(*b*) the right of bishops of the Church in Wales to license churches for the solemnisation of marriages or to grant licences to marry;

and section twenty-three of the Welsh Church Act, 1914, is hereby repealed.

Provisions as to charities.

7.—(1) The Charitable Trusts Acts, 1853 to 1914, shall not apply to the representative body or to any property vested in or administered by it except to such property and for such time as the Charity Commissioners may by order determine upon the application of the representative body.

(2) Where by any charter, deed, or other document any association, institution, or society, whether corporate or unincorporate, is empowered, or is under a duty, to make any grant or payment to any persons or body of persons, whether corporate or unincorporate, in Wales and Monmouthshire, such power or duty shall not be affected by reason of any parish of the Church in Wales ceasing to be a part of the province of Canterbury or of York, notwithstanding anything contained in any such charter, deed, or document.

Saving for divided parishes.

8. Where an ecclesiastical parish which before the year eighteen hundred and fifty was situate partly in Wales or Monmouthshire and partly in England has since that year been divided into two ecclesiastical parishes, one of which is situate wholly in Wales or Monmouthshire and one wholly in England, and both those parishes are situated in an English diocese, then subsections (1) and (3) of section nine of the Welsh Church Act, 1914 (which relates to border parishes), shall apply to the ecclesiastical parish so situate wholly in Wales or Monmouthshire in like manner as if part thereof were situate in England.

Short title and construction.

9. This Act may be cited as the Welsh Church (Temporalities) Act, 1919, and shall be construed as one with the Welsh Church Act, 1914, and that Act and this Act may be cited together as the Welsh Church Acts, 1914 and 1919.

CHAPTER 66.

An Act to check Profiteering. [19th August 1919.]

WHEREAS it appears that the prices of articles are, to the detriment of the people, being enhanced in some cases by the charging of prices yielding an unreasonable profit to the persons engaged in the production, handling, or distribution thereof:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assemble and by the authority of the same, as follows :

Powers of the Board of Trade to investigate complaints and take proceedings.

1.—(1) Subject to the provisions of this Act, the Board of Trade shall have power in respect of any article to which this Act applies—

(*a*) to investigate prices, costs, and profit at all stages, and for that purpose by order to require any person to appear before them, and to furnish such information and produce such documents as they may require ; and on any such investigation they may by order fix maximum prices ; and

(*b*) to receive and investigate complaints that a profit is being or has been since the passing of this Act made or sought on the sale of the article (whether wholesale or retail) which is, in view of all the circumstances, unreasonable, and on any such complaint they may by order, after giving the parties an opportunity of being heard, either dismiss the complaint or—

(i) declare the price which would yield a reasonable profit ; and

(ii) require the seller to repay to the complainant any amount paid by the complainant in excess of such price.

(2) If, as a result of any investigation undertaken on their own initiative or on complaint made to them, it appears to the Board of Trade that the circumstances so require, the Board shall take proceedings against the seller before a court of summary jurisdiction, and if in such proceedings it is found that the price charged or sought about which the complaint was made, or the price discovered at the investigation to have been charged or sought, was such as to yield a profit which is, in view of all the circumstances, unreasonable, the seller shall be liable on summary conviction 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 : Provided that a rate of profit which does not exceed the fair average rate earned by persons in the same way of business as the seller upon the sale of similar articles under pre-war conditions, shall not be deemed unreasonable.

(3) If any person fails to comply with or infringes an order of the Board of Trade under this section, he shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding one month, or to both such imprisonment and fine, and, in the case of an order requiring the repayment of any amount, that amount shall be recoverable summarily as a civil debt.

(4) If any person at or for the purpose of any such investigation or on any such complaint knowingly or recklessly

furnishes any information or makes any representation which is false in any material particular, he shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months, or to both such imprisonment and fine.

(5) Where a person convicted under this section is a company, the chairman and every managing director and every officer concerned in the management of the company shall be guilty of the like offence, unless he proves that the act which constituted the offence took place without his knowledge or without his consent.

(6) In any proceedings under this section to which the Board of Trade is a party, costs may be awarded to or against the Board.

(7) This Act applies to any article or class of articles to which it is applied by order of the Board of Trade, being an article or class of articles declared by the order to be one or one of a kind in common use by the public, or being material, machinery, or accessories used in the production thereof, but this Act does not apply to any articles which are from time to time declared to be controlled articles, and different provisions of this Act may be applied to different articles.

(8) The Board of Trade shall have power to require any person appearing before them under this Act to give evidence on oath, and shall have power to authorise any person to administer an oath for the purpose.

(9) In this Act the expressions "sale" and "seller" include respectively any offer for sale and any person offering to sell.

(10) Nothing in this Act shall apply to the sale of any article for export from the United Kingdom, or to the sale of any articles by public auction or competitive tender.

Power to establish local committees, &c.

2.—(1) The Board of Trade may, as and when it appears to them necessary or expedient, establish, or authorise any local authority or authorities to establish, local or other committees, to whom the Board may delegate any or all of their powers under this Act in respect of any articles or classes of articles, or sales, except the power of the Board to fix prices; and the effect of any order by a committee under such delegated powers shall be the same as that of an order of the Board, and this Act shall have effect accordingly.

(2) Subject as aforesaid, the Board may make regulations and give directions as to the constitution, powers, and procedure of committees established under this section, and the districts for which they shall act, which regulations and directions shall have effect as though enacted in this Act:

Provided that—

(*a*) every regulation so made shall be laid before both Houses of Parliament as soon as may be after it is made, and, if an address is presented by either

House within twenty-one days from the date on which that House has sat next after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, but without prejudice to the validity of anything previously done thereunder; and

(*b*) such regulations shall provide that a member of a committee established by a local authority shall be disqualified from acting in any case where he is a trade competitor of the person against whom the complaint under investigation has been lodged, and shall provide for a right of appeal by the seller from any order or decision of local committees other than a decision to take proceedings before a court of summary jurisdiction to appeal tribunals appointed by the Board for the purpose, and for the constitution, powers, and procedure of such appeal tribunals, and shall make such provision as appears to the Board necessary for the prevention of frivolous complaints; and

(*c*) such regulations shall provide for the inclusion of women on all local committees.

Operations of trusts, &c.

3. Without prejudice to the generality of the powers under this Act, the Board of Trade shall 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 United Kingdom or imported into the United Kingdom, 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, and the Board of Trade shall, for the purposes of this section, utilize the powers of investigation and of appointing committees conferred upon them by this Act.

Power to authorise local authorities to trade.

4. The Board of Trade may, if they think fit, authorise local authorities, subject to such conditions as the Board may impose, to purchase and sell any article, or articles of any class, to which this Act applies, and any local authority so authorised shall have all necessary powers for the purpose, but such conditions shall, as far as possible, insure that any local authority so purchasing and selling shall proceed on a commercial basis and not by way of subsidy at the expense of the ratepayers.

Publicity of proceedings, &c.

5. The proceedings before the Board of Trade or any committee or tribunal under this Act shall, unless in special cases

the Board of Trade, otherwise direct, be held in public, where such proceedings are founded on a complaint.

Save as aforesaid, information and documents required to be given or produced to the Board of Trade or to a committee or tribunal under this Act shall be treated as confidential, except in cases where the person giving or producing the same otherwise agrees, and in cases where legal proceedings are taken, for the purpose of such proceedings:

Provided that nothing herein shall be taken as preventing the Board or any committee or tribunal from publishing their findings and decisions. Any investigation under this Act shall, for the purposes of the law relating to libel and slander, be deemed to be proceedings before a court exercising judicial authority.

Consultation with Food Controller.

6. The powers of the Board of Trade under this Act shall, in relation to articles of food or drink to which this Act applies, be exercised jointly or in agreement with the Food Controller.

Expenses.

7.—(1) The expenses of any local committees established by local authorities under this Act shall be defrayed by the local authorities out of such fund or rate, and in such manner as may be directed by the Board of Trade; and any expenses of the Board of Trade under this Act to an amount not exceeding seventy-five thousand pounds, shall, subject to the approval of the Treasury, be paid out of moneys provided by Parliament.

(2) Such expenses may in either case include such payment to the chairmen and members of committees and tribunals, in respect of their travelling expenses and loss of time, as appears to the Board reasonable and is approved by the Treasury.

(3) Any fines imposed at the instance of a local committee established by a local authority under this Act shall be applied in aid of the fund or rate out of which the expenses of the committee are required to be paid under this Act, and any other fines imposed under this Act shall be paid into the Exchequer.

Short title and duration.

8.—(1) This Act may be cited as the Profiteering Act, 1919.

(2) This Act shall continue in force for six months and no longer, unless Parliament otherwise determines.