

# STATUTORY RULES

1973 No.

REGULATIONS UNDER THE COMMERCE (TRADE DESCRIPTIONS)  
ACT 1905-1966.\*

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia,  
acting with the advice of the Federal Executive Council, hereby make the  
following Regulations under the *Commerce (Trade Descriptions) Act 1905-1966*.

Dated this *fourth*  
day of *May*, 1973.

Paul Hasluck  
Governor-General.

By His Excellency's Command,

(Sgd) LIONEL MURPHY

Minister of State for Customs and Excise.

AMENDMENTS OF THE COMMERCE (IMPORTS) REGULATIONS†

1. Regulation 5 of the Commerce (Imports) Regulations is amended—  
(a) by omitting the definition of "appointed analyst"; and  
(b) by omitting from the definition of "'rolled gold' and 'gold-cased'"  
the figures and words "60 degrees Fahrenheit" and substituting  
the figures and words "16 degrees Celsius".  
Definitions.
2. Regulation 7 of the Commerce (Imports) Regulations is amended by  
omitting from paragraph (ha) of sub-regulation (1) the words "twenty-four  
square inches" and substituting the words "one hundred and fifty-five square  
centimetres".  
Additional  
prohibition  
of certain  
imports.
3. Regulation 10 of the Commerce (Imports) Regulations is amended by  
omitting the words "pint or pound weight" and substituting the words "pint,  
litre, pound or kilogramme".  
Articles  
used for food  
or drink  
by man.
4. Regulation 13 of the Commerce (Imports) Regulations is amended by  
omitting from sub-regulation (3) the words "one pound" and substituting the  
figures and word "500 grams".  
Agricultural  
seeds.
5. Regulations 23, 24 and 25 of the Commerce (Imports) Regulations are  
repealed and the following regulations substituted:—  
"23. Goods to which a trade description is applied, goods specified in sub-  
regulation (1) of regulation 7 and goods that an officer has reasonable grounds  
to believe are goods so specified are goods prescribed for the purposes of section  
5 of the *Commerce (Trade Descriptions) Act 1905-1966*.  
Inspection of  
prescribed  
goods.

\* Notified in the *Commonwealth Gazette* on 1973.  
† Statutory Rules 1940, No. 280, as amended by Statutory Rules 1949, No. 46; 1951, No. 154;  
1952, No. 48; 1953, No. 54; 1954, Nos. 73 and 104; 1955, Nos. 33 and 68; 1959, No. 74; 1963,  
No. 21; 1969, No. 200; and 1973, No. 41.

" 24. (1) The Minister may appoint persons who have the necessary qualifications to be analysts for the purposes of these Regulations. **Analysts.**

" (2) An officer of the Department of Science holding, or for the time being performing the duties of, a prescribed office in that Department has all the powers of an analyst for the purposes of these Regulations.

" (3) The following offices are prescribed offices for the purpose of sub-regulation (2):—

- (a) Commonwealth Analyst;
- (b) Chief Chemist;
- (c) Principal Chemist;
- (d) Chemist, Class 3;
- (e) Chemist, Class 2;
- (f) Chemist, Class 1;
- (g) Principal Bacteriologist;
- (h) Bacteriologist, Class 3;
- (i) Bacteriologist, Class 2; and
- (j) Bacteriologist, Class 1.

" (4) An analyst may analyse samples of prescribed goods that are taken by an officer under the *Commerce (Trade Descriptions) Act 1905-1966*.

" 25. (1) In proceedings under the *Customs Act 1901-1971*, the *Commerce (Trade Descriptions) Act 1905-1966* or these Regulations in relation to prescribed goods, a certificate given by an analyst as to the results of an examination of those prescribed goods, or of an analysis of a sample of those prescribed goods, is evidence of the matters stated in the certificate. **Certificates of analysts.**

" (2) Judicial notice shall be taken of the signature of an analyst appearing on a certificate referred to in sub-regulation (1) and of the fact that the person by whom the certificate purports to have been signed is an analyst.

" (3) In this regulation, a reference to an analyst shall be read as including a reference to an officer of the Department of Science who has all the powers of an analyst under sub-regulation (2) of regulation 24."

6. Regulation 26 of the *Commerce (Imports) Regulations* is amended by omitting the words "Twenty pounds" and substituting the words "Forty dollars". **Penalties.**