

Consumer Trade Practices Regulations 1981

GN No. 171 of 1981

4th July

Regulations made by the Minister under section 6 of the Fair Trading Act 1979

1. These regulations may be cited as the Consumer Trade Practices Regulations 1981.

2. In these regulations--

"commodity" means an item specified in the Schedule;

"container" includes any package, cask, bottle, vessel, box, capsule, frame, can, case, wrapper or any other receptacle in which a commodity or goods is or are presented or prepared for sale;

"country of origin", in relation to goods, means the country in which the goods were manufactured or in which the final process of manufacture took place;

"date of use limit", in relation to a commodity or goods, means a date marked on the container of the commodity or goods by the importer, manufacturer or supplier and purporting to be the time limit for the consumption of the commodity or goods;

"fish" includes edible molluscs and crustacea;

"free sample", in relation to goods, means any sample of goods distributed free of charge by an importer, manufacturer or supplier for purposes of trade or promotion of the goods, either in connection with the sale of the goods or otherwise;

"label" means any writing indelibly or otherwise permanently impressed upon, woven, sewn or worked into, or affixed to, or otherwise marked on, the container of a commodity or goods;

"manufacture" means assemble, make, prepare, produce, put into a container, a commodity or goods by any process.

3. No trader shall for the purposes of trade or promotion-

- (a) pass off the goods or services of one importer, manufacturer or supplier as those of another; or
- (b) sell any free sample of goods.

4. No trader shall sell any packed or canned goods or manufacture goods that are intended for sale, packed or canned, unless the container of the goods bears a conspicuous label indicating-

- (a) the exact nature of the goods;
- (b) the brand name or common name of the goods;
- (c) the country of origin of the goods;
- (d) the name and place of business of the manufacturer of the goods; and

(e) the net contents of the goods in standard metric form.

5. (1) No trader shall-

- (a) put any commodity in a container unless the container bears a conspicuous label indicating the date of use limit;
- (b) sell any commodity which is pocked or canned unless the container of the commodity bears a conspicuous label indicating the date of use limit.

(2) The date chosen for the purposes of indicating a date of use limit under paragraph (1) shall be determined in relation to the nature of the commodity and generally accepted human health requirements.

6. No trader shall-

- (a) sell any commodity or goods whose date of use limit has expired,
- (b) alter, erase, obliterate, remove or forge the date of use limit of any commodity or goods.

7. No trader who has goods/on display for sale shall refuse to sell those goods in the quantity required by a consumer unless-

(a) the goods required by the consumer-

- (i) are, according to trade custom and practice, sold in a sealed container; or
- (ii) form part of a set and cannot, according to trade custom and practice, be sold other than with a set,

(b) the quantity of goods required by the consumer is, according to trade custom and practice, unreasonable.

8. These regulations shall come into operation on the 15th July 1981.

Made by the Minister on the 1st July 1981.

SCHEDULE
(regulation 2)

Baby food
Breakfast cereals
Eggs
Milk
Milk products
Fish, meat or poultry-raw or cooked
Salad dressing