

FIRST PRINT

TRADE MEASUREMENT (AMENDMENT) BILL 1993

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are to amend the Trade Measurement Act 1989 so as to apply that Act to bread in the same way as it applies to other goods, and to amend the Bread Act 1969 by omitting its requirements as to standard loaf sizes and the information to be furnished on bread or packages of bread.

As a result of the amendments:

- (a) only pre-packed bread will be required to be marked with its weight; and
- (b) that weight will need to be expressed as net weight (instead of "nominal" weight as required under the existing Part 5 of the Bread Act 1969); and
- (c) it will be lawful to sell any size of loaf (whether packed or unpacked).

This Bill also consequentially repeals the Bread (Weights) Regulation 1977 and removes the provisions in the Bread Act 1969 conferring certain functions on weights and measures inspectors (i.e. inspectors under the trade measurement legislation). Those inspectors will now derive their functions in relation to bread from the trade measurement legislation as they do in relation to other goods.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will commence on a day to be appointed by proclamation.

Clause 3 gives effect to the Schedule of amendments to the Trade Measurement Act 1989.

Clause 4 gives effect to the Schedule of amendments to the Bread Act 1969.

Clause 5 repeals the Bread (Weights) Regulation 1977 as a consequence of the other amendments.

Trade Measurement (Amendment) 1993

Schedule 1 amends the Trade Measurement Act 1989 by omitting section 6 (3) which currently excludes bread from the operation of that Act and by inserting a transitional provision.

Schedule 2 makes the amendments to the Bread Act 1969 described above.

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TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Trade Measurement Act 1989 No. 233
4. Amendment of Bread Act 1969 No. 54
5. Repeal of Bread (Weights) Regulation 1977

SCHEDULE 1—AMENDMENT OF TRADE MEASUREMENT ACT 1989

SCHEDULE 2—AMENDMENT OF BREAD ACT 1969

TRADE MEASUREMENT (AMENDMENT) BILL 1993

NEW SOUTH WALES



No. , 1993

A BILL FOR

An Act to amend the Trade Measurement Act 1989 to apply that Act to bread; to make consequential amendments to the Bread Act 1969; and for other purposes.

Trade Measurement (Amendment) 1993

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Trade Measurement (Amendment) Act 1993.

5 Commencement

2. This Act commences on a day to be appointed by proclamation.

Amendment of Trade Measurement Act 1989 No. 233

3. The Trade Measurement Act 1989 is amended as set out in Schedule 1.

10 Amendment of Bread Act 1969 No. 54

4. The Bread Act 1969 is amended as set out in Schedule 2.

Repeal of Bread (Weights) Regulation 1977

5. The Bread (Weights) Regulation 1977 is repealed.

15 SCHEDULE 1—AMENDMENT OF TRADE MEASUREMENT ACT 1989

(Sec. 3)

(1) Section 6 (**Exemptions from Act**):

Omit section 6 (3).

(2) Section 82 and Schedule 1:

After section 81, insert:

Savings and transitional provisions

82. Schedule 1 has effect.

SCHEDULE 1—SAVINGS AND TRANSITIONAL PROVISIONS

(Sec. 82)

25 Pre-packed bread

1. The amendments made to the Bread Act 1969 and to this Act by the Trade Measurement (Amendment) Act 1993 do not apply to bread packed before the commencement of

Trade Measurement (Amendment) 1993

SCHEDULE 1—AMENDMENT OF TRADE MEASUREMENT ACT
1989—*continued*

those amendments and the Bread (Weights) Regulation 1977
continues to apply to bread so packed.

SCHEDULE 2—AMENDMENT OF BREAD ACT 1969 5

(Sec. 4)

- (1) Long title:
Omit “, standard denominations or sizes of bread loaves,”.
- (2) Section 4 (**Definitions**):
From section 4 (1), omit the definition of “weights and
measures inspector” 10
- (3) Part 5 (**Bread—Weights**: ss. 19–19F):
Omit the Part.
- (4) Section 24 (**Powers of inspectors**):
- (a) From section 24 (1), omit “(other than Part 5)” wherever 15
occurring.
 - (b) From section 24 (1), omit “(other than regulations made for
the purposes of that Part)” wherever occurring.
 - (c) Omit section 24 (2).
 - (d) From section 24 (3), (4), (5) and (8), omit “or a weights and 20
measures inspector” wherever occurring.
 - (e) From section 24 (4), omit “or weights and measures
inspector, as the case may be”.
 - (f) From section 24 (7), omit “and weights and measures 25
inspector”.
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