



ANNO SEXTO

## ELIZABETHAE II REGINAE

A.D. 1957.

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### No. 29 of 1957.

An Act to amend the Brands Act, 1933-1955.

[Assented to 31st October, 1957.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Brands Act Amendment Act, 1957". Short titles.
- (2) The Brands Act, 1933-1955, as amended by this Act, may be cited as the "Brands Act, 1933-1957".
- (3) The Brands Act, 1933-1955, is hereinafter referred to as "the principal Act".
2. Section 3 of the principal Act is amended by striking out the words "and Brands Directory" in the seventeenth line thereof. Amendment of principal Act, s. 3—  
Arrangement.
3. Section 4 of the principal Act is amended by striking out the definition of "brands directory" therein. Amendment of principal Act, s. 4—  
Interpretation.
4. The heading to Part VIII of the principal Act is amended by striking out the words "and Brands Directory" therein. Amendment of heading to Part VIII of principal Act.
5. Section 54 of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of the said section being read as subsection (1) thereof):— Amendment of principal Act, s. 54—  
Duty to keep index.
  - (2) The registrar shall, in respect of any register and book required to be kept by him pursuant to subsection (1) hereof, make and keep an index thereto.

Amendment of  
principal Act,  
s. 55—

Brands  
Directory.

6. Section 55 of the principal Act is amended—

- (a) by striking out subsections (2) to (6), both inclusive ;
- (b) by striking out the words “brands directory, or” in the first line of subsection (7) thereof ;
- (c) by striking out the words “directory or” in the second line of subsection (7) thereof.

Repeal and  
re-enactment  
of ss. 56 and  
57 of  
principal Act—

7. Sections 56 and 57 of the principal Act are repealed and the following sections are enacted and inserted in the principal Act in lieu thereof :—

Evidence of  
register.

56. (1) *Prima facie* evidence of any entry in or part of a register or book kept pursuant to section 54 may be given by the production of a document purporting to be a copy of such entry or part and purporting to be certified as a correct copy by the registrar.

(2) The entries and records in a register or book kept pursuant to section 54 shall be *prima facie* evidence of the facts so entered or recorded.

(3) A certificate in writing purporting to be signed by the registrar and stating that any brand or mark is or is not registered under this Act shall be *prima facie* evidence of the statement contained therein.

Duty to give  
information  
as to brand.

57. If any person, whether by letter, telephone, pre-paid reply telegram, or in person, requests to be supplied with any information as to any registered brand or mark, it shall be the duty of the registrar to supply that information.

Amendment of  
principal Act,  
s. 75—  
Offences as to  
directory.

8. Section 75 of the principal Act is amended by striking out the words “brands directory” wherever occurring in the fifth, seventh, tenth, and eighteenth and nineteenth lines thereof.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

R. A. GEORGE, Governor.