



BELIZE

**SUPPLIES CONTROL ACT
CHAPTER 293**

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CHAPTER 293**SUPPLIES CONTROL****ARRANGEMENT OF SECTIONS**

1. Short title.
2. Appointment of Controller of Supplies.
3. Minister may make regulations.
4. Penalties.
5. Limitation does not apply.
6. Costs.
7. Power to impose charges.
8. Evidence.
9. Proof of instruments.

CHAPTER 293

SUPPLIES CONTROL

CAP. 221,
R.E. 1980-1990.
10 of 1963.
40 of 1963.
19 of 1976.
9 of 1985.
22 of 1987.

[18th May, 1963]

Short title.

1. This Act may be cited as the Supplies (Control) Act.

Appointment of
Controller of Sup-
plies.

2. A Controller of Supplies shall be appointed for the purposes of all or any of the regulations made in accordance with this Act. The Controller of Supplies shall be under the control of the Minister charged with responsibility for Supplies Control.

Minister may make
regulations.

3.-(1) The Minister may make regulations,

- (a) for the appointment of a Controller of Supplies;
- (b) for regulating or prohibiting the production, treatment, keeping, storage, movement, transport, distribution, exportation, importation, sale, purchase, use or consumption of articles or goods of any description, and, in particular, for controlling the prices at which such articles may be sold;
- (c) for regulating the carrying on of any undertaking engaged in any work specified in such regulations and, in particular, for controlling the charges which may be made by the undertakers in respect of the doing of any work by them;
- (d) for requiring persons carrying on, or employed in connection with, any trade or business specified in any order, made pursuant to any regulations, to produce to such person as may be so specified, any books, accounts or other documents relating to that trade or

40 of 1963.
9 of 1985.

business, and for requiring any persons to furnish such estimates or returns to such person as may be specified in the order;

- (e) for any incidental and supplementary matters necessary or expedient for the purposes of the regulations, including the entering and inspection of premises for the purpose of securing compliance with the regulations or orders made thereunder;
- (f) for prohibiting the doing of anything regulated in accordance with this Act except under the authority of a licence granted by the Controller of Supplies;
- (g) for fixing penalties subject to section 4 for any contravention or non-compliance with any regulations; and
- (h) generally for all matters connected with the carrying out of the provisions of this Act and any regulations made hereunder.

(2) The Minister may, by regulations, define any term contained in this Act or in any regulations made hereunder and any definition so made shall have the same effect as if it were enacted in this Act.

(3) All regulations shall be subject to negative resolution.

4. If any person contravenes or fails to comply with any regulations, or any order or rule made under any regulations, or any direction given or requirement imposed under any regulations, he commits an offence and, subject to any special provisions contained in the regulations contravened, is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding one thousand dollars, or to both such term of imprisonment and such fine.

Penalties.
19 of 1976.

5. Section 20 of the Summary Jurisdiction (Procedure) Act, Cap. 99, shall not apply to a complaint made under this Act.

Limitation does
not apply.
19 of 1976.

Costs.
19 of 1976.

6.—(1) Upon the conviction of any person for any offence under any regulations or any order or rule made under any regulations, the magistrate shall, in addition to any fine or imprisonment imposed under section 4, order the person convicted to pay costs in such sum as may be certified by the prosecuting officer in writing before the court as being the costs incurred by the Government in prosecuting the offence.

(2) The costs ordered to be paid under this section shall not exceed two hundred dollars in any single prosecution.

Power to impose
charges.
40 of 1963.

7.—(1) The Minister may, by Order published in the *Gazette*, provide for,

- (a) imposing and recovering, in connection with any scheme of control contained in or authorised by the regulations, such charges as may be specified in the Order;
- (b) charging, in respect of the grant or issue of any licence, permit, certificate or other document provided for in the regulations, such fee as may be specified in the Order;
- (c) imposing and recovering such charges as may be so prescribed in respect of any service which in pursuance of the regulations, is provided on behalf of the Government or under arrangements made on behalf of the Government other than service necessary for the performance of any duty imposed by law upon the Government.

(2) All sums received by way of fees or charges as mentioned in subsection (1) of this section, shall be paid into the Consolidated Revenue Fund, or if the Minister so directs, be paid into such public fund or account as he may determine.

(3) Any Order made under or by virtue of this section may be varied or cancelled by a subsequent Order.

8.—(1) In any proceedings taken or instituted under this Act, any of the following averments shall be accepted by the court without proof of any such fact, unless the defendant in such proceedings proves to the contrary,

Evidence.
19 of 1976.

- (a) that any person is a price control officer;
- (b) that goods are of a class or description controlled under some specified provision of the regulations;
- (c) that the maximum or minimum permitted price of goods are as stated in the information or complaint;
- (d) that a certain quantity of certain goods are the subject of sale by “wholesale” or by “retail”, as the case may be;
- (e) that certain goods are from a particular shipment or shipments, or that they were imported on or before a stated date.

(2) The burden of proving that a case comes within any exception described in the regulations shall be on the person alleging it.

(3) The burden of proving that the price at which goods were sold or bought, as the case may be, was not in contravention of the price as regulated or sanctioned by the regulations, shall be on the person alleging it.

(4) When any goods are found on the business premises of any vendor, the onus of proving that such goods are not on such premises for the purpose of sale shall be on the vendor.

(5) A cost sheet showing the price of imported goods, the date of importation, the importer, and all other matters as contained in a cost sheet under the Third Schedule to the regulations shall be admissible in evidence without proof of the signature of the Controller of Supplies or a price control officer, and shall be prima facie evidence of the truth of all matters contained therein.

(6) A certificate signed by the Controller of Supplies certifying that goods are of a class or description controlled under some specific provision of the regulations, and certifying the maximum permitted price thereof, shall be prima facie evidence in all courts of justice and for all purposes of the facts certified therein, without the necessity of adducing proof of the signature appearing on the certificate, and the burden of proving that the price at which goods were sold or bought, as the case may be, was not in excess of the price as regulated or sanctioned by the regulations, shall be on the person alleging it.

(7) Any fact of which oral evidence may be given in any proceeding under the regulations may be admitted for the purpose of those proceedings by or on behalf of the prosecution or defendant, and the admission by any party of any such fact under this section shall as against that party be conclusive evidence in those proceedings of the fact admitted.

9. Every document purporting to be an instrument made or issued by any authority or person in pursuance of any provision contained in, or having effect under, regulations made by virtue of this Act, and to be signed by or on behalf of the authority or person, shall be received in evidence and shall, until the contrary is proved, be deemed to be an instrument made or issued by that authority or person; and prima facie evidence of any such instrument may, in any legal proceedings (including arbitrations) be given by production of a document purporting to be certified to be a true copy of an instrument by, or on behalf of the authority or person having power to make or issue the instrument.

Proof of instru-
ments.