

(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.

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.