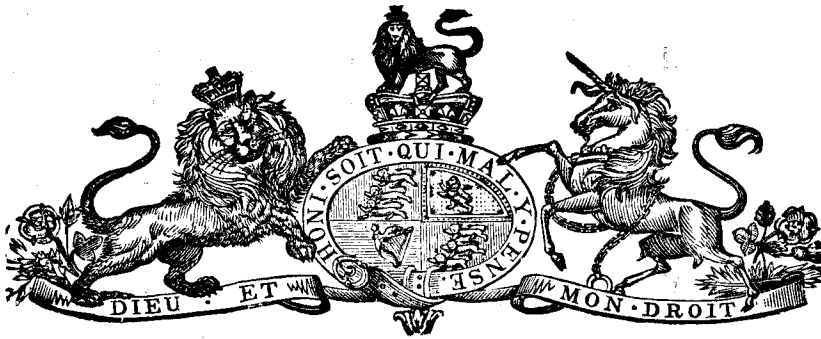


1389

TASMANIA



1935.

ANNO VICESIMO SEXTO

GEORGII V. REGIS.

No. 86.

ANALYSIS.

1. Short title.
2. Amendment of 1 Geo. V. No. 22.
 - Section 23.
 - New subsection (3).
 - Section 30.
 - Section 31.
 - Repeal of section 34.
 - New section 34.

AN ACT to amend the *Food and Drugs Act* 1910. [16 January, 1936.]

A.D.
1935.

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 This Act may be cited as the *Food and Drugs Act* 1935.

Short title.

2 The Principal Act is hereby amended :—

- I. By inserting in section twenty-three thereof after subsection (2) the following new subsection (3)—

“(3) For the purposes of this section a closed package means a package to open which the sealing or covering must be broken or torn in such a way that it cannot be replaced without being re-sealed or covered afresh.” :

Amend-
ment of 1
Geo. V.
No. 22.
Section 23.

Food and Drugs.

A.D. 1935.

Section 30.

Section 31.

Repeal of
section 34.New
section 34.

II. By inserting "either in transit or otherwise" after "drug" in the third line of section thirty thereof :

III. By deleting "the person" to "thereof" at the end of paragraph vii. of subsection (1) of section thirty-one thereof and substituting "any person against whom he intends to proceed in respect of the food or drugs analysed": and

IV. By repealing section thirty-four thereof and substituting therefor the following new section thirty-four :—

"34—(1) An analyst who has analysed any food, drug, or article submitted to him in pursuance of this Act may give a certificate in the prescribed form of the result of such analysis.

(2) In any proceedings in respect of an offence against this Act—

i. The production of the analyst's certificate shall be evidence of the facts therein stated if tendered by—

(a) The prosecutor : or

(b) The defendant if he has, seven days before the hearing, delivered a copy thereof to the prosecutor—

unless the party tendering the same has given notice in writing to the other party, at least four days before the hearing, that he requires the analyst to be called as witness :

ii. If the defendant requires the portion of the food or drug retained as provided by paragraph v. of subsection (1) of section thirty-one to be produced at the hearing, he shall give the prosecutor three days' notice in writing of such requirement."