

ST HELENA

REVISED EDITION OF THE LAWS, 2017

EMPLOYMENT AND COMMERCE

**CONSUMER PROTECTION (CONTROL OF SALES DURING
LIMITED SUPPLY) ORDINANCE, 2020¹**

*Ordinance 8 of 2020
In force 15 April 2020*

No subsidiary legislation has been made under this Ordinance

**CONSUMER PROTECTION (CONTROL OF SALES DURING
LIMITED SUPPLY) ORDINANCE, 2020**

AN ORDINANCE to control the sale of goods in specified circumstances and to prevent profiteering; and for related and connected matters.

Short title

1. This Ordinance may be cited as the Consumer Protection (Control of Sales During Limited Supply) Ordinance, 2020.

Interpretation

2. In this Ordinance—
“**goods**” includes any item of food or medical, cleaning or safety supplies or any item available for purchase that is not considered by a reasonable person to be a luxury item or that is prescribed under section 4; and
“**merchant**” means a person who sells goods by wholesale or retail.

Appointment

3. The Governor in Council may by Order appoint a person or establish an authority to ensure compliance with this Ordinance.

Limited Supply

4. (1) The Governor in Council, if for any reason there exists a limited supply of goods in St Helena, may by Order declare that there is a limited supply of goods and the reason for the limited supply of goods, and may by Regulation prescribe—

¹ Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 15 April 2020.

- (a) the goods to be sold;
- (b) the manner in which goods are to be sold;
- (c) the quantity of goods to be sold at a given time to a person;
- (d) the price at which goods are to be sold;
- (e) the period for which goods are to be sold in accordance with paragraphs (a), (b), (c) and (d); and
- (f) the manner in which the price of goods to be sold is to be subsidised if the price of the goods is required to be fixed below the current market value of the goods.

(2) Subject to subsection (1) a merchant may limit the quantity of goods to be sold to a person as the merchant considers appropriate after consideration is given to the stock of goods available for sale.

Price Display

5. (1) If an Order is made pursuant to section 4, a merchant must ensure that the prices of goods for sale by the merchant are prominently displayed.

(2) A person who contravenes subsection (1) commits an offence.
Penalty: A fine of £5,000.

Profiteering

6. (1) If an Order is made pursuant to section 4, during the period specified in the Order, a merchant is prohibited from raising the prices of goods so as to profit from the limited supply of goods available.

(2) A person who contravenes subsection (1) commits an offence.
Penalty: A fine of £20,000 or imprisonment for 6 months, or both.

Regulations

7. The Governor in Council may make Regulations for the further and better execution of this Ordinance which may include but are not limited to prescribing—

- (a) anything to be done under this Ordinance pursuant to sections 4 and 6; and
 - (b) a maximum penalty of £20,000 or imprisonment for 6 months, or both for the contravention of the Regulations.
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