

1987-88

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA  
HOUSE OF REPRESENTATIVES

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Presented and read a first time, 24 February 1988

*(Attorney-General)*

**A BILL**

FOR

**An Act to amend the *Trade Practices Act 1974***

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

**Short title etc.**

5 1. (1) This Act may be cited as the *Trade Practices Amendment Act 1988*.

(2) In this Act, "Principal Act" means the *Trade Practices Act 1974*<sup>1</sup>.

**Commencement**

2. (1) Subject to subsection (2), this Act commences on the day on which it receives the Royal Assent.

10 (2) Section 4 commences on 1 July 1988.

**False or misleading representations**

3. Section 53 of the Principal Act is amended:

(a) by inserting in paragraph (a) "value," after "quality,";

(b) by inserting in paragraph (aa) ", value" after "quality".

**Repeal of section 65U**

4. Section 65U of the Principal Act is repealed.

**Prosecutions**

5. Section 163 of the Principal Act is amended by omitting subsection (4) and substituting the following subsection: 5

“(4) Proceedings before the Court under this section, other than proceedings instituted by:

(a) the Commission;

(b) a person authorised in writing by the Commission; or

(c) a person authorised in writing by the Secretary to the Department; 10

shall not be instituted except with the consent in writing of the Minister or of a person authorised by the Minister in writing to give such consents.”.

**NOTE**

1. No. 51, 1974, as amended. For previous amendments, see Nos. 56 and 63, 1975; Nos. 37, 88 and 157, 1976; Nos. 81, 111 and 151, 1977; Nos. 206 and 207, 1978; No. 73, 1980; Nos. 61 and 176, 1981; No. 80, 1982; No. 39, 1983; Nos. 63, 73 and 165, 1984; Nos. 65, 1985; Nos. 8, 17 and 168, 1986; and No. 23, 1987.