

WESTERN AUSTRALIA

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# BREAD AMENDMENT ACT

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No. 109 of 1987

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**AN ACT to amend the *Bread Act 1982*.**

[Assented to 19 December 1987]

The Parliament of Western Australia enacts as follows:

## **Short title**

1. This Act may be cited as the *Bread Amendment Act 1987*.

## **Commencement**

2. This Act shall come into operation on such day as is, or days as are respectively, fixed by proclamation.

**Principal Act**

3. In this Act the *Bread Act 1982*\* is referred to as the principal Act.

[\*Act No. 106 of 1982 as amended by Act No. 2 of 1985.]

**Section 3 amended**

4. Section 3 of the principal Act is amended—

- (a) by deleting the definition of “Chief Inspector”;
- (b) by deleting the definition of “inspector” and substituting the following definition—

“ “inspector” means a person designated as an inspector under section 5; ”; and

- (c) by deleting the definitions of “roll” and “total dry-matter”.

**Section 5 amended**

5. Section 5 of the principal Act is amended—

- (a) in subsection (1) by deleting “inspectors and other officers” and substituting the following—

“ officers and other persons ”;

- (b) by repealing subsection (2) and substituting the following subsection—

“ (2) The Permanent Head may designate any person referred to in subsection (1) as an inspector. ”;

- (c) in subsection (3)—

- (i) by deleting “, or is deemed to be, appointed” and substituting the following—

“ designated as ”; and

- (ii) in paragraph (c) by deleting “but otherwise under the general supervision and subject to the direction of the Chief Inspector”; and

- (d) in subsection (6) by deleting paragraph (d) and substituting the following paragraph—

“ (d) seize or take away samples of any bread, whether in a bakehouse or elsewhere; ”.

### **Section 6 amended**

6. Section 6 of the principal Act is amended by deleting “Chief Inspector” where it twice occurs and substituting in each place the following—

“ Permanent Head ”.

### **Section 7 amended**

7. Section 7 of the principal Act is amended by deleting “Chief Inspector” wherever it occurs and substituting in each place the following—

“ Permanent Head ”.

### **Sections 8 and 9 repealed and section 8 substituted**

8. Sections 8 and 9 of the principal Act are repealed and the following section is substituted—

Hours of delivery

“ 8. (1) In this section, unless the context otherwise requires—

“delivery” means the transportation or movement of bread from a bakehouse.

(2) A person who—

(a) at any time other than—

(i) between 4 a.m. and 6 p.m. on any Monday, Tuesday, Wednesday, Thursday, Friday or Saturday; or

(ii) between 5 a.m. and 9 a.m. on any Sunday,  
delivers, or accepts the delivery of, bread for sale; or

- (b) authorizes or permits any other person to deliver bread as mentioned in paragraph (a),

commits an offence.

Penalty—

- (i) for the first offence, \$2 000;
- (ii) for the second offence, \$5 000; and
- (iii) for the third or subsequent offence, \$10 000.

(3) A person shall not be taken to have contravened subsection (2) where the delivery of bread is made pursuant to an authorization given by the Minister under subsection (4) and in conformity with that authorization.

(4) The Minister, having regard to—

- (a) the requirements of a remote locality or a holiday resort;
- (b) exceptional or unforeseen circumstances which have arisen or are likely to arise; or
- (c) any other circumstances the Minister considers relevant,

may authorize any person to deliver or accept the delivery of bread during any hours not otherwise authorized by subsection (2), on such conditions as the Minister determines.

(5) For the purposes of this section, the delivery of bread shall be taken to have commenced when the delivery vehicle leaves the place where the bread to be delivered is loaded on that vehicle. ”.

## **Section 10 repealed**

9. Section 10 of the principal Act is repealed.

## **Section 11 repealed**

10. Section 11 of the principal Act is repealed.

**Section 12 repealed**

11. Section 12 of the principal Act is repealed.

**Section 17 amended**

12. Section 17 of the principal Act is amended in paragraph (c) by deleting “Chief Inspector” and substituting the following—

“ Permanent Head ”.

**Section 19 amended**

13. Section 19 of the principal Act is amended in subsection (1)—

- (a) by deleting “Chief Inspector” in paragraph (d) and substituting the following—

“ Permanent Head ”; and

- (b) by deleting paragraphs (f), (g), (h), (i) and (j).
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