An Act to amend the Footwear Regulation Act, 1920.

[Assented to 1st December, 1949.]

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 "Footwear Regulation Act Amendment Act, 1949".

(2) The Footwear Regulation Act, 1920, as amended by this Act, may be cited as the "Footwear Regulation Act, 1920-1949".

(3) The Footwear Regulation Act, 1920, is hereinafter referred to as "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

3. Sections 5 and 6 of the principal Act are repealed and the following sections are enacted and inserted in lieu thereof:

5. (1) A manufacturer of boots and shoes shall brand every boot and shoe manufactured by him—

   (a) with the words "made by" or "manufactured by" followed by the name of the manufacturer; and

   (b) in the case of a boot or shoe the sole of which does not consist entirely of rubber, with a true statement of the materials composing the sole.
(2) Where the only materials in the sole of a boot or shoe, other than leather, are any of the following, namely:—

(a) ordinary fillers of cork or waterproof felt;
(b) canvas used to reinforce the insole;
(c) a prescribed material used in the manufacture of shanks;
(d) wood used in the heels of women’s shoes;
(e) stiffening made of prescribed materials,

the words “All leather sole” shall be deemed to be a true statement of the materials comprising the sole.

(3) The words required to be branded upon a boot or shoe under this section shall comply with the following requirements:—

(a) In the case of a boot or shoe with a leather sole and a heel not less than one-sixteenth of one inch in height and not being a women’s fashion shoe having a moulded or otherwise rounded waist, the words shall be branded on the waist of the sole of the boot or shoe close to the heel in clear imprinted letters;

(b) In the case of a cross strap sandal or any boot or shoe which has no upper or the upper of which does not extend over the inside waist and which has a sole which is not leather, the words shall be branded on the inside waist of the inner sole in clear imprinted or embossed letters;

(c) In the case of any other boot or shoe the words shall be branded on the inside of the upper above the inside waist of the boot or shoe in clear imprinted or embossed letters, or if the boot or shoe has a lining of material on which letters cannot be imprinted or embossed in clear letters, shall be marked with indelible permanent ink;

(d) All the words required to be branded on a boot or shoe shall be in lettering of not less than ten point measurement;

(e) For the purposes of this subsection the name of a manufacturer shall be indicated as follows:—

(i) If the manufacturer is an individual, by his surname preceded by his Christian names or the initial of any Christian name not given in full;
Penalty for failure to brand.

(ii) If the manufacturer is a partnership, by the partnership name;
(iii) If the manufacturer is a body corporate, by its corporate name;
(iv) In any case the registered business name of the manufacturer shall be sufficient.

6. If a person manufactures, sells, offers for sale or exposes for sale or has in his possession for the purpose of sale any boot or shoe which in any respect does not comply with section 5 of this Act he shall be guilty of an offence and liable to a fine of not less than five pounds and not more than twenty pounds.

4. Section 10 of the principal Act is amended by striking out the figure “5” occurring in the first, sixth and tenth lines and inserting in lieu thereof in each case the figure “6”.

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

C. W. M. NORRIE, Governor.