

No. 77

THE TRADE DESCRIPTIONS ORDINANCE
(Ordinances 2 of 1988, 17 of 2000 and 32 of 2002)

**REGULATIONS MADE BY THE ADMINISTRATOR
UNDER SECTIONS 9D AND 34**

In exercise of the powers conferred upon him under sections 9D and 34 of the Trade Descriptions Ordinance 1988 as amended by the Trade Descriptions (Amendment) Ordinance 2000 (hereinafter referred to as “the Ordinance”) the Administrator hereby makes the following Regulations:-

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| Short title. | 1. These Regulations may be cited as the Trade Descriptions (Price Indication) Regulations 2003. |
| Interpretation. | 2. Terms used in these Regulations shall, unless the context otherwise requires, have the same meaning as is assigned to them by the Ordinance. |
| Supply of indication of price. | 3. For the purpose of sections 9A and 9B of the Ordinance, any indication by a person in the course of any trade, business or occupation that any goods, services, accommodation or facilities were previously available at a higher price or at a fixed price –
(a) shall be construed to be an indication that they were available at that price by the person providing such indication, unless it is expressly stated that they were available at such price by others in which case it will not follow that they were available at such price by that person; nor shall it be so implied; and
(b) shall be deemed, unless a statement to the contrary is made, as an indication that they were available at such price during the previous three months for a continuous period of not less than one month. |
| Supply of indication of price in the form of comparison. | 4.-(1) Any person who in the course of any trade, business or occupation gives an indication as to price by a relevant comparison as defined in subsection (2) of section 9B of the Ordinance, shall, following a demand by an authorised officer, furnish such information or explanations with regard to such indication, including written particulars, as is reasonably required for this purpose.
(2) Any omission by any person to comply with such a request may constitute evidence in any criminal proceedings for an offence under section 9A of the Ordinance for the purpose of proving the commission of that offence. |

Dated this 25th day of June 2003.

By the Administrator's Command,
W. M. Jessett
Chief Officer,
Sovereign Base Areas.

(173/14)