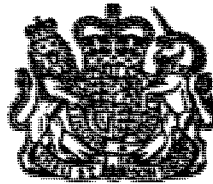


South Australia



ANNO QUADRAGESIMO NONO
ELIZABETHAE II REGINAE
A.D. 2000

**STATUTES AMENDMENT (CONSUMER AFFAIRS—PORTFOLIO)
ACT 2000**

No. 43 of 2000

[Assented to 13 July 2000]

An Act to amend the Fair Trading Act 1987, the Land and Business (Sale and Conveyancing) Act 1994, the Prices Act 1948 and the Trade Standards Act 1979.

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Further Amendment of the Prices Act 1948

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Further Amendment of the Trade Standards Act 1979

The Parliament of South Australia enacts as follows:

**PART 1
PRELIMINARY**

Short title

1. This Act may be cited as the *Statutes Amendment (Consumer Affairs—Portfolio) Act 2000*.

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Interpretation

3. A reference in this Act to "the principal Act" is a reference to the Act referred to in the heading to the Part in which the reference occurs.

**PART 2
AMENDMENT OF FAIR TRADING ACT 1987**

Amendment of s. 75—Offences against this Part

4. Section 75 of the principal Act is amended by striking out subsections (1) and (2) and substituting the following subsection:

(1) A person who contravenes, or is involved in a contravention of, a provision of this Part (other than section 56 or 57) is guilty of an offence.

Maximum penalty: In the case of a body corporate—\$100 000.
In any other case—\$20 000.

Substitution of s. 87

5. Section 87 of the principal Act is repealed and the following section is substituted:

Prosecutions

87. (1) Proceedings for a summary offence against this Act must be commenced—

- (a) in the case of an expiable offence—within the time limits prescribed for expiable offences by the *Summary Procedure Act 1921*;
- (b) in any other case—within two years of the date on which the offence is alleged to have been committed or, with the authorisation of the Minister, at a later time within five years of that date.

(2) In any proceedings, an apparently genuine document purporting to be a certificate of the Minister certifying authorisation of proceedings for an offence against this Act will be accepted, in the absence of proof to the contrary, as proof of the authorisation.

Statute law revision amendments

6. The principal Act is further amended in the manner indicated in Schedule 1.

PART 3**AMENDMENT OF LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994****Amendment of s. 12—Councils, statutory authorities and prescribed bodies to provide information**

7. Section 12 of the principal Act is amended by inserting in subsection (2) "or prescribed body" after "statutory authority" (twice occurring).

Amendment of s. 40—Prosecutions

8. Section 40 of the principal Act is amended by striking out subsection (1) and substituting the following subsection:

- (1) Proceedings for a summary offence against this Act must be commenced—
- (a) in the case of an expiable offence—within the time limits prescribed for expiable offences by the *Summary Procedure Act 1921*;
 - (b) in any other case—within two years of the date on which the offence is alleged to have been committed or, with the authorisation of the Minister, at a later time within five years of that date.

Statute law revision amendments

9. The principal Act is further amended in the manner indicated in Schedule 2.

PART 4**AMENDMENT OF PRICES ACT 1948****Substitution of s. 50A**

10. Section 50A of the principal Act is repealed and the following section is substituted:

Prosecutions

50A. (1) Proceedings for a summary offence against this Act must be commenced—

- (a) in the case of an expiable offence—within the time limits prescribed for expiable offences by the *Summary Procedure Act 1921*;
- (b) in any other case—within two years of the date on which the offence is alleged to have been committed or, with the authorization of the Minister, at a later time within five years of that date.

(2) Proceedings for an offence against this Act cannot be commenced except by—

- (a) an authorized officer; or
- (b) a person who has the consent of the Minister to commence the proceedings.

(3) In any proceedings, an apparently genuine document purporting to be a certificate of the Minister certifying authorization of, or consent to, proceedings for an offence against this Act will be accepted, in the absence of proof to the contrary, as proof of the authorization or consent.

Statute law revision amendments

11. The principal Act is further amended in the manner indicated in Schedule 3.

PART 5
AMENDMENT OF TRADE STANDARDS ACT 1979

Amendment of s. 8—Establishment of Council

12. Section 8 of the principal Act is amended—

(a) by striking out paragraphs (c), (ca), (d) and (e) of subsection (2) and substituting the following paragraphs:

- (c) one will be a person nominated by the Minister who, in the opinion of the Minister, is an appropriate person to represent the interests of employers in commerce and industry; and
- (d) one will be a person nominated by the Minister who, in the opinion of the Minister, is an appropriate person to represent the interests of suppliers of goods; and
- (e) one will be a person nominated by the Minister who, in the opinion of the Minister, has appropriate experience in the determination of standards of safety or quality in relation to the manufacture of goods or the supply of goods or services; and
- (f) one will be a person nominated by the Minister who, in the opinion of the Minister, is an appropriate person to represent the interests of consumers.;

(b) by striking out subsection (3).

Substitution of s. 43

13. Section 43 of the principal Act is repealed and the following section is substituted:

Prosecutions

43. (1) Proceedings for a summary offence against this Act must be commenced—

- (a) in the case of an expiable offence—within the time limits prescribed for expiable offences by the *Summary Procedure Act 1921*;
- (b) in any other case—within two years of the date on which the offence is alleged to have been committed or, with the authorisation of the Minister, at a later time within five years of that date.

(2) Proceedings for an offence against this Act cannot be commenced except by—

- (a) a standards officer; or
- (b) a person who has the consent of the Minister to commence the proceedings.

(3) In any proceedings, an apparently genuine document purporting to be a certificate of the Minister certifying authorisation of, or consent to, proceedings for an offence against this Act will be accepted, in the absence of proof to the contrary, as proof of the authorisation or consent.

Statute law revision amendments

14. The principal Act is further amended in the manner indicated in Schedule 4.

SCHEDULE 1
Further Amendment of the Fair Trading Act 1987

Provision Amended	How Amended
Section 2	Strike out this section.
Section 5(1)	Strike out "shall" and substitute "will".
Section 5(2)	Strike out "shall" and substitute "will".
Section 8(2)	Strike out "shall" and substitute "must".
Section 11	Strike out "shall" and substitute "must". Strike out the penalty provision and substitute: Maximum penalty: \$10 000.
Section 12(1)	Strike out "shall" and substitute "must".
Section 12(2)	Strike out "shall" and substitute "must".
Section 14(2)(a)	Strike out "shall" and substitute "is to".
Section 14(4)	Strike out "section 552 of the <i>Companies (South Australia) Code</i> " and substitute "section 1018 or 1019, or Division 6 of Part 7.12, of the <i>Corporations Law</i> ".
Section 15(2)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 16(2)	Strike out "shall be deemed" and substitute "will be taken".
Section 16(4)	Strike out "shall" and substitute "will".
Section 17(2)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 18(1)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 18(2)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 19	Strike out "no dealer shall" and substitute "a dealer must not". Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 20(1)	Strike out "shall" and substitute "must". Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 20(2)	Strike out "shall" and substitute "must". Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 21(1)	Strike out "No dealer or other person shall" and substitute "A dealer or other person must not". Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 21(2)	Strike out "No dealer or other person shall" and substitute "A dealer or other person must not". Strike out the penalty provision and substitute: Maximum penalty: \$5 000.

Section 22(3)(a)	Strike out "notwithstanding" and substitute "despite".
Section 22(3)(b)	Strike out "notwithstanding" and substitute "despite the fact".
Section 23(3)	Strike out "shall be deemed" and substitute "will be taken".
Section 24(1)	Strike out "shall" and substitute "must".
Section 24(1)(a)	Strike out "shall" and substitute "must".
Section 24(1)(b)	Strike out "shall" and substitute "must".
Section 24(2)	Strike out "shall be deemed" and substitute "will be taken". Strike out "shall" (second occurring).
Section 24(7)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 27(1)	Strike out "no person shall" and substitute "a person must not". Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 27(5)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 28(1)	Strike out "shall" and substitute "must". Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 28(4)(b)	Strike out "shall" and substitute "will".
Section 29(1)	
definition of "reporting agency"	Strike out "that" and substitute "who".
Section 29(2)	Strike out "shall" and substitute "will".
Section 31(1)	Strike out "shall" and substitute "must".
Section 31(2)	Strike out "shall" and substitute "must".
Section 31(3)	Strike out "shall" and substitute "must".
Section 32	Strike out "shall" and substitute "must".
Section 33(1)	Strike out "shall" and substitute "must".
Section 33(3)	Strike out "shall" (first occurring) and substitute "must". Strike out "shall" (second occurring) and substitute "will".
Section 33(4)	Strike out "shall" and substitute "must".
Section 34(2)	Strike out "shall" and substitute "must".
Section 34(3)	Strike out "shall" and substitute "must".
Section 34(4)(a)	Strike out "shall" and substitute "must".
Section 34(4)(b)	Strike out "shall" and substitute "must".
Section 34(7)	Strike out "shall" and substitute "must".
Section 36	Strike out "that" and substitute "who". Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 37(3)	Strike out "shall be" and substitute "is".

Section 37(4)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000 or imprisonment for 2 years.
Section 38(1)	Strike out "shall" and substitute "must". Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 38(2)	Strike out "shall" and substitute "must". Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 40	Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 41	Strike out "shall" and substitute "must". Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 42(2)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 43(1)	Strike out "shall" and substitute "must". Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 43(2)	Strike out "shall" and substitute "must". Strike out the penalty provision and substitute: Maximum penalty: \$2 500 or imprisonment for 6 months.
Section 45B	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 46(1)	
definition of "services"	Strike out "the foregoing" and substitute "this definition". Strike out "moneys" and substitute "money".
Section 46(2)	Strike out "shall" and substitute "is to".
Section 46(3)	Strike out "shall" and substitute "is to".
Section 47	Strike out "notwithstanding" and substitute "despite the fact".
Section 48(1)(a)	Strike out "shall" and substitute "will".
Section 48(1)(b)	Strike out "shall" and substitute "will".
Section 48(2)(b)	Strike out "shall" and substitute "will".
Section 48(2)(c)	Strike out "shall" and substitute "will".
Section 48(2)(d)	Strike out "shall" and substitute "will".
Section 48(2)(e)	Strike out "shall be deemed" (wherever occurring) and substitute, in each case, "will be taken".
Section 48(3)	Strike out "shall" and substitute "will".
Section 50(a)	Strike out "shall be deemed" and substitute "will be taken".
Section 50(b)	Strike out "shall be deemed" and substitute "will be taken".
Section 51(a)	Strike out "shall" (wherever occurring) and substitute, in each case, "will". Strike out "notwithstanding" and substitute "despite".
Section 51(b)	Strike out "shall" and substitute "will".

Section 51(c)	Strike out "shall" and substitute "will".
Section 54(1)	Strike out "shall" and substitute "will".
Section 54(2)	Strike out "shall" and substitute "will". Strike out "deemed" and substitute "taken".
Section 54(3)	Strike out "shall be deemed not to" and substitute "does not".
Section 56(1)	Strike out "shall" and substitute "must".
Section 56(2)	Strike out "shall be taken as limiting" and substitute "limits".
Section 57(1)	Strike out "shall" and substitute "must".
Section 57(3)	Strike out "shall" and substitute "will".
Section 57(4)(a)	Strike out "shall not" and substitute "is not to".
Section 58	Strike out "shall" and substitute "must".
Section 59(1)	Strike out "shall" and substitute "must".
Section 59(2)	Strike out "shall" and substitute "must".
Section 59(3)	Strike out "shall" and substitute "will".
Section 60	Strike out "shall" and substitute "must".
Section 61	Strike out "shall" and substitute "must".
Section 62	Strike out "shall" and substitute "must".
Section 63	Strike out "shall" and substitute "must".
Section 64	Strike out "shall" and substitute "must".
Section 65(1)	Strike out "shall" and substitute "must".
Section 65(2)	Strike out "shall" and substitute "must".
Section 66	Strike out "shall" and substitute "must".
Section 67	Strike out "shall" and substitute "must".
Section 68(1)	Strike out "shall" and substitute "must".
Section 68(2)(b)	Strike out "moneys" and substitute "money".
Section 68(2)	Strike out "shall" and substitute "must".
Section 69	Strike out "shall" and substitute "must".
Section 70(4)(a)	Strike out "shall" and substitute "will".
Section 70(4)(c)	Strike out "shall" and substitute "will".
Section 70(6)(a)	Strike out "shall" and substitute "will".
Section 70(6)(c)	Strike out "shall" and substitute "will".
Section 71(1)	Strike out "shall" and substitute "must".
Section 71(3)	Strike out "shall" and substitute "must".
Section 72(1)	Strike out "shall" and substitute "must".
Section 72(2)	Strike out "shall" and substitute "must".
Section 72(3)	Strike out "shall" and substitute "must".

Section 72(5)	Strike out "shall" and substitute "will".
Section 72(6)	Strike out "shall" and substitute "will".
Section 72(7)	Strike out "shall be deemed" and substitute "will be taken".
Section 74(1)	Strike out "sections" and substitute "section".
Section 74(3)	Strike out " <i>and Television</i> ".
definition of "consortium"	Strike out "the foregoing" and substitute "this definition".
definition of "prescribed information provider"	Strike out " <i>and Television</i> ". Insert "Corporation" after "Special Broadcasting Service".
definition of "relevant goods or services"	Strike out "section 7(5) of the <i>Companies (South Australia) Code</i> " and substitute "section 50 of the <i>Corporations Law</i> ".
definition of "relevant interests in land"	Strike out "section 7(5) of the <i>Companies (South Australia) Code</i> " and substitute "section 50 of the <i>Corporations Law</i> ".
Section 76(7)(e)	Strike out "shall" and substitute "will".
Section 77(2)	Strike out "shall" and substitute "must". Strike out the penalty provision and substitute: Maximum penalty: \$10 000.
Section 81(1)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 83(3)(a)	Strike out "a" and substitute "the".
Section 85(1)	Strike out "a" (first occurring) and substitute "the".
Section 86(1)(a)	Strike out "a" (first occurring) and substitute "the".
Section 86(5)	Strike out "shall" and substitute "must". Strike out the penalty provision and substitute: Maximum penalty: In the case of a body corporate—\$100 000. In any other case—\$20 000.
Section 91(3)	Strike out "shall" and substitute "will".
Section 91(4)	Strike out "shall" and substitute "will".
Section 91(5)	Strike out "shall" and substitute "will". Strike out "deemed" and substitute "taken".
Section 93	Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 94	Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 96	Strike out "notwithstanding" and substitute "despite".
Section 97(3)(d)	Strike out "\$1 000" and substitute "\$1 250".
Schedule	Strike out the schedule.

SCHEDULE 2

Further Amendment of the Land and Business (Sale and Conveyancing) Act 1994

Provision Amended	How Amended
Section 2	Strike out this section.
Section 12(1)(b)	Strike out " <i>Builders Licensing Act 1986</i> " and substitute " <i>Building Work Contractors Act 1995</i> ".
Section 14	Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 18(1)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000 or imprisonment for 1 year.
Section 20	Strike out the penalty provision and substitute: Maximum penalty: \$2 500. Expiation fee: \$80.
Section 21(1)	Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 21(2)	Strike out the penalty provision and substitute: Maximum penalty: \$2 500. Expiation fee: \$80.
Section 23(1)	Strike out the penalty provision and substitute: Maximum penalty: \$2 500 or imprisonment for 6 months.
Section 23(2)	Strike out the penalty provision and substitute: Maximum penalty: \$2 500 or imprisonment for 6 months.
Section 24(1)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Section 27	Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 28	Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 29(1)	Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 29(2)	Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 29(3)	Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 30	Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 36(1)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000 or imprisonment for 1 year.
Section 41(2)(b)	Strike out "division 7 fine" and substitute "fine of \$2 500".
Section 41(2)(c)	Strike out "division 7 fee" and substitute "fee of \$210".

SCHEDULE 3
Further Amendment of the Prices Act 1948

Provision Amended	How Amended
Section 13(1)	Insert "the" after "committees for".
Section 13(2)	Strike out "minute" and substitute "instrument".
Section 14(a)	Strike out "chairman" and substitute "presiding member".
Section 17(3)	Strike out "chairman" and substitute "presiding member".
Section 50(2)	Strike out "\$2 000" and substitute "\$2 500".
Section 51(2)(c)	Strike out this paragraph and substitute: (c) prescribe a fine not exceeding \$750 for contravention of, or non-compliance with, a regulation.

SCHEDULE 4

Further Amendment of the Trade Standards Act 1979

Provision Amended	How Amended
Long title	Strike out "to repeal the Sale of Furniture Act 1904-1975; the Goods (Trade Descriptions) Act 1935-1969; the Textile Products Description Act 1953-1972; the Packages Act 1967-1972; the Footwear Regulation Act 1969-1972; the Flammable Clothing Act 1973;".
Section 2	Strike out this section.
Section 4	Strike out this section.
Section 5(1)	
definition of "the Council"	Strike out "of this Act".
definition of "information standard"	Strike out "of this Act".
definition of "package"	Strike out "of this definition".
definition of "packaging standard"	Strike out "of this Act".
definition of "quality standard"	Strike out "of this Act".
definition of "safety standard"	Strike out "of this Act".
definition of "standards officer"	Strike out "of this Act".
definition of "supply"	Strike out "of this paragraph" (wherever occurring).
Section 5(2)	Strike out "shall be deemed" (twice occurring) and substitute, in each case, "will be taken".
Section 5(3)	Insert "if the person" after "in relation to goods".
Section 5(3)(a) - (e)	Strike out "if he" (wherever occurring).
Section 5(3)(e)	Strike out "of this subsection".
Section 5(4)	Strike out "shall be deemed" and substitute "will be taken".
Section 5(5)	Strike out "shall be deemed" and substitute "will be taken". Strike out "he" and substitute "the person". Strike out "himself" and substitute "him or her". Strike out "paragraph (a), (b), (c) or (d) of subsection (3) of this section" and substitute "subsection (3)(a), (b), (c) or (d)".
Section 5(6)	Strike out "he" and substitute "the person".
Section 7(1)	Strike out "shall be" and substitute "are". Strike out "shall" (second occurring) and substitute "do".
Section 7(2)	Strike out "shall" and substitute "do".
Section 8(1)	Strike out this subsection and substitute: (1) The <i>Trade Standards Advisory Council</i> is established.
Section 8(2)	Strike out "shall" (first occurring) and substitute "will".

- Section 8(2)(a) Strike out "shall" (first occurring) and substitute "will".
Strike out "shall be the chairman" and substitute "will be the
presiding member".
- Section 8(2)(b) Strike out "shall" and substitute "will".
Strike out "1975-1979" and substitute "1976".
- Section 9(1) Strike out "shall" (first occurring) and substitute "will".
Strike out "his" and substitute "a".
Strike out "shall be" and substitute "is".
- Section 9(2) Strike out "of any member while acting in the absence of the
member of whom he is, or has been appointed, deputy, shall be
deemed to be a member of the Council and shall have all the
powers, authorities, duties and obligations of that member" and
substitute "may, in the absence of that member, act as a member
of the Council".
- Section 9(4) Strike out "shall become vacant if" and substitute "becomes vacant
if the member".
- Section 9(4)(a), (c), (d), (e) Strike out "he" (wherever occurring).
- Section 9(4)(b) Strike out this paragraph and substitute:

(b) completes a term of office and is not reappointed; or.
- Section 9(4)(d) Strike out "chairman of the Council" and substitute "presiding
member".
- Section 9(4)(e) Strike out "of this section".
- Section 9(5) Strike out "shall" (first occurring) and substitute "will".
Strike out "the term for which he was appointed, a person
appointed in his place shall" and substitute "a term of office the
successor will".
Strike out "of his predecessor".
- Section 10 Strike out "shall be" and substitute "is".
- Section 11(1) Strike out "shall" (first occurring).
Strike out "shall" (second occurring) and substitute "may".
- Section 11(2) Strike out "chairman" (twice occurring) and substitute, in each
case, "presiding member".
Strike out "shall" (twice occurring) and substitute, in each case,
"will".
Insert "or she" after "he".
Insert "or her" after "his".
- Section 11(3) Strike out "shall be" and substitute "is".
- Section 11(4) Strike out "shall be" and substitute "is".
Strike out "shall" (second occurring) and substitute "has".
Strike out "have".
- Section 11(5) Strike out "shall" and substitute "will".
- Section 12 Strike out "shall not be" and substitute "is not".
Strike out "notwithstanding" and substitute "despite".
Strike out "shall be" and substitute "is".
- Section 13 Insert "the" after "connected with".
- Section 14(1) Strike out "published".

Section 14(2)	Strike out "shall" and substitute "will".
Section 14(3)	Strike out "shall" and substitute "must". Insert "or her" after "his".
Section 15(2)	Strike out "his". Strike out "he" and substitute "the officer".
Section 15(3)	Strike out "shall" and substitute "must". Strike out "his". Strike out the penalty provision and substitute: Maximum penalty: \$750.
Section 15(4)	Strike out "shall" and substitute "must". Strike out "his" and substitute "the person's". Strike out the penalty provision and substitute: Maximum penalty: \$750.
Section 15(5)	Strike out "his or her".
Section 15(6)	Strike out "shall" and substitute "must". Strike out the penalty provision and substitute: Maximum penalty: \$750.
Section 15(7)	Strike out "shall" and substitute "must". Strike out "his" and substitute "the person's".
Section 16(2)	Strike out "shall" (twice occurring) and substitute, in each case, "must". Strike out the penalty provision and substitute: Maximum penalty: \$1 250.
Section 16(3)	Strike out "his or her".
Section 17	Strike out "shall" and substitute "must". Strike out the penalty provision and substitute: Maximum penalty: \$1 250.
Section 19	Strike out "shall" and substitute "must". Insert "or she" after "he". Strike out the penalty provision and substitute: Maximum penalty: \$1 250.
Section 20	Strike out "on his behalf". Strike out "shall" and substitute "will".
Section 21	Strike out "shall" and substitute "must".
Section 22(1)	Strike out the penalty provision and substitute: Maximum penalty: \$10 000. Expiation fee: \$315.
Section 22(2)	Strike out the penalty provision and substitute: Maximum penalty: \$10 000. Expiation fee: \$315.
Section 24(1) and (2)	Strike out "Penalty" (twice occurring) and substitute, in each case, "Maximum penalty".
Section 26A(3)	Strike out "Penalty" and substitute "Maximum penalty".
Section 27A(5)(a)	Strike out "characteristics" and substitute "characteristic".
Section 27A(11)	Strike out "Penalty" and substitute "Maximum penalty".

Section 27B(5)(a)	Strike out "Chairman" and substitute "presiding member".
Section 27C(2)	Strike out "Penalty" and substitute "Maximum penalty".
Section 28	Strike out "The" and substitute "This".
Section 29(1)	Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 29(2)	Strike out the penalty provision and substitute: Maximum penalty: \$2 500.
Section 32	Strike out "No person shall" and substitute "A person must not". Strike out the penalty provision and substitute: Maximum penalty: \$10 000. Expiation fee: \$315.
Section 33(2)	Strike out "of this section".
Section 33(2)(f)	Strike out "one thousand dollars" and substitute "\$1 250".
Section 34	Strike out "No person shall" and substitute "A person must not". Strike out the penalty provision and substitute: Maximum penalty: \$5 000. Expiation fee: \$160.
Section 35(2)	Strike out "of this section".
Section 35(2)(b) and (c)	Strike out "shall" (twice occurring) and substitute, in each case, "must".
Section 35(2)(e)	Strike out "of this subsection".
Section 35(2)(f)	Insert the following word and paragraph after paragraph (e): and (f) provide for and prescribe penalties not exceeding, in each case, \$1 250 for breach of, or non compliance with, any regulations made under this section.
Section 36(4)	Strike out "Any" and substitute "A". Strike out "shall be" and substitute "is".
Section 37(1)	Strike out "shall, subject to subsection (2) of this section, be" and substitute "is, subject to subsection (2),".
Section 37(1)(a)	Insert "or her" after "him". Insert "or her" after "his" (twice occurring).
Section 37(1)(b)	Insert "or she" after "he".
Section 37(2)	Strike out "a person shall" and substitute "the defendant is". Strike out "be". Insert "or her" after "him". Strike out "he" and substitute "the defendant". Strike out "his" and substitute "the defendant's".
Section 38	Strike out "any" (twice occurring) and substitute, in each case, "a".
Section 39(1)	Strike out "shall" and substitute "will".
Section 39(2)	Strike out "of this section shall" and substitute "will".

Section 40(1)	Strike out "any person" and substitute "a person". Strike out "therein" and substitute "in the information". Strike out "therefrom" and substitute "from the information". Strike out "shall" and substitute "will".
Section 40(2)	Strike out "therein" and substitute "in or on the packaged goods". Strike out "therefrom" and substitute "from the packaged goods". Strike out "thereon" and substitute "in or on the packaged goods". Strike out "shall" and substitute "will".
Section 40(3)	Strike out "shall" and substitute "will".
Section 40(4)	Strike out "shall" and substitute "will".
Section 41	Strike out "shall be" and substitute "are". Strike out "liable" and substitute "each liable". Strike out "he" (first occurring) and substitute "the person". Insert "or she" after "he" (second and third occurring).
Section 42	Strike out "he could establish". Strike out "of this Act" and substitute "could be established".
Section 42(a)(i)	Strike out "shall be" and substitute "is". Strike out "firstmentioned" and substitute "principal".
Section 42(b)	Strike out "shall be" and substitute "is".
Section 45(2)	Strike out "of this section".
Section 45(2)(b)	Strike out "\$500" and substitute "\$750".
Section 45(2)(c)	Strike out "\$100" and substitute "\$125".
Section 45(4)	Insert the following subsection after subsection (3): (4) If a code is referred to or incorporated in the regulations— (a) a copy of the code must be kept available for inspection by members of the public, without charge and during normal office hours, at an office determined by the Minister; and (b) evidence of the contents of the code may be given in any legal proceedings by production of a document apparently certified by the Minister to be a true copy of the code.
