



ANNO DECIMO

ELIZABETHAE II REGINAE

A.D. 1961

No. 10 of 1961

An Act to amend the Sale of Furniture Act, 1904-1935.

[Assented to 19th October, 1961.]

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

1. (1) This Act may be cited as the "Sale of Furniture Act Amendment Act, 1961". Short titles.
- (2) The Sale of Furniture Act, 1904-1935, as amended by this Act, may be cited as the "Sale of Furniture Act, 1904-1961".
- (3) The Sale of Furniture Act, 1904-1935, is hereinafter referred to as "the principal Act".
2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.
3. Section 3 of the principal Act is amended by inserting therein after the word "brand" the word "label". Amendment of principal Act, s. 3.
4. Section 5 of the principal Act is amended— Amendment of principal Act, s. 5.
 - (a) by adding at the end thereof the words "or have permanently affixed thereto a label bearing the name of the manufacturer in an indelible permanent ink or stain";
 - (b) by inserting therein the following subsection (the previous portion of the section being designated as subsection (1) thereof) :—

(2) A person shall not sell any furniture which is either not stamped in an indelible permanent ink or stain or impression with, or does not bear a label permanently affixed thereto bearing in an indelible permanent ink or stain, the name of the manufacturer and the name of the State of the Commonwealth of Australia or of the country of origin thereof (as the case may be): Provided that this subsection shall not apply in respect of any furniture sold otherwise than in the course of trade or in respect of any secondhand furniture.

In this subsection the verb "sell" includes sell, barter, exchange, agree to sell, barter or exchange, offer, expose, send, consign or deliver for or on sale, and cause or suffer or attempt to do any of such acts or things.

Amendment of
principal Act,
s. 6.

5. Section 6 of the principal Act is amended so as to read as follows:—

Place for
stamp.

6. (1) The stamp or label shall be stamped or affixed 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.

(2) The particulars prescribed by section 5 of this Act shall be in the English language in clearly legible characters.

Amendment of
principal Act,
s. 7.

6. Section 7 of the principal Act is amended by striking out the words "three days" therein and inserting in lieu thereof the words "seven days".

Enactment of
principal Act,
s. 8a.

7. The following section is inserted in the principal Act after section 8 thereof:—

Obstructing
inspector.

8a. Any person who—

(a) obstructs or hinders any inspector in the exercise of any of the powers conferred or the discharge of any of the duties imposed by this Act upon an inspector; or

(b) without lawful excuse refuses to answer or fails to answer truly any question put to him by an inspector in the exercise of his powers under this Act;

shall be guilty of an offence.

8. Section 9 of the principal Act is amended by striking out the words "five pounds" therein and inserting in lieu thereof the words "twenty-five pounds".

Amendment of
principal Act,
s. 9.

9. The following section is inserted in the principal Act after section 9 thereof:—

Enactment of
principal Act,
s. 9a—

9a. No inspector shall be liable, except in respect of any wilful neglect or default, to any legal proceedings for anything done in pursuance of this Act.

Protection to
inspector.

10. The amendments effected by this Act shall not apply in respect of any furniture imported into the State prior to the commencement of this Act.

Operation.

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

EDRIC BASTYAN, Governor.