

[CONFIDENTIAL.]

No. , 1916.

A BILL

To regulate the manufacture and sale of footwear ; to prohibit the adulteration of leather ; and for purposes consequent thereon or incidental thereto.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Footwear Regulation Act, 1916." Short title.

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2. This Act shall commence and take effect on and from a date to be proclaimed by the Governor in the Gazette, not being earlier than the day of , one thousand nine hundred and

Commencement.

3. In this Act,—

Definitions.

“Prescribed” means prescribed by this Act or by the regulations.

“Regulations” means regulations made under this Act.

“Shoes” does not include slippers or sandals.

“Sole” means all that part of a boot or shoe which in use is under the foot of the wearer, including both the outsole and the insole and also including the heel, except the thin slip of leather, paper, or the like material which is affixed to the upper surface of the inner sole.

4. If any person manufactures for sale, or sells or exposes for sale or has in his possession for sale, any boots or shoes the soles of which do not consist entirely of leather, he shall, unless a statement of the materials composing the sole is conspicuously and legibly stamped upon or impressed into the outer surface of the sole of each boot or shoe, be liable to a penalty not exceeding twenty pounds:

Soles to be of solid leather or stamped with name of material.

Provided that this section shall not apply—

- (a) where the outsole consists entirely of rubber ; or
- (b) where the only material in the sole other than leather consists of one or more of the following :—
 - (i) ordinary fillers of cork or waterproof felt ;
 - (ii) canvas used to reinforce the insole ;
 - (iii) a prescribed material used as prescribed in the manufacture of shanks ;
 - (iv) wood used in the heels of ladies’ footwear ; and
 - (v) toe-stiffening and counters of such materials and so made as prescribed.

5. If any person manufactures for sale or sells or exposes for sale or has in his possession for sale any boots or shoes the soles of which are welted, or mock-welted or fair-stitched, he shall, unless the word “welted”

Soles which are welted, mock-welted, or fair-stitched.

“welted” or “mock-welted” or “fair-stitched”, as the case may be, is conspicuously and legibly stamped upon or impressed into the outer surface of the sole of each boot or shoe, be liable to a penalty not exceeding *twenty* pounds.

6. If any person sells or supplies or keeps for sale or supply or has in his possession for sale any boots or shoes which do not bear stamped upon the soles thereof in legible characters the name or registered trade mark of the manufacturer or maker, he shall be liable to a penalty not exceeding *twenty* pounds.

Boots, &c., to bear name of manufacturer.

7. (1) If any person manufactures for sale, or sells or exposes for sale or has in his possession for sale, any boots or shoes, the soles of which consist of leather having an admixture of any weighting substance specified in the regulations, he shall be liable to a penalty not exceeding *twenty* pounds.

Soles not to contain weighting substance.

(2) If any person manufactures for sale or sells or exposes for sale or has in his possession for sale any leather having an admixture of any weighting substance specified in the regulations, he shall be liable to a penalty not exceeding *twenty* pounds.

Leather containing weighting substance.

8. The Colonial Treasurer may, under his hand, appoint any persons to be inspectors under this Act.

Appointment and powers of inspectors.

Any such inspector may enter any place where boots or shoes or leather are manufactured or sold or kept for sale or any place where he has reason to believe that boots or shoes or leather are manufactured, sold, or kept for sale and inspect any articles therein; but he shall, at the request of any person apparently in charge of such place or of any work carried on therein, produce his appointment as inspector.

He may also in any such place take any boots or shoes or leather, whether manufactured or partly manufactured, paying a just price for the same.

If any person hinders or obstructs any such inspector in the exercise by him of the powers hereby conferred he shall be liable to a penalty not exceeding *twenty* pounds.

9. In any prosecution under this Act or the regulations, any person who manufactures boots or shoes or leather shall be deemed to manufacture them or it for sale unless the contrary is proved.

Proof of manufacture for sale.

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10. If in any prosecution under this Act the defendant proves that the boots or shoes or leather the subject of the prosecution were purchased by him from any manufacturer, importer, or wholesale dealer named by him, and—

Information to be dismissed in certain circumstances.

- (a) in the case of a prosecution under section four he further proves that he had no reason to believe that the soles of the boots or shoes the subject of the prosecution (not being stamped or marked in accordance with this Act) contained any admixture or addition making it obligatory for such soles to be so stamped or marked ; or
- (b) in the case of a prosecution under subsection one of section seven, he further proves that he had no reason to believe that such soles contained any weighting material specified in the regulations ; or
- (c) in the case of a prosecution under subsection two of the same section he further proves that he had no reason to believe that the leather the subject of the prosecution contained any weighting material specified in the regulations,

the information shall be dismissed.

11. The Governor may make regulations for carrying out the provisions of this Act, and in particular—

Regulations.

- (a) prescribing the manner of marking the soles of boots and shoes in pursuance of such provisions ;
- (b) prescribing the materials of which and the manner in which shanks, toe-stiffening, and counters not consisting of solid leather, used in the soles of boots or shoes may be manufactured and used ;
- (c) specifying the weighting substances the admixture of which in leather is prohibited ; and
- (d) imposing any penalty not exceeding *ten* pounds for any breach of the same.

Such regulations shall be published in the Gazette, and shall be laid before both Houses of Parliament within fourteen days after such publication, or, if Parliament is not in session, within fourteen days after the next meeting of Parliament.

12. Any penalties under this Act or the regulations may be recovered before a stipendiary or police magistrate, or any two justices in petty sessions.

Recovery of penalties.