

L.R.O. 2007

LAWS OF BARBADOS

MISCELLANEOUS CONTROLS ACT

CHAPTER 329

(SUBSIDIARY LEGISLATION)

SUBSIDIARY LEGISLATION

Miscellaneous Controls

1. (Control of Prices) (Drugs and Patent and Proprietary Medicines) Regulations, 1977 A1
2. (Control of Prices) (General) Regulations, 1983..... B1
3. (Control of Prices) (General Open Import Licence), Regulations, 2004..... C1
4. (Control of Prices) (Motor Cars) Regulations, 1984..... D1
5. (Importation and Exportation of Goods (Prohibition)) Regulations, 1971..... E1
6. (Exports Restriction) Regulations, 2004..... F1
7. (Importation and Exportation of Goods (Prohibition) (Radioactive Materials)) Regulations, 2004 G1

Miscellaneous Controls

MISCELLANEOUS CONTROLS (CONTROL OF PRICES) (DRUGS AND PATENT AND PROPRIETARY MEDICINES) REGULATIONS, 1977

Cap. 329.
1977/120.
1979/22,50,
132,133.
1980/581.
1981/8,38,
167,221.
1982/12,37
123.
1983/13,57.
1984/77,168,
172.
1985/17,166
218.
1986/137.
1987/50.
1988/48.

Authority: These regulations were made on 8th June, 1977 by the Minister under section 3 of the *Miscellaneous Controls Act*.

Commencement: 8th June, 1977.

1. These Regulations may be cited as the *Miscellaneous Controls (Control of Prices) (Drugs and Patent and Proprietary Medicines) Regulations, 1977*.

2. (1) For the purposes of these regulations

"proprietor" includes any person for the time being having the immediate control over any premises on which any scheduled item is sold or otherwise disposed of;

"scheduled item" means any item specified in the first column of the *Schedule*;

Schedule.

"sell" includes offer for sale and "selling" and "sold" shall be construed accordingly.

(2) Where a unit of sale specified in the second column of the *Schedule* in relation to any scheduled item is described by reference

(a) to "drams" or "grams" the weight referred to shall be construed in accordance with the apothecaries scale of weight;

(b) to "ounces" or "pounds", the weight referred to shall be construed in accordance with the avoirdupois scale of weight, but where the item is sold in liquid form, a reference to an ounce shall be construed as a reference to a fluid ounce in accordance with the apothecaries scale of capacity.

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3. Any person who

(a) sells or otherwise disposes of; or

(b) purchases or otherwise obtains,

any scheduled item at a price greater than the maximum retail price specified opposite that article in the third column of the *Schedule* is guilty of an offence and liable on summary conviction to a fine not exceeding \$5,000 or imprisonment for a term not exceeding 12 months or both.

4. (1) Every retailer of a scheduled article shall keep the retail price as specified in the *Schedule* in relation to that article clearly marked or otherwise indicated in plain figures on such article for the information of the public whenever the article is displayed for sale.

(2) Where a scheduled article is weighed or measured by a retailer, the quantity of that article by weight or measure and the price thereof calculated in accordance with the retail price specified in the *Schedule* shall be clearly marked or otherwise indicated in plain figures on that article for the information of the public whenever the article is displayed for sale.

(3) A retailer who contravenes or fails, without reasonable cause, to comply with this regulation is guilty of an offence and liable on summary conviction to a fine not exceeding \$2,500 or imprisonment for a term not exceeding 6 months or both.

5. (1) A proprietor of any premises on which any scheduled item is sold or otherwise disposed of who

(a) fails, as soon as possible after the publication in the *Official Gazette* of any regulations made under section 3 of the Act relating to the control of the price of any such item, to affix a copy thereof on such premises in such a position that those regulations may be easily read by customers on the premises;

(b) refuses, without reasonable excuse, to sell for cash to any person any such item;

(c) on selling any such item, whether the sale be for cash or on credit, refuses, after being so requested by the purchaser thereof, to issue or cause to be issued to such purchaser a bill setting out

- (i) the name and address of the seller,
 - (ii) the date of the sale, and
 - (iii) an accurate description of that item and the quantity and price thereof;
- (d) in connection with the sale or proposed sale of any such item, imposes or attempts to impose on the purchaser or proposed purchaser thereof any condition relating to the purchase of any other article whatsoever (including any articles of the same description as the item sold or proposed to be sold),

is guilty of an offence and liable on summary conviction to a fine not exceeding \$2,500 or imprisonment for a term not exceeding 6 months or both.

(2) For the purposes of any legal proceedings under subparagraph (b) or (c) of paragraph (1) a refusal by an employee or agent, acting in the course of his employment or engagement as such, of a proprietor shall be deemed to be a refusal by that proprietor.

(3) For the purposes of any legal proceedings under subparagraph (d) of paragraph (1) any condition specified in that subparagraph proved to have been imposed by an employee or agent, acting in the course of his employment or engagement, as such, of a proprietor shall be deemed to have been imposed by that proprietor.

6. (1) A person entering, pursuant to section 11(1) of the Act, any premises in the possession or occupation or under the control of any person engaged in the business of selling any scheduled item may

- (a) demand access to and inspect all books, documents and vouchers and put any questions relating to such business; and
- (b) seize and take away any article that he has reasonable grounds for believing to be evidence of the commission of any offence under these regulations.

(2) Where a person enters premises pursuant to section 11(1) of the Act and takes away any article by virtue of paragraph (1) (b), he shall, if required, give a receipt in writing for the article.

- (3) Any person who
- (a) fails to produce for inspection any books, documents or vouchers access to which is demanded; or
 - (b) refuses to answer any questions put to him by a person acting under the authority of paragraph (1),
- is guilty of an offence and liable on summary conviction to a fine not exceeding \$2,500 or imprisonment for a term not exceeding 6 months or both.

SCHEDULE

(Regulation 2)

ITEM	UNIT OF SALE	MAXIMUM RETAIL PRICE
Aspirin (Bayer's)	Bottle of 12 tablets	\$.20
	Bottle of 25 tablets	.44
	Bottle of 100 tablets	1.12
Aspirin (Boots)	Bottle of 100 tablets	.44
Aspirin (Howard's)	Bottle of 25 tablets	.29
	Bottle of 100 tablets	.72
Aspirin (Burroughs & Welcome)	Bottle of 25 tablets	.30
	Bottle of 100 tablets	.77
Bufferin	Box of 12 tablets	.52
	Box of 36 tablets	1.23
	Box of 60 tablets	1.81
	Box of 100 tablets	1.79
	Bottle of 20 tablets	.86
Cafenol (Adult)	Bottle of 100 tablets	2.99
	per tablet	0.04
(Children)	Container of 100 tablets	2.68
	Container of 200 tablets	7.31
	per tablet	0.04

SCHEDULE

ITEM	UNIT OF SALE	MAXIMUM RETAIL PRICE
Castor Oil	1 pint	\$ 1.66
	1 gill	.41
Chases Kidney & Liver Pills	Bottle of 28 pills	1.73
Chases Nerve Food	Bottle of 50 pills	1.82
Chases Paradol	Bottle of 12 pills	.67
Codis	Box of 20 tablets	3.62
	per tablet	0.18
Cod Liver Oil	1 ounce	.06
Cod Liver Oil & Malt:		
(a) Rexall	Bottle of 1 pound	1.10
(b) Allen & Hansbury's	Bottle of 2 pounds	1.64
(c) D.C.L.	Bottle of 1 pound	1.92
(d) Other kinds	Bottle of 1 pound	1.13
DeWitts Kidney & Bladder pills	Bottle of 100 pills	2.53
	Bottle of 40 pills	1.39
	Bottle of 20 pills	.78
Disprin	Box of 48 tablets	3.12
	Box of 96 tablets	5.25
	Box of 200 tablets	7.87
	per tablet	0.06
Dodd's Kidney & Liver Pills	Bottle of 35 pills	.93
Epsom Salts	2 ounces	.05
	1 pound	.26
Eskay's Neurophosphates	Bottle of 8 ounces	1.68
Humphrey's Witch Hazel Ointment	Pot of 1 ounce	1.89
Humphrey's Homeo- pathic Preparations	Bottle of 32 tablets	2.08
	Bottle of 135 pellets	2.08

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CAP. 329 *Miscellaneous Controls (Control of Prices) L.R.O. 1989 A 6*
(Drugs and Patent and Proprietary Medicines) Regulations, 1977

SCHEDULE

ITEM	UNIT OF SALE	MAXIMUM RETAIL PRICE
Lander Petroleum Jelly	Jar of 2 ⁷ / ₈ ounces	\$.80
	Jar of 8 ounces	1.55
Listerine	Bottle of 3 ounces (83 c.c.)	1.07
	Bottle of 7 ounces (197 c.c.)	1.64
	Bottle of 14 ounces (395 c.c.)	2.70
	Bottle of 20 ounces	3.73
Phensic Tablets	Box of 20 tablets	.88
	Box of 50 tablets	1.95
	Box of 100 tablets	3.25
Squibbs Milk of Magnesia	Bottle of 12 ounces	3.71
	Bottle of 4 ounces	2.05
Vaseline (White)	1 ³ / ₄ ounce pot	.66
Veganin	Capsule of 20 tablets	4.12
	Capsule of 100 tablets per tablet	19.91 .20
Vicks Vaporub	Jar of 32 grams	2.24
Virol	Jar of 125 grams	.76
	Jar of 250 grams	2.09
	Jar of 500 grams	3.23
Whizz	Bottle of 25 tablets	1.34