

12 GEO. VI. No. 8, 1947. *Trade Coupons Act Amendment Act.*

(b) In paragraph (a) of the proviso to subsection one thereof the words “or the registrar for marriages of the district in which the marriage is to be celebrated” are inserted after the words “Registrar-General.”

(c) In paragraph (b) of the proviso to subsection one thereof the words “or registrar for marriages of the district in which the marriage is to be celebrated” are inserted after the words “Registrar-General.”

(d) In subsection five thereof the words “the Judges of the Supreme Court” are repealed and the words “a majority of the Judges of the Supreme Court of whom the Chief Justice, or in the case of a vacancy in such office the Senior Puisne Judge, shall be one” are inserted in lieu of such repealed words.

MEDICAL BENEFIT BUSINESS.

See SOCIETIES.

MERCANTILE LAW.

An Act to Amend “The Trade Coupons Act of 1933” in certain particulars.

12 GEO. VI.
No. 8.
TRADE
COUPONS ACT
AMENDMENT
ACT OF 1947.

[ASSENTED TO 15TH DECEMBER, 1947.]

BE it enacted by the King’s Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as “*The Trade Coupons Act Amendment Act of 1947*” and shall be read as one with **“The Trade Coupons Act of 1933,”* herein referred to as the Principal Act.

Short title
and
construction.

The Principal Act and this Act may collectively be cited as “*The Trade Coupons Acts, 1933 to 1947.*”

Collective
title.

†This Act shall come into operation on a date to be fixed by the Governor in Council by Proclamation published in the *Gazette*.

Commence-
ment of Act.

* 24 G. 5 No. 8.

† Commenced 1st March, 1948 (see Proclamation published *Gazette* 24th January, 1948, p. 189).

New s. 2A
inserted.

2. The following section is inserted after section two of the Principal Act, namely :—

Construction
of Act.

“[2A.] This Act shall be read and construed so as not to exceed the legislative power of the State to the intent that where any enactment hereof would but for this section have been construed as being in excess of that power it shall nevertheless be a valid enactment to the extent to which it is not in excess of that power.”

New s. 4A
inserted.

3. The following section is inserted after section four of the Principal Act, namely :—

Prohibition
of certain
transactions
in connec-
tion with
the sale and
advertise-
ment of
goods.

“[4A.] (1.) No person shall, in Queensland, directly or indirectly—

(a) Give or deliver ; or

(b) Either in writing or otherwise howsoever promise, offer, represent, or advertise or purport to promise, offer, represent, or advertise that he will give or deliver (whether the actual giving or delivering is to be done or made in Queensland or elsewhere),

any money, goods, reward, benefit, valuable consideration, or advantage whatsoever in exchange for, or in redemption of, any article or thing described in subsection four of this section, or any number or combination of any of such articles or things.

(2.) No person shall, directly or indirectly, either in writing or otherwise howsoever invite or encourage any other person to, or suggest that any other person should—

(a) Do any act or thing forbidden by subsection one of this section ; or

(b) Tender, or despatch, or offer to tender, or despatch, in or from Queensland any article or thing described in subsection four of this section, or any number or any combination of any of such articles or things in exchange for any money, goods, reward, benefit, valuable consideration, or advantage whatsoever, whether the actual exchange shall be effected, or become effective, in Queensland or elsewhere.

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(3.) No person shall in or from Queensland tender, or despatch or offer to tender or despatch any article or thing described in subsection four of this section or any number or combination of any such articles or things in exchange for any money, goods, reward, benefit, or valuable consideration whatsoever, whether the actual exchange shall be effected, or is to become effective, in Queensland or elsewhere.

(4.) The articles or things referred to in subsections one, two and three of this section are any of the following, or any portion or portions respectively of any of the following, namely, any stamp, coupon, ticket, cover, wrapper, package, paper, photograph, document, means or device which has been, is, or is intended to be, issued or delivered with, about, concerning, relating to, or in connection with any goods which have been, are being, or are intended to be, sold or distributed in Queensland whether by the person—

- (a) Giving or delivering as mentioned in subparagraph (a) of subsection one of this section ; or
- (b) Promising, offering, representing, or advertising, or purporting to promise, offer, represent or advertise as mentioned in subparagraph (b) of subsection one of this section ; or
- (c) Inviting, encouraging or suggesting as mentioned in subsection two of this section ; or
- (d) Any other person whomsoever.

(5.) No trader shall sell or distribute any goods—

- (a) If there is issued or delivered with, about, concerning or relating to such goods any of the articles or things mentioned in subsection four of this section ; and
- (b) If, in respect of any such article or thing, or any number or combination thereof, any of the offences mentioned in subsections one, two, or three of this section is, or is being, or will, or may be, committed :

Provided that it will be a defence to any charge under this subsection if the defendant proves that he did not know, and that by the exercise of reasonable

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diligence he could not have become aware of, the facts constituting any offence under subsections one, two, or three of this section.

(6.) No person shall, directly or indirectly, print, exhibit, or publish (whether in writing or orally, or by means of radio-broadcast, or otherwise howsoever) any advertisement concerning, relating to, or connected with anything which is made unlawful by any of the preceding subsections of this section: Provided that it shall be a defence to any charge under this subsection if the defendant proves that he did not know and that by the exercise of reasonable diligence he could not have become aware that the advertisement concerned or related to anything so made unlawful.

(7.) On the hearing of any complaint of an offence against this section any advertisement, letter, circular, memorandum, or other writing which appears to the Court to be relevant to the complaint and to have been issued or delivered by the person whose name appears thereon or by any other person, may be given in evidence without formal proof of the issue or delivery thereof, or of the authentication by the person whose name it bears, and the same shall, until the contrary is proved, be proof that any promise, offer, representation, notification, invitation, encouragement, or suggestion (or what purports so to be) therein contained—

- (a) Was actually made; and
- (b) Was in force at the date on which the alleged offence was committed; and
- (c) Was made by the person whose name, if any, appears thereon as making or authenticating the document.

(8.) Any person who contravenes any provision of this section shall be liable to a penalty not exceeding fifty pounds."
