
9. Timber.
10. Joinery.
11. Glass.
12. Sanitary Ware.
13. Hardware and Ironmongery.
14. Light Castings.
15. Lead, Milled and Pipes.
16. Lead, red and white.
17. Putty and Whiting.
18. Zinc, Copper, Tin and Alloys.
19. Paints.
20. Varnishes.

Including:—

21. Turpentine.
22. Distemper.
23. Wallpapers.
24. Pipes, Stoneware and Agricultural.
25. Pipes, Cast and Wrought Iron and Steel.
26. Valves and Fittings.
27. Electric Cable, Fittings, Plant and Meters.
28. Gas Pipes, Fittings, Plant and Meters.
29. Road Materials, Stone Sets, Wood Blocks, Asphalte, Tar and Broken Stone.
30. Structural Steel and Ironwork, Rolled Joists, Channels, Angles, Tees, Bars, and Plates.
31. Plant, Tools, and Tackle required for the construction of Buildings and Public Works.

F.—ALL DRUGS and Medicinal Preparations, including Tooth Powders, Talcium Powders, and Fullers' Earth.

G.—MEDICAL AND SURGICAL APPLIANCES AND DRESSINGS, including Thermometers.

H.—ALL ARTICLES USED FOR FUEL AND LIGHTING.

Including:—

1. Candles.
2. Lamp Oils.
3. Kerosene.
4. Petroleum.

Including:—

5. Paraffin.
6. Firewood and Firelighters.
7. Methylated Spirit.
8. Matches.

I.—TOOLS, including Farm, Gardening, Engineering and Carpentry Tools and Implements