

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

TRADE MEASUREMENT (AMENDMENT) BILL 1995

EXPLANATORY MEMORANDUM

Circulated by authority of

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Minister for Consumer Affairs

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Outline

This Bill amends the Trade Measurement Act 1991.

The *Trade Measurement (Amendment) Bill 1995* is part of a uniform legislation exercise adopted in New South Wales, the Northern Territory, South Australia and Queensland. The Trade Measurement Acts aimed to standardise laws relating to weights, measures and packaging across State and Territory borders. At the time of its implementation it was seen as an important item of micro-economic reform.

At the time of the formulation of the uniform scheme the States and Territories were unable to conclusively agree on the application of uniform legislation to bread. As a consequence bread was specifically exempted from uniform Trade Measurement Acts including the *Trade Measurement Act 1991*.

At this time the *Weights and Measures Act 1929* was amended to create the *Weights and Measures (Sale of Bread) Act 1929*. Similar measures were adopted in other jurisdictions to provide for some interim regulation of bread sales. The situation of the *Trade Measurement Act 1991* applying to everything but bread has existed in the ACT since 1991.

This amending Bill removes this inconsistency and brings the sale of bread under the general consumer protection provisions of the *Trade Measurement Act 1991*. This provides legislative consistency with New South Wales with respect to the sale of bread.

Revenue/Cost Implications

This Bill has no revenue or cost implications.

Formal Clauses

Clauses 1, 2 and 3 are formal requirements. They refer to the short title of the Bill, commencement and interpretation of the Principal Act. The Bill commences on the day on which it is notified in the *Gazette*.

Consequences for the Regulation of the Sale of Bread

Clauses 4 and 5: repealing subsection 6(3) of the Principal Act (clause 4) and the *Weights and Measures (Sale of Bread) Act 1929* (clause 5) will have the following effects:

- There will no longer be a requirement that bread be sold in prescribed loaf sizes;

- The remaining Weights and Measures Regulations made under the *Weights and Measures (Sales of Bread) Act 1929* will be repealed;
- The *Trade Measurement Act 1991* and consequently the Trade Measurement (Pre-packed Articles) Regulations will apply to Bread;
- Packed bread will be required to be marked with its "net weight" rather than "nominal weight". "Net weight" represents the actual weight of the bread;