

1. Rodrigues Food Control Regulations, 1939

GN No. 104 of 1939

29th September

Regulations made by His Excellency the Governor under the Emergency Powers (Colonial Defence) Order-in-Council, 1939, for ensuring the proper control of food supplies in Rodrigues.

2. These Regulations may be cited as the Rodrigues Food Control Regulations, 1939.

2. (1) "Food Controller" shall mean any Officer appointed by the Governor for the purpose of carrying out the provisions of these Regulations.

(2) For the purposes of these Regulations "Owner" in relation to any article includes owner, depositary, consignee and possessor.

3. (1) The Food Controller may make orders regulating or giving directions with respect to the production, manufacture, treatment, use, consumption, transport, storage, distribution, supply, sale or purchase of, or other dealing in or measures to be taken in relation to, any article where it appears to him necessary or expedient to make any such order for the purpose of encouraging or maintaining the food supply of Rodrigues, and making such provisions as to entry, inspection or otherwise as appear to him necessary or expedient for the purpose of his duties.

(2) The Food Controller may, by order, require all or any persons owing any article, or any stocks thereof, to place at the disposal of the Controller the article, or the whole or any part of the stocks thereof, as may be directed by the Controller, on such terms as he may direct, and to deliver to the Controller or to any person or persons named by him the articles or stocks in such quantities and at such times as the Controller may require, where it appears to him necessary or expedient to make any such order for the purpose of encouraging or maintaining the food supply of Rodrigues.

(3) Any order under this regulation may be made either so as to apply generally, or so as to apply to any special locality, or so as to apply to any special supplies of any article or to any special producer, manufacturer, dealer, or person and any such order may direct that all contracts, or any class of contracts or any special contract affected by the order shall be abrogated or remain in force notwithstanding anything in the order, but subject to any exceptions or modifications for which provision may be made by the order.

(4) If any person acts in contravention of, or fails to comply with any provision of any order made under this regulation, or aids or abets any other person, whether or not such other person is in Rodrigues, in doing anything which, if done in Rodrigues would be a contravention of any such provision, such person shall be guilty of an offence against these regulations and if such person is a company, every director and officer of the Company shall also be guilty of an offence against these regulations, unless he proves

that the contravention took place without his knowledge or consent.

4.-(1)The Food Controller may apply the provisions of this regulation to any article where he is of opinion that it is necessary or expedient to do so for the purpose of his powers or duties ; and if the provisions of this regulation are so applied to any article, every person owning the article, or concerned in the manufacture or production of the article, shall, subject to any exceptions or limitations contained in the order, make a return to the Food Controller giving such information in such form and within such time as may be specified in the order applying those provisions

- (a) as to the stocks of the article held by him or consigned to him or under order to him; and
- (b) as to any contracts for the supply to, or by him, of the article or any contracts for, or in connection with, the production or manufacture of the article, or the dealing therein ; and
- (c) as to the prices paid by him or received by him for or in respect of The article ; and
- (d) as to the cost of production of the article, and the names and addresses of the persons by whom the article has been supplied to him or to whom the article has been supplied by him ; and
- (e) as to any other matters specified in the order applying the provisions of this regulation with respect to which the Food Controller may desire information for the purpose of any of his powers and duties.

(2) For the purpose of testing the accuracy of any return made to the Food Controller under this regulation, or of obtaining information in case of a failure to make a return, any person, authorized in that behalf by the Food Controller, may enter any premises belonging to or in the occupation of the person making or who has failed to make the return, or on which he has reason to believe that any articles to which the provisions of this regulation are applied are kept stored, manufactured or produced and may carry out such inspections and examinations (including the inspection and examination of books) as the person so authorized may consider necessary for testing the accuracy of the return or for obtaining any such information.

(3) If any person-

- (a) refuses or, without lawful excuse, neglects to make a return as required by this regulation to the best of his knowledge and belief, or makes or causes to be made a false return ; or
- (b) obstructs or impedes any person authorized by the Food Controller under the preceding paragraph in the exercise of any of his powers under this regulation; or
- (c) refuses to answer or gives a false answer to any question, or refuses to produce any books or documents, required for obtaining the information to be furnished in pursuance of this regulation;

that person shall be guilty of an offence against these

regulations.

(4) No individual return or part of a return made under this regulation, and no information as to any person or his business obtained under this regulation, shall without lawful authority be published or disclosed except for the purposes of a prosecution under this regulation; and if any person acts in contravention of this provision he shall be guilty of an offence against these regulations.

5.-(1) If the Food Controller in any special case is of opinion that, before exercising any of his powers under these regulations in relation to any article, it is expedient to hold an inquiry with respect to that article in any locality, the Food Controller may appoint such persons as he thinks fit to hold an inquiry as respects that article and report to the Food Controller on such points as the Food Controller may direct.

(2) Any persons so appointed shall have power to take evidence on oath and to administer an oath for the purpose.

6.-(1) Nothing in the regulations numbered 4 and 5 shall prevent the exercise by the Food Controller of any of his powers in relation to any article under these regulations or otherwise, without having obtained or endeavoured to obtain returns under regulation 4 or having held an enquiry under regulation 5.

(2) Any order of the Food Controller under the said regulations numbered 3 and 4 may be revoked or varied as occasion requires.

(3) It is hereby declared that in the regulations numbered 3, 4, 5 and 6, the expression "article" includes animals, live or dead; but this provision shall not be construed so as to limit the general interpretation of that expression.

7. Any person committing an offence under these Regulations shall be liable to a fine not exceeding Rs. 1,000 and to imprisonment with or without hard labour for a term not exceeding six months or both such imprisonment and fine.

Approved by the Governor on the twenty-ninth day of September, 1939.