



## NORTHERN TERRITORY OF AUSTRALIA

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No. 85 of 1981

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### AN ACT

To amend the Weights and Measures (Packaged Goods) Act

[Assented to 21 September 1981]

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

#### 1. SHORT TITLE

This Act may be cited as the Weights and Measures (Packaged Goods) Amendment Act 1981.

#### 2. PRINCIPAL ACT

The Weights and Measures (Packaged Goods) Act is in this Act referred to as the Principal Act.

#### 3. PACKAGES TO BE MARKED WITH PARTICULARS OF QUANTITY

Section 9(3) of the Principal Act is amended by inserting after "contained in the package," the word "is,".

#### 4. NEW SECTION

The Principal Act is amended by inserting after section 9 the following:

##### "9A. PACKAGES TO BE MARKED WITH DATE

"(1) This section applies to such articles, and to articles included in such classes of articles, as are specified in the Regulations to be articles to which this section applies.

"(2) Where an article to which this section applies has been packed for sale in a package on which there is not marked, in the prescribed manner, either -

(a) the date on which the article was packed; or

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(b) the date by which the article should be used,

the person who packed the article is, subject to section 19, guilty of an offence against this sub-section.

"(3) A person who sells an article to which this section applies that has been, whether inside or outside the Territory, packed for sale in a package on which there is not marked, in the prescribed manner, either -

(a) the date on which the article was packed; or

(b) the date by which the article should be used,

is, subject to section 19, guilty of an offence against this sub-section.

"(4) The penalty for an offence against sub-section (2) or (3) is, subject to sub-section (5), a fine not exceeding \$200.

"(5) Where a person who has been convicted of an offence against sub-section (2) or (3) is subsequently convicted of an offence against either of those sub-sections committed after the date of the first-mentioned offence, that person is liable, on his subsequent conviction for such an offence, to a fine not exceeding \$400."

5. MARKING ON ARTICLES OF NET MASS WHEN PACKED, &c.

Section 12(3) of the Principal Act is amended by omitting all words from and including "and the regulations so made".

6. MARKING ON ARTICLES OF NET MASS AT STANDARD CONDITION, &c.

Section 13(1) of the Principal Act is amended by omitting from paragraph (b) all words from and including "including provisions requiring".

7. SUPERINTENDENT MAY APPROVE BRAND

Section 17 of the Principal Act is amended -

(a) by adding at the end of sub-section (1) "or the date by which an article contained in that package should be used"; and

(b) by inserting in sub-section (6) after "an article is packed" the words "or by which an article should be used".

8. EVIDENTIARY PROVISIONS

Section 21(1)(h)(ii) of the Principal Act is amended by inserting after "representing a date" the words "on which the article was packed".

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9. POWERS OF INSPECTOR

Section 24 of the Principal Act is amended by adding the following:

"(3) A person shall not obstruct or hinder an inspector or a person assisting an inspector in the exercise of the inspector's powers or the performance of the inspector's duties or functions under this Act.

Penalty: \$200."

10. EXEMPTIONS

Section 27(4) of the Principal Act is amended by omitting paragraph (a).

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