Session and Chapter.	Short Title.	Extent of Repeal.
45 & 46 Vict. c. 51.	The Government Annuities Act, 1882.	Section seven from "(*a*) for the purpose" to "paid over to the depositor."
54 & 55 Vict. c. 21.	The Savings Banks Act, 1891.	Section eleven.
56 & 57 Vict. c. 69.	The Savings Bank Act, 1893.	Sections one and two, and section four from "but shall not" to the end of the section.
57 & 58 Vict. c. 47.	The Building Societies Act, 1894.	In section sixteen the words "provided that the whole "amount, exclusive of Government stock, credited by the "bank to the society does not "exceed three hundred pounds "at any one time," and the words "provided that the "whole amount of Government "stock credited by the bank "to the society does not exceed "five hundred pounds stock at "any one time."

CHAPTER 13.

An Act to amend and extend the duration of the Profiteering Acts, 1919. [20th May 1920.]

BE it 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 assembled, and by the authority of the same, as follows:

Schemes for fixing reasonable rates of profit. 9 & 10 Geo. 5. c. 66.

1.—(1) Where any persons or associations of persons appearing to the Board of Trade to represent a substantial proportion of the persons engaged in the production or distribution of any article or class of articles to which the Profiteering Act, 1919 (hereinafter referred to as "the principal Act"), is applied, submit to the Board of Trade a scheme limiting the profit to be allowed on the manufacture or distribution of the article or class of articles at all or any stages of manufacture or distribution, the Board of Trade may, if they think it expedient, approve the scheme, and, where any such scheme is so approved, any profit sought or obtained in connexion with the sale of any article to which the scheme relates which does not exceed such profit as is allowed by or under the scheme shall not be deemed unreasonable for the purposes of section one of the principal Act.

(2) If the Board of Trade are satisfied that any scheme so approved secures an adequate supply to the home market of

any articles or classes of articles to which the principal Act is applied, the Board of Trade may by order exempt producers who comply with the scheme from any general investigation under section one, subsection (1) (*a*), of the principal Act in respect of those articles or classes of articles and any articles of a similar description.

Amendments of section 1 of principal Act.

2.—(1) Section one of the principal Act shall extend to hire purchase transactions and to the letting on hire of articles and offering to let articles on hire in like manner as it applies to the sale and offering for sale of articles, and the expressions "sale," "seller" and "price" shall be construed accordingly.

(2) The Board of Trade may, by order, extend section one of the principal Act to any process of manufacture, or the repairing, altering, dyeing, cleaning, washing or otherwise treating of any articles mentioned in the order and processes incidental thereto, or after consultation with the Minister of Transport to any form of road transport, subject to such modification as may be necessary to adapt the provisions of that section thereto.

(3) For the proviso to subsection (2) of section one of the principal Act, the following proviso shall be substituted :—

"Provided that the profit sought or obtained shall not, for the purposes of this section, be deemed to be unreasonable—

(*a*) in the case of a seller who was in the same way of business before the war, if the percentage rate of profit sought or obtained does not exceed the percentage rate of profit obtained by him upon the sale of similar articles before the war, due consideration being given to the relative costs and charges of carrying on the business; and

(*b*) in the case of a seller who was not in the same way of business before the war, if the percentage rate of profit sought or obtained by him does not exceed the average percentage rate of profit obtained by sellers in that way of business under similar conditions on the sale of similar articles before the war, due consideration being given to the relative costs and charges of carrying on the business."

The said proviso shall not apply in any case where the profit in respect of any transaction has been fixed by a scheme approved by the Board of Trade under this Act.

(4) Notwithstanding anything in any other Act, a prosecution for an offence under subsection (2) of section one of the principal Act may be instituted at any time within one year after the commission of the offence, except where the act constituting the offence is a sale by retail.

Interpretation of s. 2 (*b*) of the principal Act.

3. For removing doubts, it is hereby declared that a person shall not be deemed to be a trade competitor within the meaning of proviso (*b*) to subsection (2) of section two of the

principal Act of a person against whom a complaint is lodged by reason only that he is a member of a co-operative society or a shareholder in a company which carries on a business of the same class or description as is carried on by that person, if he does not take part in the management of and is not an official of the co-operative society or company.

Minor amendments of principal Act.

4. The provisions of the principal Act specified in the first column of the Schedule to this Act shall have effect subject to the amendments specified in the second column of that Schedule.

Powers of inspection, &c. by officers of the Board of Trade.

5.—(1) For the purposes of an investigation under the principal Act, any officer of the Board of Trade or qualified accountant authorised in writing by the Board may require the production to him of any books or documents relating to any business the subject matter of the investigation and may inspect and examine and copy the same, and may make such inquiries relating to such business as may be necessary for the purposes of the investigation.

(2) If any person having the custody or control of any book or document which such officer or qualified accountant is authorised to inspect under this section unreasonably refuses or wilfully neglects to produce it for inspection, or if any person who is able to give any information which is required under this section unreasonably refuses or wilfully neglects, when required, to give that information, or knowingly furnishes any information which is false in any material particular, he shall be liable on conviction by a court of summary jurisdiction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months, or to both such imprisonment and fine.

(3) Subject as hereinafter expressly provided, any information obtained under this section shall be treated as confidential and shall not be communicated to any person except the Board of Trade and the committee by which the investigation is being conducted, and, if any person discloses or publishes any information so obtained in contravention of this provision, he shall, on conviction by a court of summary jurisdiction, be liable to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months, or to both such imprisonment and fine.

Publication of reports.

6. Where under the principal Act an investigation has been held, the findings and decisions of the Board of Trade or the committee or tribunal which held the investigation, and their report or any part thereof, shall, if the Board of Trade think fit in the public interest, be published, notwithstanding anything in the principal Act or this Act:

Provided that in no case shall a report of a committee dealing with the business in the United Kingdom carried on by any person, firm, or company mentioned in the report be published, unless such person, firm, or company, or a represen-

tative on their behalf, has had an opportunity of appearing before the committee and of being heard in connexion with the matters dealt with in the report.

Protection of secret processes, &c. against disclosure.

7. Nothing in this Act or in the principal Act shall require particulars of any secret process or preparation, or of the ingredients used in such process or preparation to be disclosed, but the Board of Trade shall be entitled to require that the cost of production (exclusive of overhead charges) shall be furnished by the producer under the certificate verified by statutory declaration of a qualified accountant approved by the Board of Trade.

Mode of action by Board of Trade.

8. The principal Act shall have effect and shall be deemed always to have had effect as if the following provision had been inserted therein :—

"Anything authorised or required to be done to or by the Board of Trade under this Act, may be done to or by the President or a secretary or assistant secretary of the Board, or any person authorised in that behalf by the President of the Board."

Provisions against victimisation.

9. If any person against whom a complaint has been made under the principal Act unreasonably refuses to sell or to offer for sale to the complainant any article which is exposed or offered by him for sale, and to which section one of the principal Act has been applied by order of the Board of Trade, he shall, on conviction by a court of summary jurisdiction, be liable to the like penalties as in the case of failure to comply with an order under section one of the principal Act.

Short title, construction, and duration.

10.—(1) This Act may be cited as the Profiteering (Amendment) Act, 1920; and the Profiteering Acts, 1919, and this Act may be cited together as the Profiteering Acts, 1919 and 1920.

(2) This Act shall be construed as one with the principal Act :

Provided that the limit on the expenses of the Board of Trade payable out of moneys provided by Parliament under that Act shall not apply to expenses incurred after the date of the passing of this Act, so, however, that the expenses so payable after that date shall not exceed one hundred and twenty thousand pounds.

(3) The principal Act shall be deemed to have continued in force until the date of the passing of this Act, and the principal Act as amended by this Act shall continue in force until the nineteenth day of May nineteen hundred and twenty-one.

SCHEDULE.

Section 4.

AMENDMENTS.

Enactment Amended.	Amendments to be made.
S. 1 (1) -	For the words " to which this Act applies " there shall be substituted the words " to which this section is applied " and at the end of paragraph (*b*) there shall be inserted the words " and on the investigation of any such complaint " they may, by order, require any person to appear " before them and to furnish such information and " produce such documents as they may require."
S. 1 (3) -	For the word " section " there shall be substituted the word " Act," and for the words " on summary conviction " there shall be substituted the words " on conviction by a court of summary jurisdiction "
S. 1 (4) -	For the words " on summary conviction " there shall be substituted the words " on conviction by a court of summary jurisdiction."
S. 1 (7) -	For subsection (7) the following subsection shall be substituted :— " This section 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 of a kind in common use by the public, " or being material, machinery, or accessories used in " the production thereof, but this section does not apply " to transactions the price in respect of which is from " time to time declared by a Government Department " to be controlled."
S. 4 - -	For the words " to which this Act applies " there shall be substituted the words " to which section one of this Act " is for the time being applied by order of the Board " of Trade."
S 7 (3) -	At the beginning there shall be inserted the words " Not- " withstanding any provision in any other Act to the " contrary."