

**GOODS (TRADE DESCRIPTIONS) AMENDMENT ACT 1987**

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**No. 70 of 1987**

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**TABLE OF PROVISIONS**

1. Short title.
2. Principal Act.
3. Amendment of section 2 of Principal Act (Interpretation).
4. Repeal of section 4 of Principal Act (Saving).
5. Repeal and substitution of section 5 of Principal Act.  
5—Authorized officers.
6. Amendment of section 6 of Principal Act (Powers and duties of authorized officers).
7. Repeal and substitution of section 11 of Principal Act.  
11—Application of certain provisions.
8. Amendment of section 16 of Principal Act (Regulations).
9. Insertion in Principal Act of new section 17.  
17—Adoption of standards by reference.
10. Amendment of section 15 of Principal Act (Saving of certain rights).





**GOODS (TRADE DESCRIPTIONS) AMENDMENT ACT  
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**AN ACT to amend the Goods (Trade Descriptions) Act 1971.**

**[Royal Assent 3 November 1987]**

**B**E 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 *Goods (Trade Descriptions) Amendment Act 1987*. Short title.

**2**—In this Act, the *Goods (Trade Descriptions) Act 1971*\* Principal Act. is referred to as the Principal Act.

**3**—Section 2 of the Principal Act is amended as follows:— Amendment of section 2 of Principal Act (Interpretation).

(a) by inserting the following definition after the definition of “apply” :—

“authorized officer” means a person who is prescribed to be an authorized officer under section 5 (1);

(b) by omitting the definition of “inspector”;

\*No. 1 of 1971. For this Act, as amended to 1st October 1980, see the continuing Reprint of Statutes. Subsequently amended by No. 29 of 1984.

(c) by omitting the definition of “Secretary” and substituting the following definition:—

“Secretary” means the person appointed as secretary of the Consumer Affairs Council pursuant to section 5 of the *Consumer Affairs Act 1970*;

Repeal of section 4 of Principal Act (Saving).

4—Section 4 of the Principal Act is repealed.

Repeal and substitution of section 5 of Principal Act.

5—Section 5 of the Principal Act is repealed and the following section is substituted:—

Authorized officers.

5—(1) The following persons are prescribed as authorized officers for the purposes of this Act:—

(a) the Secretary; and

(b) any person who is appointed as an officer of the Consumer Affairs Council pursuant to section 5 of the *Consumer Affairs Act 1970*.

(2) The Secretary shall issue to an authorized officer a certificate certifying the authority of such an officer to act as an authorized officer for the purposes of this Act.

Amendment of section 6 of Principal Act (Powers and duties of authorized officers).

6—Section 6 of the Principal Act is amended as follows:—

(a) by omitting from subsection (1) “inspector”, where twice occurring, and substituting “authorized officer”;

(b) by omitting from subsection (2) (a) “inspector” and substituting “authorized officer”;

(c) by omitting subsection (3) and substituting the following subsection:—

(3) An authorized officer who seeks to enter a place pursuant to this section shall, if requested by the person apparently in charge of the place, produce to that person the certificate issued by the Secretary under section 5.

7—Section 11 of the Principal Act is repealed and the following section is substituted:—

Repeal and substitution of section 11 of Principal Act.

11—Sections 9 and 10 (a) apply in relation to—

Application of certain provisions.

(a) trade descriptions to goods to which this Part relates; and

(b) trade descriptions to such other goods as may be prescribed by regulations made under this Act.

8—Section 16 (2) of the Principal Act is amended by inserting the following paragraph after paragraph (b):—

Amendment of section 16 of Principal Act (Regulations).

(ba) may, in relation to other goods, prescribe and regulate the form of the trade description to be applied to the goods and the manner in which it shall be applied to the goods, including any covering, document, card, label, reel, or thing used in connection with the goods;

9—After section 16 of the Principal Act, the following section is inserted:—

Insertion in Principal Act of new section 17.

17—(1) The regulations may adopt, either wholly or in part, and either specifically or by reference and with or without modification, a standard or specification of a prescribed authority, being a standard or specification specified in the regulations and dealing with a matter to which the regulations relate, whether the standard or specification is published or issued before or after the commencement of section 9 of the *Goods (Trade Descriptions) Amendment Act 1987*.

Adoption of standards by reference.

(2) In subsection (1), “prescribed authority” means—

(a) the Standards Association of Australia;

(b) the British Standards Institution; and

(c) such other body as may be specified in the regulations for the purposes of this section.

(3) A reference in subsection (1) to a standard or specification includes a reference to an amendment of that standard or specification, whether the amendment is published or issued before or after the commencement of section 9 of the *Goods (Trade Descriptions) Amendment Act 1987*.

(4) In subsection (3), “amendment” means—

(a) the omission of matter;

(b) the insertion of additional matter; and

(c) the omission of matter and the substitution of other matter.

Amendment of  
section 15 of  
Principal Act  
(Saving of  
certain rights).

**10**—Section 15 (1) (c) of the Principal Act is amended by omitting “inspector, gives to the inspector” and substituting “authorized officer, gives to that authorized officer”.