

1976 No. 1269

PRICES

The Tea Prices Order 1976

Made - - - - 5th August 1976

Laid before Parliament 6th August 1976

Coming into Operation 16th August 1976

The Secretary of State, after consulting in accordance with subsection (6) of section 2 of the Prices Act 1974(a) as amended(b) with the organisations therein referred to, in exercise of her powers under subsections (1) and (8) of that section and under paragraph 2(1) and (5) of the Schedule to that Act and of all other powers enabling her in that behalf, hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Tea Prices Order 1976 and shall come into operation on 16th August 1976.

(2) In this Order—

“the Act” means the Prices Act 1974 as amended;

“tea” means tea of each of the varieties specified in column 1 of the Table set out in article 6, and in the definition of “special offer price” in article 1(2), and in articles 1(4) and 3 to 5 and 9, means also other tea;

“other tea” means any tea not specified in column 1 of the Table set out in article 6 and—

(a) in the case of a retailer, does not include tea of any description which was sold by him on 16th April 1975 at a price exceeding, in the case of tea not in tea bags, 17 pence per 4 oz. weight or, in the case of tea in tea bags, the rate of 25 pence per 4 oz. weight; and

(b) in the case of any other person who has received a notice under article 3, includes the tea to which that notice relates;

“special offer price” means the price—

(a) at which a person sold tea during a continuous period of not less than 14 days and not more than 6 months ending not later than 1st July 1975 and including 16th April 1975; and

(b) which is lower than the price at which he last sold such tea before the beginning of that period;

“weight” means net weight.

(3) References to tea of any variety are references to tea of a variety referred to in column 1 of the Table set out in article 6.

(a) 1974 c. 24.

(b) 1975 c. 32.

(4) References to 16th April 1975 shall, in relation to a person who did not sell tea or who sold tea only at a special offer price on that date, be taken to be references to the first date thereafter (being a date before 29th April 1975) on which he sold tea at a price which is not a special offer price: Provided that this paragraph does not apply to any person who sold tea only at a special offer price within the period beginning on 16th April 1975 and ending on 28th April 1975.

(5) The Interpretation Act 1889(a) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if this Order and the Order hereby revoked were Acts of Parliament.

Revocation

2. The Tea Prices (No. 2) Order 1975(b) is hereby revoked.

Obligation to give notice of claims for subsidy

3.—(1) Any person—

- (a) who claims or receives a payment in respect of tea under a scheme at any time in operation under section 1 of the Act (which makes provision for the payment of food subsidies) (“a subsidy payment”); or
- (b) to whom tea is sold otherwise than by retail and to whom notice of the condition specified in paragraph (2) has been given;

shall observe the condition so specified.

(2) The condition referred to in paragraph (1) is a condition that, not later than the time when he sells the tea in question, he shall give to any person to whom he sells that tea otherwise than by retail notice that a subsidy payment has been or is to be claimed in respect of that tea.

Application

4. This Order does not apply to the price for the sale of any tea by any person who has received a declaration in writing by the person who, in the United Kingdom, first sells the tea in packets, that he has not claimed and will not claim any payment under section 1 of the Act in respect of that tea.

Gross percentage margin for tea and other tea

5.—(1) This article applies to any person who, not being the first seller thereof in the United Kingdom, sells tea in packets.

(2) Subject to article 6, no person shall sell any tea at a price which, taken with the prices of all tea sold by him in each period of seven days beginning on the same day of the week as the base period, may reasonably be expected to give a greater gross percentage margin than the gross percentage margin he obtained for all tea sold by him (other than at a special offer price) in the base period.

(3) In paragraph (2) above—

“base period”, in the case of any person, means a single period of seven days including 16th April 1975; and

“gross percentage margin” means the excess (expressed as a percentage) of the total of the prices received by any person for tea over the prices paid by him for that tea.

Maximum prices of tea

6. A person shall not sell by retail tea packed for retail sale other than in a container of wood or metal at a price which exceeds the lower of the following prices, that is to say—

- (a) the price given by article 5 above; and
- (b) the price specified in column 2 of the following Table in relation to tea of the variety and weight in question.

TABLE

Column 1 Variety of tea	Column 2		
	Price in pence per 4 oz. weight		
1. Tea not in tea bags—			
Brooke Bond Dividend ...		12	
Co-op 99		13½	
Lyons Quick Brew		14	
Nambarrie		14	
PG Tips		14	
Typhoo		14	
		Price in pence	
	per 4 oz. weight	per 8 oz. weight	per 1 lb. weight
2. Tea in tea bags—			
Brooke Bond Dividend ...	19	36½	72
Co-op 99	19½	37½	74
Lyons Quick Brew	20	39	77
Nambarrie	19	37	—
PG Tips	20	39	77
Tetley	20	39	77
Typhoo	20	39	77

Display of information relating to tea

7.—(1) Each person who, in any shop, sells by retail or offers or exposes for sale by retail tea of any variety to which article 6 applies shall—

- (a) display in a part of the shop to which customers have access for the purpose of buying such tea, and in such manner that it may easily be read by them before they pay for such tea, information specifying the maximum price of each such variety thereof; or
- (b) keep the information mentioned in (a) above available and, on request by a customer or duly authorised officer of a local weights and measures authority, produce and permit inspection of the document containing that information;

and any such information shall be printed or written in clear and legible characters and shall be headed with the words—

- (i) “Statutory Maximum Prices of Subsidised Food”; or
- (ii) “Statutory Maximum Prices of Subsidised Tea”.

(2) In this article, “maximum price” in relation to tea sold by any person means the highest price at which that person may sell tea of that variety in accordance with article 6(b).

8. A person, in addition to displaying or keeping available the information in accordance with article 7, shall, in respect of each of the two varieties of tea

not in tea bags and of each of the two varieties of tea in tea bags of which he has in the three months ending with the date when this Order comes into operation sold the greatest quantity by weight, separately display in large and bold characters the same information in the manner specified in article 7(1)(a).

Artificial transactions and unreasonable charges relating to any tea

9. A person shall not, in connection with the sale of any tea, enter, or offer to enter, into any artificial transaction or make or demand any unreasonable charge.

Robert MacLennan,

Parliamentary Under Secretary of State,
Department of Prices and Consumer Protection.

5th August 1976.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order revokes and re-enacts, with modifications, the Tea Prices (No. 2) Order 1975 which regulated the maximum prices which may be charged for the sale of tea subsidised under section 1 of the Prices Act 1974.

The principal change is that the maximum retail prices of subsidised tea are increased.

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