

AGRICULTURAL PRODUCTS.

11° Elizabeth II., No. LXXXVII.

No. 87 of 1962.

**AN ACT to amend the Agricultural Products Act,
1929-1940.**

[Assented to 11th December, 1962.]

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:—

Short title
and citation.

1. (1) This Act may be cited as the *Agricultural Products Act Amendment Act, 1962.*

(2) In this Act the Agricultural Products Act, 1929-1940, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the *Agricultural Products Act, 1929-1962.*

2. The principal Act is amended by adding after section three the following sections—

Ss. 3A, 3B
and 3C
added.

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

Advisory
Committee.

“Committee” means the Apple Sales Advisory Committee constituted under this section;

“grower” means a person by whom or on whose behalf apples are actually grown or produced for sale.

(2) For the purpose of this section a Committee having the functions prescribed by this section is constituted under the name of the “Apple Sales Advisory Committee”.

(3) The Committee shall consist of seven persons who shall be appointed by the Minister, and of those seven persons—

- (a) one shall be the Director of Agriculture or his nominee, who shall be the Chairman of the Committee;
- (b) three shall be growers carrying on the business of apple growing respectively in the areas known as the Hills District, the South-West District and the Great Southern District in the State and each of whom 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 consumers.

(4) The appointment as a member of the Committee of an officer within the meaning of the Public Service Act, 1904, does not prejudice or affect the provisions of that Act or any other Act applying to him as such an officer, and does not prejudice or affect his rights or obligations as such under any of those Acts.

(5) The Minister may at any time remove any member of the Committee, and may appoint a member to the Committee in place of a member so removed or of a member who for any other reason ceases to be a member of the Committee.

(6) Each member of the Committee shall be entitled to such remuneration and travelling and other expenses as the Minister determines from time to time, and such remuneration and expenses, and all other expenses of administration of this section (including the cost incurred in the appointment and employment of any additional inspectors), shall be paid wholly out of moneys in the Fruit Growing Industry Trust Fund established under the Fruit Growing Industry Trust Fund Act, 1941.

(7) Procedural matters relating to the convening, holding and conduct of meetings of the Committee, including the constitution of a quorum, are such as the Minister determines and is hereby authorised to determine from time to time.

(8) Subject to the Minister the functions of the Committee are—

- (a) to enquire into the size of the anticipated apple crop and the quality, grade and types of apples being harvested or expected to be harvested;
- (b) to investigate and assess the demand for apples to be consumed within the State;

- (c) to make recommendations and submit proposals to the Minister from time to time with respect to the grades of apples that should be marketed in the State and the grades of apples of which the sale should be prohibited, and to vary those recommendations and proposals from time to time as circumstances require; and
- (d) to exercise and perform such other powers and duties as the Minister may consider necessary or advisable relating to the better marketing of apples.

3B. (1) The Minister, on the recommendation of the Committee, may at any time and from time to time by notice published once in the *Government Gazette* and once in a daily newspaper published in Perth, prohibit the sale for consumption within the State of apples of any prescribed grade either entirely or during such period or periods as the Minister specifies in the notice.

Minister may prohibit sale of apples of prescribed grades.

(2) A person shall not sell, except for the purpose of export from the State, any apples of a prescribed grade of which the sale is pursuant to the provisions of this section prohibited, and any person who commits a breach of the provisions of this section is guilty of an offence against this Act.

Penalty: Fifty pounds.

3C. This section and sections three A and three B of this Act shall remain in force until the thirty-first day of December, one thousand nine hundred and sixty-three, and no longer. .

Duration of Ss. 3A, 3B and this section.

