

(2) In particular and without prejudice to the generality of the powers conferred by subsection (1), the Minister may make regulations in respect of all or any of the following matters :—

- (a) prescribing the manner in which meetings of the Authority shall be convened ;
- (b) prescribing the manner of conduct of meetings of the Authority ;
- (c) prescribing the persons by whom, and the manner in which, the expenses of witnesses notified to attend inquiries and investigations held by the Authority and the Council are to be paid.

(3) Every regulation made by the Minister shall be published in the Gazette and shall come into operation on the date of such publication or on such later date as may be specified in such regulation.

(4) Every regulation made by the Minister shall as soon as convenient after its publication in the Gazette, be brought before Parliament for approval. Any regulation which is not so approved shall be deemed to be rescinded as from the date of such disapproval, but without prejudice to anything previously done thereunder.

(5) Notification of the date on which any regulation made by the Minister is deemed to be rescinded, shall be published in the Gazette.

Repeal of
Consumer
Protection Act,
No. 1 of 1979,
Fair Trading
Commission Act,
No. 1 of 1987,
Control of Prices
Act, (Chapter
173) and savings.

73. (1) (a) The Consumer Protection Act, No. 1 of 1979 is hereby repealed.

(b) Notwithstanding the repeal of the aforesaid Act—

- (i) (aa) every scheme of distribution published under section 3 of the repealed Act ;
- (bb) every general direction issued by the Commissioner of Internal Trade under section 6 of the repealed Act ;

(cc) every standard and specification determined by the Commissioner of Internal Trade under section 8 of the repealed Act ; and

(dd) every written agreement entered into by the Commissioner of Internal Trade with any manufacturer, trader or any association of manufacturers or traders under section 10 of the repealed Act,

and in force on the day prior to the date of commencement of this Act, shall be deemed to be a scheme published, direction issued, standard and specification determined and written agreement entered into by the Authority ;

- (ii) all moneys lying to the credit of the Consumer Protection Fund established under section 33A of the repealed Act on the day immediately prior to the date of commencement of this Act, shall stand transferred with effect from that date, to the Fund established under this Act ;
- (iii) every regulations made by the Minister under section 34 of the repealed Act and in force on the date of commencement of this Act and which is not inconsistent with the provisions of this Act, shall be deemed to be regulations made under this Act, and may accordingly be amended, added to or rescinded, by regulations made under this Act ;
- (iv) all suits and prosecutions instituted under the repealed Act by or against the Attorney-General as representing the Department of Internal Trade in his official capacity, in any court or tribunal and pending on the day prior to the date of commencement of this Act, shall be deemed to be suits and prosecutions instituted by or against the Authority and may be continued accordingly ;

- (v) all decrees and orders entered or made by any competent court in favour of or against the Attorney-General as representing the Department of Internal Trade in his official capacity and remaining unsatisfied on the date of commencement of this Act, shall be deemed to have been entered or made in favour of or against the Authority and may be enforced accordingly ; and
- (vi) all debts, obligations, assets and liabilities incurred and all matters and things engaged to be done by with or on behalf of the Department of Internal Trade shall be deemed to have been incurred, and engaged to be done by, with or on behalf of the Authority.

(2) (a) The Fair Trading Commission Act, No. 1 of 1987 is hereby repealed.

(b) Notwithstanding the repeal of the aforesaid Act—

- (i) all moneys lying to the credit of the Fund established under section 30 of the repealed Act, on the day immediately prior to the date of commencement of this Act, shall be transferred to the Fund of the Authority established under this Act ;
- (ii) all inquiries and investigations pending before the Fair Trading Commission on the day prior to the date of commencement of this Act, shall be deemed to be inquiries and investigations pending before the Authority under the provisions of this Act, and may accordingly be continued and concluded before such Authority under the provisions of this Act ;
- (iii) all requests made under section 18 of the repealed Act and all questions referred to the Fair Trading Commission under the repealed Act and pending before such Commission, on the day prior to the date of commencement of this Act, shall be deemed to

be requests made and questions referred to the Authority under this Act, and may accordingly be inquired into and examined by the Authority under the provisions of this Act ;

- (iv) all orders made and reports submitted by the Fair Trading Commission under the provisions of the repealed Act, shall be deemed to be orders made, and reports submitted by the Authority under the provisions of this Act ;
- (v) all suits and prosecutions instituted by or against the Fair Trading Commission in any court or tribunal and pending on the day prior to the date of commencement of this Act shall be deemed to be suits and prosecutions instituted by or against the Authority and may be continued accordingly ;
- (vi) all decrees and orders entered or made by any competent court in favour of or against the Fair Trading Commission and remaining unsatisfied on the date of commencement of this Act, shall be deemed to have been entered or made in favour of or against the Authority as the case may be, and may be enforced accordingly ;
- (vii) every regulation made by the Minister under the repealed Act and in force on the date of commencement of this Act and which is not inconsistent with the provisions of this Act, shall be deemed to be a regulation made under this Act and may accordingly be amended, added to, or rescinded by regulations made under this Act ;
- (viii) all officers and servants of the Commission on the day immediately preceding the date of commencement of this Act—

- (a) who are offered employment with the Authority and accepts such offer, shall be employed therein on such terms and conditions as are not less favourable than the terms and conditions of employment that were applicable to them on the day immediately preceding the date of commencement of this Act ; or
- (b) who are not offered employment with the Authority or who are offered such employment and who do not accept such offer, shall be entitled to the payment of such compensation as may be determined by the Minister ; and
- (ix) all debts, obligations, assets and liabilities incurred and all contracts and agreements executed or entered into and all matters and things engaged to be done by, with or for the Fair Trading Commission shall be deemed to have been incurred, executed, entered into and engaged to be done by, with or for the Authority.

(3) The Control of Prices Act, (Chapter 173) is hereby repealed.

Reference to
“Price Control
Inspector” to be a
reference to
relevant officer in
the Authority.

74. From and after the commencement of this Act, every reference to “Price Control Inspector” in any written law, shall be read and construed as a reference to the relevant officer of the Authority, assigned by the Authority to perform the functions relating to the regulation of the pricing of goods.

Interpretation.

75. In this Act, unless the context otherwise requires—

“consumer” means any actual or potential user of any goods or services made available for a consideration by any trader or manufacturer ;

“Council” means the Consumer Affairs Council established by section 39 of this Act ;

“fuel” includes all petroleum products in liquid or gaseous form, oil, other gases, coal or lubricants ;

“goods” means any food, drink, pharmaceutical, fuel and all other merchandise ;

“local authority” means a Municipal Council, Urban Council, Pradeshiya Sabha and includes any authority created or established by or under any law to exercise, perform and discharge, powers, duties and functions corresponding to or similar to the powers, duties and functions exercised, performed and discharged by any such Council or Sabha ;

“price” means a charge of any description ;

“Provincial Council” means a Provincial Council established under Chapter XVIII A of the Constitution ;

“manufacturer” means any person who—

(a) makes any article or any goods ;

(b) assembles or joins any article or any goods whether by chemical process or otherwise ; or

(c) adapts for sale any article or any goods ;

“service” means service of any description which is made available to actual or potential users, and includes—

(a) banking, financing, insurance, shipping and entertainment ;

(b) the construction, production, manufacture, supply, storage, maintenance, repair, treatment, cleaning, processing or alteration of goods ;