

and such Sub-Committee shall have all the powers of the Local Committee under these Regulations other than the power to take proceedings before a Court of Summary Jurisdiction. In any case in which the Sub-Committee consider that proceedings should be taken they shall report to the Local Committee, who may act on their report. These Regulations shall so far as applicable apply to such Sub-Committees.

8. The quorum of the Local Committee, or of any Sub-Committee of the Local Committee, shall be such number of members not being less than three as the Local Committee may decide.

9. All complaints to the Local Committee shall be heard in public, unless the Local Committee in any particular case, due regard being given to the interests of the parties and to all the circumstances of the case, direct that the complaint or any part of the proceedings thereon shall be heard in private; provided always that the Local Committee may exclude the parties and the public at any time during the hearing of a complaint for the purpose of conferring upon any question affecting the decision of the complaint.

10. Questions before the Local Committee shall be decided by a majority of such of the members of the Committee as are present and vote, but a member shall not take part in the consideration of, or vote upon any question relating to, a complaint where he is a trade competitor of the person against whom the complaint has been lodged (in this Part referred to as the Respondent), or in which such member is otherwise personally interested; and a member shall not vote on any question affecting the decision of the complaint unless he has been present throughout the proceedings upon the hearing of the complaint.

11. In the event of an equality of votes, the Chairman shall have a second or casting vote.

12. The Board of Trade may, if they think fit, prescribe notices and any other documents or forms which may be used for facilitating the proceedings of the Local Committee in the operation of the Act.

13. Notices and other documents required to be delivered to the Local Committee shall be sent to the office of the clerk to the Local Committee, and may be delivered at, or sent by post to, that office. Notices required to be sent to a complainant or to a respondent may be sent by post to or delivered at such person's place of business or usual or last known place of abode.

14. Unless otherwise directed in any case by the Board of Trade, a complaint shall be made to the Local Committee for the district or area in which the sale or transaction complained of took place.

#### *Lodging and Hearing of Complaints.*

15. The complaint shall be made in writing to the office of the clerk to the Local Committee, and shall be delivered at, or sent by post so as to be delivered at, that office within four days of the date of the sale or transaction which is the subject of the complaint or within such extended time as may be allowed by the Local Committee in any particular case. Provided that in no case shall the time be extended beyond fourteen days without the consent of the Board of Trade.

16. The written complaint shall be considered by the Local Committee, and in any case in which the Local Committee are of opinion that the complaint does not give the required particulars, or does not disclose *prima facie* grounds for hearing the complaint, it shall be competent to the Local Committee (a) after giving the complainant an opportunity of being heard to dismiss the complaint without calling upon the respondent; or (b) to notify the complainant that unless further and better particulars or grounds of complaint, as the case may be, be given, the complaint will be dismissed; and in the latter case unless such further and better particulars, or grounds of complaint, as appear to the Committee to justify further action on their part, are delivered to them not more than three days after such notification has been sent to the complainant, or within such extended time as may be allowed by the Local Committee, the complaint shall be dismissed.

Complaints delivered after the expiration of the fourth day after the date of the sale or transaction complained of, or after such extended time as may be allowed in any particular case, shall be dismissed forthwith.

17. If on the preliminary investigation or consideration of the complaint, the Local Committee are satisfied that a *prima facie* cause of complaint has been disclosed, the Local Committee shall hear the complaint, and at least three days before the hearing of the complaint shall send to the complainant and to the respondent notice in writing of the date and place fixed for the hearing.

18. For the purpose of ascertaining the facts relevant to the decision of the complaint the Local Committee shall hear such witnesses as they think fit, provided that they shall in all cases give the complainant and respondent an opportunity of being heard.

19. The Local Committee may summon to appear before them any person whom they wish to examine, and whose evidence may in their opinion be relevant to the complaint under investigation, and may call for the production of any documents relevant to the complaint.

20. The complainant and respondent may conduct their own case before the Local Committee, or may be represented by persons appointed by them for that purpose.

21. The Local Committee shall have power to require any person appearing before them to give evidence on oath, and shall have power to authorise any person to administer an oath for the purpose.

22. If upon the hearing of the complaint, the Local Committee are satisfied that a profit has been made, or has been sought, on the sale or offer for sale of an article which is, in view of all the circumstances, unreasonable, the Local Committee shall declare the price which would yield a reasonable profit, and shall require the seller to re-pay to the complainant any amount paid by the complainant in excess of such price, and they may take proceedings against the seller before a Court of Summary Jurisdiction. Provided always that in declaring the price which would yield a reasonable profit a rate of profit which does not exceed the fair average rate earned by persons in the same way of business as the seller upon the sale of similar articles under pre-war conditions shall not be deemed unreasonable.