

**FIRST SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

**No. 2,541 of 1st MARCH, 1990.**

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I ASSENT,

DEREK REFFELL,

GOVERNOR.

1st March, 1990.



**GIBRALTAR.**

**No. 7 of 1990.**

**AN ACT to amend the Sale of Goods Act.**

ENACTED by the Legislature of Gibraltar.

**Title and commencement.**

1. (1) This Act may be cited as the Sale of Goods (Amendment) Act, 1990.

(2) This Act shall come into operation on such date as the Governor may by notice in the Gazette appoint.

**Amendment to the Sale of Goods Act.**

2. The sale of Goods Act is amended by inserting after section 16 a new section, section 16A—

"Sale of Toys.

- 16A. (1) It shall be an implied condition of the sale of goods which are defined as toys by virtue of Directive 88/378 of the European Economic Community as amended from time to time that—
- (a) the goods shall not jeopardise the safety and health of users when used in a reasonably foreseeable way; and
  - (b) the goods shall have affixed to them or to their packaging or in an accompanying leaflet the information in English described in subsection (3) of this section.
- (2) There shall be a presumption that the requirement of subsection (1)(a) of this section is satisfied if the goods have been examined by a body approved for that purpose in a member State of the European Economic Community and as a result carry the symbol "CE" -affixed to them or, where this is not possible because of the size of the goods, to the packaging or on a label or accompanying leaflet.
- (3) The information required by subsection (1)(b) of this section is that specified by the Directive 88/378 as amended from time to time in relation to—
- (a) the manufacturer or importer; and
  - (b) the warning or indications of precautions appropriate to the toy.

**Sale of Goods (Amendment) Act 1990. [7 of 1990.**

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(4) The text of the Directive shall be published by notice in the Gazette and amendments to the Directive which are so published shall take effect from the date of publication."

Passed by the Gibraltar House of Assembly on the 15th day of February, 1990.

C. M. COOM,

Clerk to the Assembly.