



ANNO QUARTO

EDWARDI VII REGIS.

A.D. 1904.

No. 856.

An Act relating to the Sale of Furniture, and for other purposes.

[Assented to, November 24th, 1904.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as the "Sale of Furniture Act, 1904." Short title.

2. For the purposes of this Act "furniture" shall mean furniture, together with the manufactured pieces, parts, or portions of furniture, imported, manufactured, or prepared, for the purposes of trade, and of which wood forms a part, and is such as is usually made by cabinetmakers, chairmakers, couchmakers, upholsterers, woodcarvers, or turners. Definition of "furniture."

3. No person shall remove, erase from, alter or add to, or attempt to remove, erase from, alter, or add to any stamp, stain, brand, or impression being in or upon any furniture made in or imported into South Australia. Offence of altering or effacing stamp on furniture.

4. The Minister of Industry may appoint inspectors, who shall have authority to enter at all reasonable times any warehouse or other place in which any furniture is stored or kept for the purpose of trade, and to inspect and examine all such furniture, and to question the owner or importer with respect to matters under this Act. Powers of Inspectors.

5. All

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All furniture to be stamped.

5. All furniture manufactured or prepared, either wholly or partly for sale, in South Australia, shall, before being sent out of or removed from the building, premises, or place in which it is so manufactured or prepared, be stamped with the name of the manufacturer in an indelible permanent ink or stain or impression.

Size and position of stamp.

6. The stamp shall consist of letters not less than one-quarter of an inch in height, and stamped in a prominent place on each article, but not necessarily on the face of the article, or in such a way as to disfigure the same.

Power to seize.

7. If on any such inspection the inspector shall have reasonable grounds for suspecting that the provisions of section 3 of this Act have been broken he may seize any such furniture and remove and detain the same for the purpose of any proceedings and until such proceedings are disposed of. Unless such proceedings be taken within three days of such seizure the furniture so seized shall be returned to the person from whom it was taken.

Production of invoices, &c.

8. The importer or purchaser of any furniture shall, on demand, produce to any Inspector appointed as aforesaid every invoice, receipt, paper, or writing having reference in any manner to any furniture imported by such importer or purchaser from any of the States of the Commonwealth of Australia.

Penalty for breach.

9. Any person who commits any breach of this Act shall be liable for each offence to a penalty not exceeding Five Pounds.

Proceedings for penalties.

10. All proceedings in respect of offences against this Act shall be heard and determined by a Special Magistrate or two Justices of the Peace, under Ordinance No. 6 of 1850, and any Act amending the same.

Appeal.

11. There shall be an appeal from any order, or conviction, or any dismissal under this Act, and such appeal shall be to the Local Court of Adelaide of Full Jurisdiction only, and shall be heard and determined in manner prescribed by the Ordinance No. 6 of 1850.

Special case.

12. The Local Court may state a special case for the opinion of the Supreme Court, and the Supreme Court shall hear and decide such special case and make such order therein as to the said Supreme Court shall appear just.

Date of operation.

Application.

13. This Act shall come into force on the first day of January, one thousand nine hundred and five, and shall not apply to furniture made in or imported into this State prior to the passing of this Act.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

GEORGE R. LE HUNTE, Governor.