

L.C.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 9 March, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1977.

An Act to amend the Consumer Protection Act, 1969, with respect to the marking of packages containing certain goods, with respect to the prohibition of the supply of certain goods and with respect to certain other matters.

BE

Consumer Protection (Amendment).

5 **B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Consumer Protection (Amendment) Act, 1977". Short title.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act. Commencement.

10 (2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Consumer Protection Act, 1969, is amended— Amendment of Act No 28, 1969.

15 (a) by inserting in section 2 after the matter relating to Part IIIA the following matter:— Sec. 2. (Division of Act.)

PART IIIB.—EXPIRY DATES FOR GOODS—ss.
34D–34G.

20 (b) by inserting in section 4 (2) after the words "Poisons Act, 1966," the words "Public Health Act, 1902, "; Sec. 4. (Construction and operation of this Act.)

(c) by inserting in section 5 (1) after the definition of "Bureau" the following definition:— Sec. 5. (Interpretation.)

"care", in relation to goods, includes storage of goods;

(d)

Consumer Protection (Amendment).

(d) by inserting in section 19 after paragraph (d) of the definition of "trade description" the following paragraph:—

5 (d1) the date on which the goods were manufactured, produced, selected, packed, graded or otherwise prepared;

(e) by inserting after Part IIIA the following Part:—

PART IIIB.

10 EXPIRY DATES FOR GOODS.

15 34D. (1) In this Part, "expiry date", in relation to goods of a class or description prescribed for the purpose of section 34E (1), means the date on which the durable life of the goods, as determined by reference to and in accordance with the regulations, will expire.

Interpretation: Part IIIB.

(2) For the purpose of this Part, a statement shall be deemed to be appended to goods in accordance with section 34E (1) if it is—

20 (a) appended in the prescribed manner to the goods themselves; or

(b) appended in the prescribed manner to any covering, label, reel or thing used in connection with the goods.

25 34E. (1) Where any goods of a class or description prescribed for the purpose of this subsection are manufactured or produced in, or are imported into, New South Wales, the manufacturer or producer or, as the case may be, the importer of those goods shall, before supplying those goods to any other person (whether a consumer or not), append to those goods a statement in or to the effect of the prescribed form specifying a date not later than the expiry date for those goods.

Statement specifying expiry date to be appended to certain goods.

(2)

Consumer Protection (Amendment).

5 (2) Except so far as may be authorised by or under the regulations, a supplier (not being a manufacturer, producer or importer referred to in subsection (1)) shall not supply to a consumer any goods to which a statement is required to be appended in accordance with subsection (1) unless such a statement is appended to those goods.

(3) Any person who—

10 (a) being a manufacturer, producer or importer referred to in subsection (1), fails to comply with that subsection; or

(b) being a supplier referred to in subsection (2), contravenes that subsection,

is guilty of an offence against this Act.

15 34F. (1) Any supplier who, except so far as Alteration, may be authorised by the regulations, alters or etc., of effaces any statement which has been appended to appended goods in accordance with section 34E (1) is guilty to goods of an offence against this Act. under section 34E.

20 (2) Any person who supplies goods referred to in section 34E (1) when a statement which has been appended to those goods in accordance with section 34E (1) has been, except so far as may be authorised by the regulations, altered or effaced by any person is guilty of an offence against this Act unless he proves that he acted without intent to deceive and without intent to defraud.

25

(3)

Consumer Protection (Amendment).

5 (3) For the purpose of subsections (1) and (2), a statement appended to goods in accordance with section 34E (1) is altered not only when it is physically altered but also when a further statement, which has the effect of contradicting, qualifying or modifying it, is appended to the goods, or to any covering label, reel or thing used in connection with the goods, or is contained in any advertisement used to promote the supply of the goods or goods of the same class or description.

10

34G. An inspector may at any reasonable time—

- 15 (a) enter any place where goods (being goods of a class or description prescribed for the purposes of section 34E (1)) are supplied, or where he has reasonable cause to believe that any such goods are supplied;
- (b) inspect any such goods in that place;
- 20 (c) take any such goods, after paying a just price for them;
- (d) examine with respect to matters under this Part any person employed or engaged in any such place; and
- 25 (e) make such examinations and inquiries as he thinks necessary to ascertain whether the provisions of this Part are being complied with or, as the case may be, contravened.

Powers of inspectors under Part IIIB.

4. The Consumer Protection Act, 1969, is further amended—

30

Further amendment of Act No. 28, 1969.

- (a) by omitting from the matter in section 2 relating to Division 3 of Part II the matter "13" and by inserting instead the matter "12A";

Sec. 2. (Division of Act.)

(b)

Consumer Protection (Amendment).

(b) by inserting after section 39D the following section :—

5 39DA. (1) Without limiting section 39E (3), where the Minister or the Commissioner refers a question to the Committee in accordance with section 39C (1), the Minister may, if he believes on reasonable grounds that goods of the class or description, or, as the case may be, the particular goods, to which the question relates are so
10 dangerous that their supply ought, in the interests of the safety of the public, to be prohibited immediately, make an interim order prohibiting the supply of those goods for a period not exceeding
15 28 days from the date on which the order is published in the Gazette under subsection (2).

Power of Minister to make interim order on or before reference of question to Committee.

(2) If the Minister makes an interim order under subsection (1), he shall cause the order to be published in the Gazette.

20 (3) An order made under subsection (1) may, at any time before it expires or is revoked, be replaced by an order made under section 39E (3), and on the publication in the Gazette of such an order under section 39E (4), the order made under subsection (1) shall be deemed to be revoked.

25 (4) An order made under subsection (1) shall not be capable of being renewed or replaced by a further order under that subsection.

30 (c) by inserting in section 39F before the matter "section 39E (1) or (3)" the matter "section 39DA (1) or".

Sec. 39F. (Offence to contravene an order under section 39DA or section 39E.)

Consumer Protection (Amendment).

5. The Consumer Protection Act, 1969, is further amended—

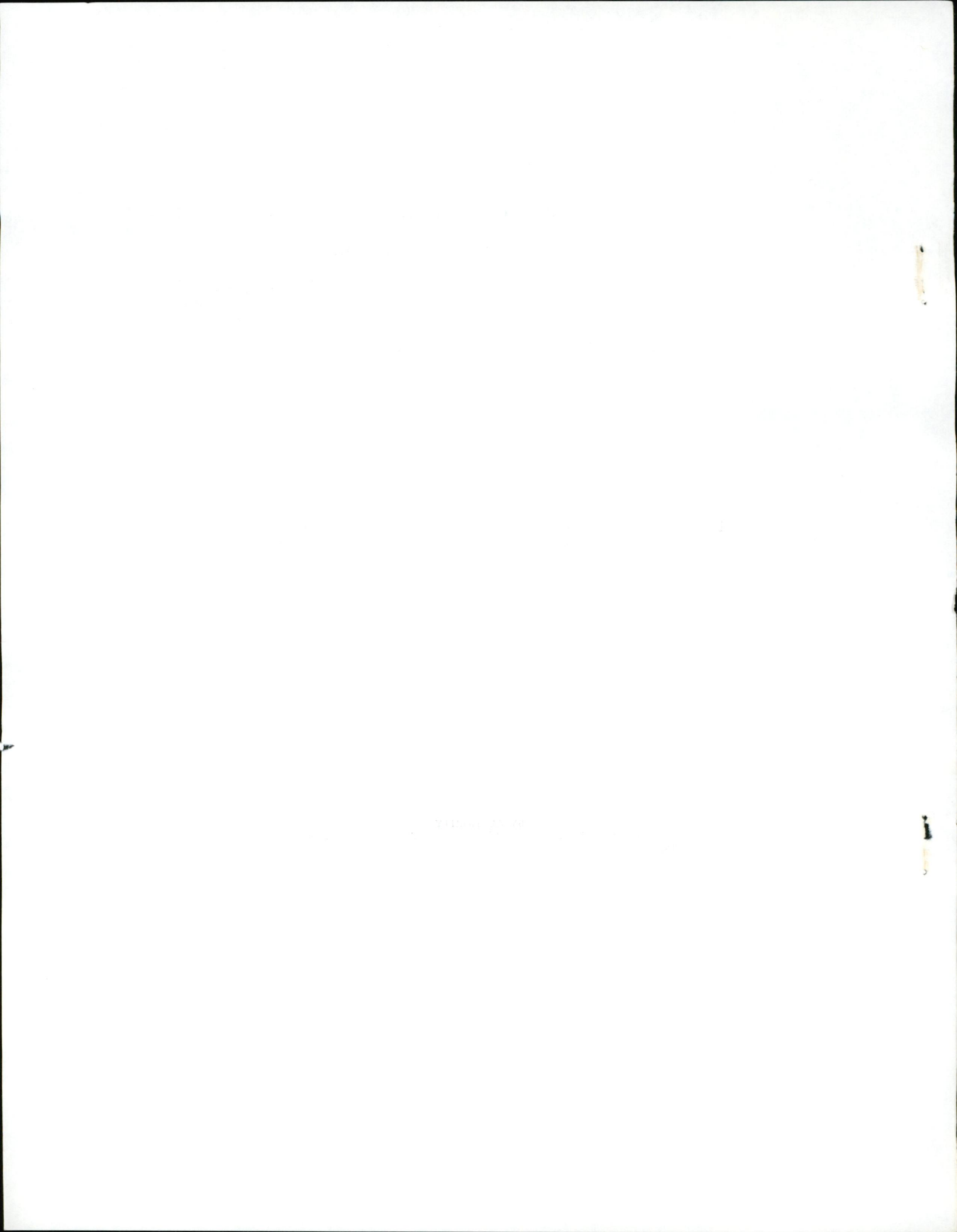
Further amendment of Act No. 28, 1969.

- (a) by omitting from section 59 (1A) (a) the word "and";
- 5 (b) by omitting from section 59 (1A) (b) the word "regulation." and by inserting instead the following words and paragraph :—
regulation; and
- 10 (c) may authorise any matter or thing to be from time to time determined, applied or regulated by any person or body specified in the regulations.

Sec. 59. (Regulations.)

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977
[8c]



Le,
No. , 1977.

A BILL

To amend the Consumer Protection Act, 1969, with respect to the marking of packages containing certain goods, with respect to the prohibition of the supply of certain goods and with respect to certain other matters.

[MR EINFELD—8 March, 1977.]

BE

Consumer Protection (Amendment).

5 **B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Consumer Protection (Amendment) Act, 1977". Short title.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act. Commencement.

10 (2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Consumer Protection Act, 1969, is amended— Amendment of Act No 28, 1969.

15 (a) by inserting in section 2 after the matter relating to Part IIIA the following matter:— Sec. 2. (Division of Act.)

PART IIIB.—EXPIRY DATES FOR GOODS—ss.
34D–34G.

20 (b) by inserting in section 4 (2) after the words "Poisons Act, 1966," the words "Public Health Act, 1902, "; Sec. 4. (Construction and operation of this Act.)

(c) by inserting in section 5 (1) after the definition of "Bureau" the following definition:— Sec. 5. (Interpretation.)
"care", in relation to goods, includes storage of goods;

(d)

Consumer Protection (Amendment).

(d) by inserting in section 19 after paragraph (d) of the definition of "trade description" the following paragraph :—

5 (d1) the date on which the goods were manufactured, produced, selected, packed, graded or otherwise prepared;

(e) by inserting after Part IIIA the following Part :—

PART IIIB.

10 EXPIRY DATES FOR GOODS.

15 34D. (1) In this Part, "expiry date", in relation to goods of a class or description prescribed for the purpose of section 34E (1), means the date on which the durable life of the goods, as determined by reference to and in accordance with the regulations, will expire.

Interpretation:
Part IIIB.

(2) For the purpose of this Part, a statement shall be deemed to be appended to goods in accordance with section 34E (1) if it is—

20 (a) appended in the prescribed manner to the goods themselves; or

(b) appended in the prescribed manner to any covering, label, reel or thing used in connection with the goods.

25 34E. (1) Where any goods of a class or description prescribed for the purpose of this subsection are manufactured or produced in, or are imported into, New South Wales, the manufacturer or producer or, as the case may be, the importer of those goods shall, before supplying those goods to any other person (whether a consumer or not), append to those goods a statement in or to the effect of the prescribed form specifying a date not later than the expiry date for those goods.

Statement specifying expiry date to be appended to certain goods.

(2)

Consumer Protection (Amendment).

5 (2) Except so far as may be authorised by or under the regulations, a supplier (not being a manufacturer, producer or importer referred to in subsection (1)) shall not supply to a consumer any goods to which a statement is required to be appended in accordance with subsection (1) unless such a statement is appended to those goods.

(3) Any person who—

10 (a) being a manufacturer, producer or importer referred to in subsection (1), fails to comply with that subsection; or

(b) being a supplier referred to in subsection (2), contravenes that subsection,

is guilty of an offence against this Act.

15 34F. (1) Any supplier who, except so far as Alteration, etc., of statement appended to goods under section 34E. may be authorised by the regulations, alters or effaces any statement which has been appended to goods in accordance with section 34E (1) is guilty of an offence against this Act.

20 (2) Any person who supplies goods referred to in section 34E (1) when a statement which has been appended to those goods in accordance with section 34E (1) has been, except so far as may be authorised by the regulations, altered or effaced by any person is guilty of an offence against this Act unless he proves that he acted without intent to deceive and without intent to defraud.

25

(3)

Consumer Protection (Amendment).

5 (3) For the purpose of subsections (1) and (2), a statement appended to goods in accordance with section 34E (1) is altered not only when it is physically altered but also when a further statement, which has the effect of contradicting, qualifying or modifying it, is appended to the goods, or to any covering label, reel or thing used in connection with the goods, or is contained in any advertisement used to promote the supply of the goods or goods of the same class or description.

10 34G. An inspector may at any reasonable time—

Powers of inspectors under Part IIIb.

- 15 (a) enter any place where goods (being goods of a class or description prescribed for the purposes of section 34E (1)) are supplied, or where he has reasonable cause to believe that any such goods are supplied;
- (b) inspect any such goods in that place;
- 20 (c) take any such goods, after paying a just price for them;
- (d) examine with respect to matters under this Part any person employed or engaged in any such place; and
- 25 (e) make such examinations and inquiries as he thinks necessary to ascertain whether the provisions of this Part are being complied with or, as the case may be, contravened.

30 4. The Consumer Protection Act, 1969, is further amended—

Further amendment of Act No. 28, 1969.

- (a) by omitting from the matter in section 2 relating to Division 3 of Part II the matter "13" and by inserting instead the matter "12A";

Sec. 2. (Division of Act.)

(b)

Consumer Protection (Amendment).

(b) by inserting after section 39D the following section :—

5 39DA. (1) Without limiting section 39E (3), where the Minister or the Commissioner refers a question to the Committee in accordance with section 39C (1), the Minister may, if he believes on reasonable grounds that goods of the class or description, or, as the case may be, the particular goods, to which the question relates are so dangerous that their supply ought, in the interests of the safety of the public, to be prohibited immediately, make an interim order prohibiting the supply of those goods for a period not exceeding 28 days from the date on which the order is published in the Gazette under subsection (2).

Power of Minister to make interim order on or before reference of question to Committee.

10 (2) If the Minister makes an interim order under subsection (1), he shall cause the order to be published in the Gazette.

15 (3) An order made under subsection (1) may, at any time before it expires or is revoked, be replaced by an order made under section 39E (3), and on the publication in the Gazette of such an order under section 39E (4), the order made under subsection (1) shall be deemed to be revoked.

20 (4) An order made under subsection (1) shall not be capable of being renewed or replaced by a further order under that subsection.

25 (c) by inserting in section 39F before the matter “section 39E (1) or (3)” the matter “section 39DA (1) or”.

Sec. 39F. (Offence to contravene an order under section 39DA or section 39E.)

Consumer Protection (Amendment).

5. The Consumer Protection Act, 1969, is further amended—

Further amendment of Act No. 28, 1969.

- (a) by omitting from section 59 (1A) (a) the word "and";
- 5 (b) by omitting from section 59 (1A) (b) the word "regulation." and by inserting instead the following words and paragraph :—
regulation; and
- 10 (c) may authorise any matter or thing to be from time to time determined, applied or regulated by any person or body specified in the regulations.

Sec. 59. (Regulations.)

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[8c]

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF CHEMISTRY

PHYSICAL CHEMISTRY LABORATORY

REPORT OF THE PHYSICAL CHEMISTRY LABORATORY

FOR THE YEAR 1954

EDITED BY R. M. MAYER

CHICAGO, ILLINOIS

1955

BY AUTHORITY OF THE BOARD OF TRUSTEES

PRINTED BY THE UNIVERSITY OF CHICAGO PRESS

BY AUTHORITY

OF THE BOARD OF TRUSTEES

[50]

CONSUMER PROTECTION (AMENDMENT) BILL, 1977

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to amend section 19 of the Consumer Protection Act, 1969, by including in the definition of "trade description" for the purposes of Part III of that Act the date on which goods were manufactured, produced, selected, packed, graded or otherwise prepared;
 - (b) to insert in that Act a new Part, IIIB, which will require the manufacturer, producer or importer of goods of a prescribed class or description to append to those goods, before supplying them to any person, a statement in the prescribed form specifying the date on which their durable life will expire;
 - (c) to insert in Division 2A of Part IV of that Act (which relates to the reference to the Products Safety Committee of the question as to whether the supply of goods ought to be prohibited or restricted by reason of their being dangerous) a new section, 39DA, which will empower the Minister for Consumer Affairs to make an interim order prohibiting the supply of goods in respect of which such a reference has been or is proposed to be made;
 - (d) to amend section 59 of that Act (which confers on the Governor power to make regulations for the purposes of the Act) so as to empower any such regulations to authorise any matter or thing to be determined, applied or regulated by any specified person or body; and
 - (e) to make other amendments of a minor or ancillary nature.
-

COAST GUARD PROTECTION (AMENDMENT) BILL

EXPLANATORY MEMORANDUM

The Bill is intended to amend the Coast Guard Act, 1938, in order to provide for the protection of the coast of the United Kingdom from the effects of the war of the air. It is proposed to amend the Act so as to enable the Coast Guard to take such measures as may be necessary for the purpose of the protection of the coast of the United Kingdom from the effects of the war of the air.

The Bill is intended to amend the Coast Guard Act, 1938, in order to provide for the protection of the coast of the United Kingdom from the effects of the war of the air. It is proposed to amend the Act so as to enable the Coast Guard to take such measures as may be necessary for the purpose of the protection of the coast of the United Kingdom from the effects of the war of the air.

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PROOF

No. , 1977.

A BILL

To amend the Consumer Protection Act, 1969, with respect to the marking of packages containing certain goods, with respect to the prohibition of the supply of certain goods and with respect to certain other matters.

[MR EINFELD—8 March, 1977.]

BE

Consumer Protection (Amendment).

5 **B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Consumer Protection (Amendment) Act, 1977". Short title.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act. Commencement.

10 (2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Consumer Protection Act, 1969, is amended— Amendment of Act No 28, 1969.

15 (a) by inserting in section 2 after the matter relating to Part IIIA the following matter:— Sec. 2. (Division of Act.)

PART IIIB.—EXPIRY DATES FOR GOODS—ss.
34D–34G.

20 (b) by inserting in section 4 (2) after the words "Poisons Act, 1966," the words "Public Health Act, 1902, "; Sec. 4. (Construction and operation of this Act.)

(c) by inserting in section 5 (1) after the definition of "Bureau" the following definition:— Sec. 5. (Interpretation.)
"care", in relation to goods, includes storage of goods;

(d)

Consumer Protection (Amendment).

(d) by inserting in section 19 after paragraph (d) of Sec. 19. the definition of "trade description" the following (Definitions.) paragraph :—

5 (d1) the date on which the goods were manufactured, produced, selected, packed, graded or otherwise prepared;

(e) by inserting after Part IIIA the following Part :— Part IIIB.

PART IIIB.

10 EXPIRY DATES FOR GOODS.

15 (1) 34D. (1) In this Part, "expiry date", in relation to goods of a class or description prescribed for the purpose of section 34E (1), means the date on which the durable life of the goods, as determined by reference to and in accordance with the regulations, will expire. Interpretation: Part IIIB.

(2) For the purpose of this Part, a statement shall be deemed to be appended to goods in accordance with section 34E (1) if it is—

- 20 (a) appended in the prescribed manner to the goods themselves; or
- (b) appended in the prescribed manner to any covering, label, reel or thing used in connection with the goods.

25 34E. (1) Where any goods of a class or description prescribed for the purpose of this sub-section are manufactured or produced in, or are imported into, New South Wales, the manufacturer or producer or, as the case may be, the importer of those goods shall, before supplying those goods to any other person (whether a consumer or not), append to those goods a statement in or to the effect of the prescribed form specifying a date not later than the expiry date for those goods. Statement specifying expiry date to be appended to certain goods.

(2)

Consumer Protection (Amendment).

5 (2) Except so far as may be authorised by or under the regulations, a supplier (not being a manufacturer, producer or importer referred to in subsection (1)) shall not supply to a consumer any goods to which a statement is required to be appended in accordance with subsection (1) unless such a statement is appended to those goods.

(3) Any person who—

10 (a) being a manufacturer, producer or importer referred to in subsection (1), fails to comply with that subsection; or

(b) being a supplier referred to in subsection (2), contravenes that subsection,

is guilty of an offence against this Act.

15 34F. (1) Any supplier who, except so far as may be authorised by the regulations, alters or effaces any statement which has been appended to goods in accordance with section 34E (1) is guilty of an offence against this Act.

Alteration, etc., of statement appended to goods under section 34E.

20 (2) Any person who supplies goods referred to in section 34E (1) when a statement which has been appended to those goods in accordance with section 34E (1) has been, except so far as may be authorised by the regulations, altered or effaced by any person is guilty of an offence against this Act unless he proves that he acted without intent to deceive and without intent to defraud.

25

(3)

Consumer Protection (Amendment).

5 (3) For the purpose of subsections (1) and (2), a statement appended to goods in accordance with section 34E (1) is altered not only when it is physically altered but also when a further statement, which has the effect of contradicting, qualifying or modifying it, is appended to the goods, or to any covering label, reel or thing used in connection with the goods, or is contained in any advertisement used to promote the supply of the goods or goods of the same class or description.

10 34G. An inspector may at any reasonable time—

15 (a) enter any place where goods (being goods of a class or description prescribed for the purposes of section 34E (1)) are supplied, or where he has reasonable cause to believe that any such goods are supplied;

20 (b) inspect any such goods in that place;

(c) take any such goods, after paying a just price for them;

25 (d) examine with respect to matters under this Part any person employed or engaged in any such place; and

(e) make such examinations and inquiries as he thinks necessary to ascertain whether the provisions of this Part are being complied with or, as the case may be, contravened.

30 4. The Consumer Protection Act, 1969, is further amended—

(a) by omitting from the matter in section 2 relating to Division 3 of Part II the matter "13" and by inserting instead the matter "12A";

(b)

Powers of inspectors under Part IIIb.

Further amendment of Act No. 28, 1969.

Sec. 2. (Division of Act.)

Consumer Protection (Amendment).

(b) by inserting after section 39D the following section :—

5 39DA. (1) Without limiting section 39E (3), where the Minister or the Commissioner refers a question to the Committee in accordance with section 39C (1), the Minister may, if he believes on reasonable grounds that goods of the class or description, or, as the case may be, the particular goods, to which the question relates are so
10 dangerous that their supply ought, in the interests of the safety of the public, to be prohibited immediately, make an interim order prohibiting the supply of those goods for a period not exceeding 28 days from the date on which the order is
15 published in the Gazette under subsection (2).

Power of Minister to make interim order on or before reference of question to Committee.

(2) If the Minister makes an interim order under subsection (1), he shall cause the order to be published in the Gazette.

20 (3) An order made under subsection (1) may, at any time before it expires or is revoked, be replaced by an order made under section 39E (3), and on the publication in the Gazette of such an order under section 39E (4), the order made under subsection (1) shall be deemed to be revoked.

25 (4) An order made under subsection (1) shall not be capable of being renewed or replaced by a further order under that subsection.

30 (c) by inserting in section 39F before the matter "section 39E (1) or (3)" the matter "section 39DA (1) or".

Sec. 39F. (Offence to contravene an order under section 39DA or section 39E.)

Consumer Protection (Amendment).

5. The Consumer Protection Act, 1969, is further amended—

Further amendment of Act No. 28, 1969.

- (a) by omitting from section 59 (1A) (a) the word "and";
- 5 (b) by omitting from section 59 (1A) (b) the word "regulation." and by inserting instead the following words and paragraph :—
regulation; and
- 10 (c) may authorise any matter or thing to be from time to time determined, applied or regulated by any person or body specified in the regulations.

Sec. 59. (Regulations.)

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 23, 1977.

An Act to amend the Consumer Protection Act, 1969, with respect to the marking of packages containing certain goods, with respect to the prohibition of the supply of certain goods and with respect to certain other matters. [Assented to, 31st March, 1977.]

BE

Consumer Protection (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short
title.

1. This Act may be cited as the "Consumer Protection (Amendment) Act, 1977".

Commence-
ment.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment
of Act No.
28, 1969.
Sec. 2.
(Division
of Act.)

3. The Consumer Protection Act, 1969, is amended—

(a) by inserting in section 2 after the matter relating to Part IIIA the following matter:—

PART IIIB.—EXPIRY DATES FOR GOODS—SS.
34D–34G.

Sec. 4.
(Construc-
tion and
operation
of this Act.)

(b) by inserting in section 4 (2) after the words "Poisons Act, 1966," the words "Public Health Act, 1902, ";

Sec. 5.
(Interpre-
tation.)

(c) by inserting in section 5 (1) after the definition of "Bureau" the following definition:—

"care", in relation to goods, includes storage of
goods;

(d)

Consumer Protection (Amendment).

(d) by inserting in section 19 after paragraph (d) of the definition of "trade description" the following paragraph :—

Sec. 19.
(Definitions.)

(d1) the date on which the goods were manufactured, produced, selected, packed, graded or otherwise prepared;

(e) by inserting after Part IIIA the following Part :—

Part IIIB.

PART IIIB.

EXPIRY DATES FOR GOODS.

34D. (1) In this Part, "expiry date", in relation to goods of a class or description prescribed for the purpose of section 34E (1), means the date on which the durable life of the goods, as determined by reference to and in accordance with the regulations, will expire.

Interpre-
tation:
Part IIIB.

(2) For the purpose of this Part, a statement shall be deemed to be appended to goods in accordance with section 34E (1) if it is—

- (a) appended in the prescribed manner to the goods themselves; or
- (b) appended in the prescribed manner to any covering, label, reel or thing used in connection with the goods.

34E. (1) Where any goods of a class or description prescribed for the purpose of this subsection are manufactured or produced in, or are imported into, New South Wales, the manufacturer or producer or, as the case may be, the importer of those goods shall, before supplying those goods to any other person (whether a consumer or not), append to those goods a statement in or to the effect of the prescribed form specifying a date not later than the expiry date for those goods.

Statement
specifying
expiry date
to be
appended
to certain
goods.

(2)

Consumer Protection (Amendment).

(2) Except so far as may be authorised by or under the regulations, a supplier (not being a manufacturer, producer or importer referred to in subsection (1)) shall not supply to a consumer any goods to which a statement is required to be appended in accordance with subsection (1) unless such a statement is appended to those goods.

(3) Any person who—

- (a) being a manufacturer, producer or importer referred to in subsection (1), fails to comply with that subsection; or
- (b) being a supplier referred to in subsection (2), contravenes that subsection,

is guilty of an offence against this Act.

Alteration,
etc., of
statement
appended
to goods
under
section 34E.

34F. (1) Any supplier who, except so far as may be authorised by the regulations, alters or effaces any statement which has been appended to goods in accordance with section 34E (1) is guilty of an offence against this Act.

(2) Any person who supplies goods referred to in section 34E (1) when a statement which has been appended to those goods in accordance with section 34E (1) has been, except so far as may be authorised by the regulations, altered or effaced by any person is guilty of an offence against this Act unless he proves that he acted without intent to deceive and without intent to defraud.

(3)

Consumer Protection (Amendment).

(3) For the purpose of subsections (1) and (2), a statement appended to goods in accordance with section 34E (1) is altered not only when it is physically altered but also when a further statement, which has the effect of contradicting, qualifying or modifying it, is appended to the goods, or to any covering label, reel or thing used in connection with the goods, or is contained in any advertisement used to promote the supply of the goods or goods of the same class or description.

- 34G. An inspector may at any reasonable time— Powers of inspectors under Part IIIb.
- (a) enter any place where goods (being goods of a class or description prescribed for the purposes of section 34E (1)) are supplied, or where he has reasonable cause to believe that any such goods are supplied;
 - (b) inspect any such goods in that place;
 - (c) take any such goods, after paying a just price for them;
 - (d) examine with respect to matters under this Part any person employed or engaged in any such place; and
 - (e) make such examinations and inquiries as he thinks necessary to ascertain whether the provisions of this Part are being complied with or, as the case may be, contravened.

4. The Consumer Protection Act, 1969, is further amended— Further amendment of Act No. 28, 1969.

- (a) by omitting from the matter in section 2 relating to Division 3 of Part II the matter "13" and by inserting instead the matter "12A"; Sec. 2. (Division of Act.)

(b)

Consumer Protection (Amendment).

Sec. 39DA.

(b) by inserting after section 39D the following section :—

Power of Minister to make interim order on or before reference of question to Committee.

39DA. (1) Without limiting section 39E (3), where the Minister or the Commissioner refers a question to the Committee in accordance with section 39C (1), the Minister may, if he believes on reasonable grounds that goods of the class or description, or, as the case may be, the particular goods, to which the question relates are so dangerous that their supply ought, in the interests of the safety of the public, to be prohibited immediately, make an interim order prohibiting the supply of those goods for a period not exceeding 28 days from the date on which the order is published in the Gazette under subsection (2).

(2) If the Minister makes an interim order under subsection (1), he shall cause the order to be published in the Gazette.

(3) An order made under subsection (1) may, at any time before it expires or is revoked, be replaced by an order made under section 39E (3), and on the publication in the Gazette of such an order under section 39E (4), the order made under subsection (1) shall be deemed to be revoked.

(4) An order made under subsection (1) shall not be capable of being renewed or replaced by a further order under that subsection.

Sec. 39F.
(Offence to contravene an order under section 39DA or section 39E.)

(c) by inserting in section 39F before the matter "section 39E (1) or (3)" the matter "section 39DA (1) or".

Consumer Protection (Amendment).

5. The Consumer Protection Act, 1969, is further amended—

Further
amendment
of Act No.
28, 1969.

(a) by omitting from section 59 (1A) (a) the word "and";

Sec. 59.
(Regula-
tions.)

(b) by omitting from section 59 (1A) (b) the word "regulation." and by inserting instead the following words and paragraph :—

regulation; and

(c) may authorise any matter or thing to be from time to time determined, applied or regulated by any person or body specified in the regulations.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

MEMORANDUM FOR THE RECORD

On 10/15/54, the Board of Directors met in regular session and discussed the proposed acquisition of the property located at 1234 Main Street, New York, New York.

The Board of Directors has approved the acquisition of the property located at 1234 Main Street, New York, New York, for a purchase price of \$100,000.00.

The Board of Directors has also approved the execution of the purchase agreement with the seller, Mr. John Doe, for the acquisition of the property located at 1234 Main Street, New York, New York.

The Board of Directors has further approved the execution of the deed of conveyance for the property located at 1234 Main Street, New York, New York, to be signed by the Board of Directors.

The Board of Directors has also approved the execution of the mortgage agreement for the property located at 1234 Main Street, New York, New York, to be signed by the Board of Directors.

Very truly yours,
[Signature]

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 17 March, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 23, 1977.

An Act to amend the Consumer Protection Act, 1969, with respect to the marking of packages containing certain goods, with respect to the prohibition of the supply of certain goods and with respect to certain other matters.
[Assented to, 31st March, 1977.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

T. J. CAHILL,
Chairman of Committees of the Legislative Assembly.

Consumer Protection (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short
title.

1. This Act may be cited as the "Consumer Protection (Amendment) Act, 1977".

Commence-
ment.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment
of Act No.
28, 1969.
Sec. 2.
(Division
of Act.)

3. The Consumer Protection Act, 1969, is amended—

(a) by inserting in section 2 after the matter relating to Part IIIA the following matter:—

PART IIIB.—EXPIRY DATES FOR GOODS—ss.
34D—34G.

Sec. 4.
(Construc-
tion and
operation
of this Act.)

(b) by inserting in section 4 (2) after the words "Poisons Act, 1966," the words "Public Health Act, 1902, ";

Sec. 5.
(Interpre-
tation.)

(c) by inserting in section 5 (1) after the definition of "Bureau" the following definition:—

"care", in relation to goods, includes storage of
goods;

(d)

Consumer Protection (Amendment).

(d) by inserting in section 19 after paragraph (d) of Sec. 19. the definition of "trade description" the following (Definitions.) paragraph :—

(d1) the date on which the goods were manufactured, produced, selected, packed, graded or otherwise prepared;

(e) by inserting after Part IIIA the following Part :— Part IIIB.

PART IIIB.

EXPIRY DATES FOR GOODS.

34D. (1) In this Part, "expiry date", in relation to goods of a class or description prescribed for the purpose of section 34E (1), means the date on which the durable life of the goods, as determined by reference to and in accordance with the regulations, will expire. Interpretation: Part IIIB.

(2) For the purpose of this Part, a statement shall be deemed to be appended to goods in accordance with section 34E (1) if it is—

- (a) appended in the prescribed manner to the goods themselves; or
- (b) appended in the prescribed manner to any covering, label, reel or thing used in connection with the goods.

34E. (1) Where any goods of a class or description prescribed for the purpose of this sub-section are manufactured or produced in, or are imported into, New South Wales, the manufacturer or producer or, as the case may be, the importer of those goods shall, before supplying those goods to any other person (whether a consumer or not), append to those goods a statement in or to the effect of the prescribed form specifying a date not later than the expiry date for those goods. Statement specifying expiry date to be appended to certain goods.

(2)

Consumer Protection (Amendment).

(2) Except so far as may be authorised by or under the regulations, a supplier (not being a manufacturer, producer or importer referred to in subsection (1)) shall not supply to a consumer any goods to which a statement is required to be appended in accordance with subsection (1) unless such a statement is appended to those goods.

(3) Any person who—

- (a) being a manufacturer, producer or importer referred to in subsection (1), fails to comply with that subsection; or
- (b) being a supplier referred to in subsection (2), contravenes that subsection,

is guilty of an offence against this Act.

Alteration,
etc., of
statement
appended
to goods
under
section 34E.

34F. (1) Any supplier who, except so far as may be authorised by the regulations, alters or effaces any statement which has been appended to goods in accordance with section 34E (1) is guilty of an offence against this Act.

(2) Any person who supplies goods referred to in section 34E (1) when a statement which has been appended to those goods in accordance with section 34E (1) has been, except so far as may be authorised by the regulations, altered or effaced by any person is guilty of an offence against this Act unless he proves that he acted without intent to deceive and without intent to defraud.

(3)

Consumer Protection (Amendment).

(3) For the purpose of subsections (1) and (2), a statement appended to goods in accordance with section 34E (1) is altered not only when it is physically altered but also when a further statement, which has the effect of contradicting, qualifying or modifying it, is appended to the goods, or to any covering label, reel or thing used in connection with the goods, or is contained in any advertisement used to promote the supply of the goods or goods of the same class or description.

34G. An inspector may at any reasonable time—

- Powers of inspectors under Part IIIB.
- (a) enter any place where goods (being goods of a class or description prescribed for the purposes of section 34E (1)) are supplied, or where he has reasonable cause to believe that any such goods are supplied;
 - (b) inspect any such goods in that place;
 - (c) take any such goods, after paying a just price for them;
 - (d) examine with respect to matters under this Part any person employed or engaged in any such place; and
 - (e) make such examinations and inquiries as he thinks necessary to ascertain whether the provisions of this Part are being complied with or, as the case may be, contravened.

4. The Consumer Protection Act, 1969, is further amended—

- Further amendment of Act No. 28, 1969.
- (a) by omitting from the matter in section 2 relating to Division 3 of Part II the matter "13" and by inserting instead the matter "12A";

(b)

Consumer Protection (Amendment).

Sec. 39DA.

(b) by inserting after section 39D the following section :—

Power of Minister to make interim order on or before reference of question to Committee.

39DA. (1) Without limiting section 39E (3), where the Minister or the Commissioner refers a question to the Committee in accordance with section 39C (1), the Minister may, if he believes on reasonable grounds that goods of the class or description, or, as the case may be, the particular goods, to which the question relates are so dangerous that their supply ought, in the interests of the safety of the public, to be prohibited immediately, make an interim order prohibiting the supply of those goods for a period not exceeding 28 days from the date on which the order is published in the Gazette under subsection (2).

(2) If the Minister makes an interim order under subsection (1), he shall cause the order to be published in the Gazette.

(3) An order made under subsection (1) may, at any time before it expires or is revoked, be replaced by an order made under section 39E (3), and on the publication in the Gazette of such an order under section 39E (4), the order made under subsection (1) shall be deemed to be revoked.

(4) An order made under subsection (1) shall not be capable of being renewed or replaced by a further order under that subsection.

Sec. 39F.
(Offence to contravene an order under section 39DA or section 39E.)

(c) by inserting in section 39F before the matter "section 39E (1) or (3)" the matter "section 39DA (1) or".

Consumer Protection (Amendment).

5. The Consumer Protection Act, 1969, is further amended—

Further amendment of Act No. 28, 1969.

(a) by omitting from section 59 (1A) (a) the word "and";

Sec. 59. (Regulations.)

(b) by omitting from section 59 (1A) (b) the word "regulation." and by inserting instead the following words and paragraph :—

regulation; and

(c) may authorise any matter or thing to be from time to time determined, applied or regulated by any person or body specified in the regulations.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 31st March, 1977.*

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New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 23, 1977.

An Act to amend the Consumer Protection Act, 1969, with respect to the marking of packages containing certain goods, with respect to the prohibition of the supply of certain goods and with respect to certain other matters. [Assented to, 31st March, 1977.]

BE

Consumer Protection (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Consumer Protection (Amendment) Act, 1977".

Commencement.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment of Act No. 28, 1969.
Sec. 2.
(Division of Act.)

3. The Consumer Protection Act, 1969, is amended—

(a) by inserting in section 2 after the matter relating to Part IIIA the following matter:—

PART IIIB.—EXPIRY DATES FOR GOODS—SS.
34D–34G.

Sec. 4.
(Construction and operation of this Act.)

(b) by inserting in section 4 (2) after the words "Poisons Act, 1966," the words "Public Health Act, 1902, ";

Sec. 5.
(Interpretation.)

(c) by inserting in section 5 (1) after the definition of "Bureau" the following definition:—

"care", in relation to goods, includes storage of goods;

(d)

Consumer Protection (Amendment).

(d) by inserting in section 19 after paragraph (d) of the definition of "trade description" the following paragraph :—

(d1) the date on which the goods were manufactured, produced, selected, packed, graded or otherwise prepared;

(e) by inserting after Part IIIA the following Part :—

PART IIIB.

EXPIRY DATES FOR GOODS.

34D. (1) In this Part, "expiry date", in relation to goods of a class or description prescribed for the purpose of section 34E (1), means the date on which the durable life of the goods, as determined by reference to and in accordance with the regulations, will expire.

Interpre-
tation:
Part IIIB.

(2) For the purpose of this Part, a statement shall be deemed to be appended to goods in accordance with section 34E (1) if it is—

- (a) appended in the prescribed manner to the goods themselves; or
- (b) appended in the prescribed manner to any covering, label, reel or thing used in connection with the goods.

34E. (1) Where any goods of a class or description prescribed for the purpose of this subsection are manufactured or produced in, or are imported into, New South Wales, the manufacturer or producer or, as the case may be, the importer of those goods shall, before supplying those goods to any other person (whether a consumer or not), append to those goods a statement in or to the effect of the prescribed form specifying a date not later than the expiry date for those goods.

Statement
specifying
expiry date
to be
appended
to certain
goods.

(2)

Consumer Protection (Amendment).

(2) Except so far as may be authorised by or under the regulations, a supplier (not being a manufacturer, producer or importer referred to in subsection (1)) shall not supply to a consumer any goods to which a statement is required to be appended in accordance with subsection (1) unless such a statement is appended to those goods.

(3) Any person who—

- (a) being a manufacturer, producer or importer referred to in subsection (1), fails to comply with that subsection; or
- (b) being a supplier referred to in subsection (2), contravenes that subsection,

is guilty of an offence against this Act.

Alteration,
etc., of
statement
appended
to goods
under
section 34E.

34F. (1) Any supplier who, except so far as may be authorised by the regulations, alters or effaces any statement which has been appended to goods in accordance with section 34E (1) is guilty of an offence against this Act.

(2) Any person who supplies goods referred to in section 34E (1) when a statement which has been appended to those goods in accordance with section 34E (1) has been, except so far as may be authorised by the regulations, altered or effaced by any person is guilty of an offence against this Act unless he proves that he acted without intent to deceive and without intent to defraud.

(3)

Consumer Protection (Amendment).

(3) For the purpose of subsections (1) and (2), a statement appended to goods in accordance with section 34E (1) is altered not only when it is physically altered but also when a further statement, which has the effect of contradicting, qualifying or modifying it, is appended to the goods, or to any covering label, reel or thing used in connection with the goods, or is contained in any advertisement used to promote the supply of the goods or goods of the same class or description.

- 34G. An inspector may at any reasonable time— Powers of inspectors under Part IIIb.
- (a) enter any place where goods (being goods of a class or description prescribed for the purposes of section 34E (1)) are supplied, or where he has reasonable cause to believe that any such goods are supplied;
 - (b) inspect any such goods in that place;
 - (c) take any such goods, after paying a just price for them;
 - (d) examine with respect to matters under this Part any person employed or engaged in any such place; and
 - (e) make such examinations and inquiries as he thinks necessary to ascertain whether the provisions of this Part are being complied with or, as the case may be, contravened.

4. The Consumer Protection Act, 1969, is further amended— Further amendment of Act No. 28, 1969.

- (a) by omitting from the matter in section 2 relating to Division 3 of Part II the matter "13" and by inserting instead the matter "12A"; Sec. 2. (Division of Act.)

(b)

Consumer Protection (Amendment).

Sec. 39DA.

(b) by inserting after section 39D the following section :—

Power of Minister to make interim order on or before reference of question to Committee.

39DA. (1) Without limiting section 39E (3), where the Minister or the Commissioner refers a question to the Committee in accordance with section 39C (1), the Minister may, if he believes on reasonable grounds that goods of the class or description, or, as the case may be, the particular goods, to which the question relates are so dangerous that their supply ought, in the interests of the safety of the public, to be prohibited immediately, make an interim order prohibiting the supply of those goods for a period not exceeding 28 days from the date on which the order is published in the Gazette under subsection (2).

(2) If the Minister makes an interim order under subsection (1), he shall cause the order to be published in the Gazette.

(3) An order made under subsection (1) may, at any time before it expires or is revoked, be replaced by an order made under section 39E (3), and on the publication in the Gazette of such an order under section 39E (4), the order made under subsection (1) shall be deemed to be revoked.

(4) An order made under subsection (1) shall not be capable of being renewed or replaced by a further order under that subsection.

Sec. 39F.
(Offence to contravene an order under section 39DA or section 39E.)

(c) by inserting in section 39F before the matter "section 39E (1) or (3)" the matter "section 39DA (1) or".

Consumer Protection (Amendment).

5. The Consumer Protection Act, 1969, is further amended—

Further
amendment
of Act No.
28, 1969.

(a) by omitting from section 59 (1A) (a) the word "and";

Sec. 59.
(Regula-
tions.)

(b) by omitting from section 59 (1A) (b) the word "regulation." and by inserting instead the following words and paragraph :—

regulation; and

(c) may authorise any matter or thing to be from time to time determined, applied or regulated by any person or body specified in the regulations.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

MEMORANDUM FOR THE RECORD

On 10/15/54, the following information was received from the [redacted] regarding the [redacted] of the [redacted] in the [redacted] area.

The [redacted] of the [redacted] is [redacted] and is [redacted] in the [redacted] area. The [redacted] is [redacted] and is [redacted] in the [redacted] area.

The [redacted] of the [redacted] is [redacted] and is [redacted] in the [redacted] area. The [redacted] is [redacted] and is [redacted] in the [redacted] area.

The [redacted] of the [redacted] is [redacted] and is [redacted] in the [redacted] area. The [redacted] is [redacted] and is [redacted] in the [redacted] area.

The [redacted] of the [redacted] is [redacted] and is [redacted] in the [redacted] area. The [redacted] is [redacted] and is [redacted] in the [redacted] area.

Very truly yours,
[redacted]

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 17 March, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 23, 1977.

An Act to amend the Consumer Protection Act, 1969, with respect to the marking of packages containing certain goods, with respect to the prohibition of the supply of certain goods and with respect to certain other matters.
[Assented to, 31st March, 1977.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

T. J. CAHILL,
Chairman of Committees of the Legislative Assembly.

Consumer Protection (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short
title.

1. This Act may be cited as the "Consumer Protection (Amendment) Act, 1977".

Commence-
ment.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment
of Act No.
28, 1969.
Sec. 2.
(Division
of Act.)

3. The Consumer Protection Act, 1969, is amended—

(a) by inserting in section 2 after the matter relating to Part IIIA the following matter:—

PART IIIB.—EXPIRY DATES FOR GOODS—ss.
34D—34G.

Sec. 4.
(Construc-
tion and
operation
of this Act.)

(b) by inserting in section 4 (2) after the words "Poisons Act, 1966," the words "Public Health Act, 1902, ";

Sec. 5.
(Interpre-
tation.)

(c) by inserting in section 5 (1) after the definition of "Bureau" the following definition:—

"care", in relation to goods, includes storage of goods;

(d)

Consumer Protection (Amendment).

(d) by inserting in section 19 after paragraph (d) of Sec. 19. the definition of "trade description" the following (Definitions.) paragraph :—

(d1) the date on which the goods were manufactured, produced, selected, packed, graded or otherwise prepared;

(e) by inserting after Part IIIA the following Part :— Part IIIB.

PART IIIB.

EXPIRY DATES FOR GOODS.

34D. (1) In this Part, "expiry date", in relation to goods of a class or description prescribed for the purpose of section 34E (1), means the date on which the durable life of the goods, as determined by reference to and in accordance with the regulations, will expire. Interpretation: Part IIIB.

(2) For the purpose of this Part, a statement shall be deemed to be appended to goods in accordance with section 34E (1) if it is—

- (a) appended in the prescribed manner to the goods themselves; or
- (b) appended in the prescribed manner to any covering, label, reel or thing used in connection with the goods.

34E. (1) Where any goods of a class or description prescribed for the purpose of this sub-section are manufactured or produced in, or are imported into, New South Wales, the manufacturer or producer or, as the case may be, the importer of those goods shall, before supplying those goods to any other person (whether a consumer or not), append to those goods a statement in or to the effect of the prescribed form specifying a date not later than the expiry date for those goods. Statement specifying expiry date to be appended to certain goods.

(2)

Consumer Protection (Amendment).

(2) Except so far as may be authorised by or under the regulations, a supplier (not being a manufacturer, producer or importer referred to in subsection (1)) shall not supply to a consumer any goods to which a statement is required to be appended in accordance with subsection (1) unless such a statement is appended to those goods.

(3) Any person who—

- (a) being a manufacturer, producer or importer referred to in subsection (1), fails to comply with that subsection; or
- (b) being a supplier referred to in subsection (2), contravenes that subsection,

is guilty of an offence against this Act.

Alteration,
etc., of
statement
appended
to goods
under
section 34E.

34F. (1) Any supplier who, except so far as may be authorised by the regulations, alters or effaces any statement which has been appended to goods in accordance with section 34E (1) is guilty of an offence against this Act.

(2) Any person who supplies goods referred to in section 34E (1) when a statement which has been appended to those goods in accordance with section 34E (1) has been, except so far as may be authorised by the regulations, altered or effaced by any person is guilty of an offence against this Act unless he proves that he acted without intent to deceive and without intent to defraud.

(3)

Consumer Protection (Amendment).

(3) For the purpose of subsections (1) and (2), a statement appended to goods in accordance with section 34E (1) is altered not only when it is physically altered but also when a further statement, which has the effect of contradicting, qualifying or modifying it, is appended to the goods, or to any covering label, reel or thing used in connection with the goods, or is contained in any advertisement used to promote the supply of the goods or goods of the same class or description.

34G. An inspector may at any reasonable time—

- (a) enter any place where goods (being goods of a class or description prescribed for the purposes of section 34E (1)) are supplied, or where he has reasonable cause to believe that any such goods are supplied;
- (b) inspect any such goods in that place;
- (c) take any such goods, after paying a just price for them;
- (d) examine with respect to matters under this Part any person employed or engaged in any such place; and
- (e) make such examinations and inquiries as he thinks necessary to ascertain whether the provisions of this Part are being complied with or, as the case may be, contravened.

Powers of
inspectors
under
Part IIIB.

4. The Consumer Protection Act, 1969, is further amended—

Further
amendment
of Act No.
28, 1969.

- (a) by omitting from the matter in section 2 relating to Division 3 of Part II the matter "13" and by inserting instead the matter "12A";

Sec. 2.
(Division
of Act.)

(b)

Consumer Protection (Amendment).

Sec. 39DA.

(b) by inserting after section 39D the following section :—

Power of Minister to make interim order on or before reference of question to Committee.

39DA. (1) Without limiting section 39E (3), where the Minister or the Commissioner refers a question to the Committee in accordance with section 39C (1), the Minister may, if he believes on reasonable grounds that goods of the class or description, or, as the case may be, the particular goods, to which the question relates are so dangerous that their supply ought, in the interests of the safety of the public, to be prohibited immediately, make an interim order prohibiting the supply of those goods for a period not exceeding 28 days from the date on which the order is published in the Gazette under subsection (2).

(2) If the Minister makes an interim order under subsection (1), he shall cause the order to be published in the Gazette.

(3) An order made under subsection (1) may, at any time before it expires or is revoked, be replaced by an order made under section 39E (3), and on the publication in the Gazette of such an order under section 39E (4), the order made under subsection (1) shall be deemed to be revoked.

(4) An order made under subsection (1) shall not be capable of being renewed or replaced by a further order under that subsection.

Sec. 39F.
(Offence to contravene an order under section 39DA or section 39E.)

(c) by inserting in section 39F before the matter "section 39E (1) or (3)" the matter "section 39DA (1) or".

Consumer Protection (Amendment).

5. The Consumer Protection Act, 1969, is further amended—

Further amendment of Act No. 28, 1969.

(a) by omitting from section 59 (1A) (a) the word "and";

Sec. 59. (Regulations.)

(b) by omitting from section 59 (1A) (b) the word "regulation." and by inserting instead the following words and paragraph :—

regulation; and

(c) may authorise any matter or thing to be from time to time determined, applied or regulated by any person or body specified in the regulations.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 31st March, 1977.*

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