

AGRICULTURAL PRODUCTS.

No. 44 of 1968.

AN ACT to amend the *Agricultural Products Act, 1929-1966.*

[Assented to 8th November, 1968.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Agricultural Products Act Amendment Act, 1968.* Short title and citation.

(2) In this Act the *Agricultural Products Act, 1929-1966*, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the *Agricultural Products Act, 1929-1968.*

S. 2
amended.

2. Section two of the principal Act is amended by adding, at the end of the section, the following interpretation—

“Stone-fruit” means apricots, peaches, plums and nectarines.

S. 3A
amended.

3. Section three A of the principal Act is amended, as to subsection (3),—

(a) by substituting for the word, “seven”, in line one and, again, in line three, the word, “eight”, in each case; and

(b) by substituting for paragraph (b) the following paragraph—

(b) four shall be growers, of whom—

(i) two carry on the business of growing apples or pears in the area known as the South-West District; and

(ii) one carries on the business of growing apples and pears in the area known as the Hills District and another in the area known as the Great Southern District;

and of whom each is nominated by the body known as the Western Australian Fruit Growers' Association (Inc.); .

S. 3BA
added.

4. The principal Act is amended by adding, after section three B, the following section—

3BA. (1) In this section, unless the context requires otherwise—

“Stone-fruit Sales Committee” means the Stone-fruit Sales Advisory Committee constituted under this section;

“grower” means a person by whom or on whose behalf stone-fruit is actually grown or produced for sale.

Stone-fruit
Advisory
Committee.

(2) For the purposes of this section, a Committee having the functions prescribed by this section is constituted under the name of the "Stone-fruit Sales Advisory Committee".

(3) The Stone-fruit Sales Committee shall consist of eight persons who shall be appointed by the Minister, and of those eight persons—

- (a) one shall be the Director of Agriculture or his nominee, who shall be Chairman of the Committee;
- (b) four shall be growers, of whom—
 - (i) two carry on the business of growing stone-fruit in the area known as the Hills District; and
 - (ii) one carries on the business of growing stone-fruit in the area known as the South Suburban District and another in the area known as the South-West District;

and of whom each is nominated by the body known as the Western Australian Fruit Growers' Association (Inc.);

- (c) one shall be a person nominated by the body known as the Chamber of Fruit and Vegetable Industries of Western Australia (Inc.);
- (d) one shall be a person nominated by the body known as the West Australian Fruit Shippers Committee;
- (e) one shall be a person nominated by the Minister as the representative of the consumers.

(4) Subject to the Minister the functions of the Stone-fruit Sales Committee are—

- (a) to enquire into the size of the anticipated crops of the respective kinds of stone-fruit and the quality, grade and varieties of stone-fruit being harvested or expected to be harvested;

- (b) to investigate and assess the demand for the respective kinds of stone-fruit within the State;
- (c) to make recommendations and submit proposals to the Minister from time to time with respect to the grades and sizes of the varieties of the respective kinds of stone-fruit the sale of which should be permitted, and the grades and sizes thereof the sale of which should be prohibited, within the State, and to vary those recommendations and proposals from time to time as circumstances may require; and
- (d) to exercise and perform such other powers and duties as the Minister may consider necessary or advisable relating to better marketing of stone-fruit.

S. 3C
amended.

5. Section three C of the principal Act is amended—

(a) as to subsection (1),—

- (i) by substituting for the word, “either”, in line two, the word, “any”;
- and
- (ii) by substituting for the words, “and three B”, in line three, the passage, “, three B and three BA”;

and

(b) by adding, after subsection (4), the following subsections—

(5) The Minister may from time to time appoint, as the deputy of a member of any Committee referred to in subsection (1) of this section, a person who has been nominated for that purpose in the manner provided for the nomination of the member; and a person so appointed may, in the absence from a meeting of the Committee of the member of whom he is the deputy, attend the

meeting and act as fully and effectually as the member might have done, had he been present.

(6) Subject to subsection (7) of this section, every member of a Committee referred to in subsection (1) of this section (other than the Chairman who is a member by virtue of his office) shall hold office for a term of three years and be eligible for re-appointment, but those members holding office on the date of the coming into operation of the Agricultural Products Act Amendment Act, 1968, shall continue in office until such time as new appointments are made in accordance with this Act.

(7) The office of member of any Committee referred to in subsection (1) of this section shall become vacant, if the member—

- (a) dies;
- (b) resigns his office by writing under his hand addressed to the Minister;
- (c) becomes an undischarged bankrupt or has his affairs under liquidation by arrangement with his creditors;
- (d) is convicted of an indictable offence;
- (e) is an incapable person, within the meaning of section four of the Mental Health Act, 1962; or
- (f) is absent, without leave of the Committee, from six consecutive meetings of the Committee;

and the Minister may, thereupon, appoint a person nominated for that purpose in the manner provided to be a member of the Committee in place of the member

whose office has become vacant and a person so appointed shall hold office for the unexpired part of the term of office of that lastmentioned member. .

S. 3D
amended.

6. Section three D of the principal Act is amended by adding, after subsection (2), the following subsection—

(3) The Minister, on the recommendation of the Stone-fruit Sales Committee referred to in section three BA of this Act, may at any time and from time to time by notice published in the *Government Gazette* and in a daily newspaper published in Perth prohibit the sale, except for the purpose of export from the State, of any kind or kinds of stone-fruit that are not of prescribed grades or prescribed sizes, or of both prescribed grades and prescribed sizes, of any variety or varieties thereof, as the Minister specifies in the notice, either entirely or during such period or periods as he so specifies. .

S. 3E
amended.

7. Section three E of the principal Act is amended by substituting for the words, "or citrus", in line three, the passage, ", citrus or stone-fruit".

S. 3F
repealed.

8. Section three F of the principal Act is repealed.

S. 9
amended.

9. Section nine of the principal Act is amended by adding the following subsection—

(2) Without limiting the generality of subsection (1) of this section, the Governor may make regulations for the purpose of maintaining grades and standards of fruit, at any stage of its sale or supply. .