

METROPOLITAN MARKET.

5° and 6° GEO. VI., XXXVII.

No. 37 of 1941.

AN ACT to amend the Metropolitan Market Act, 1926.

[Assented to 15th January, 1942.]

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 Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title. 1. This Act may be cited as the *Metropolitan Market Act Amendment Act*, 1941, and shall be read as one with the Metropolitan Market Act, 1926, hereinafter referred to as the principal Act.

Amendment of s. 12. 2. Section twelve of the principal Act is amended—
 (a) by adding new paragraphs to subsection (2) thereof as follows:—
 (c) prohibit the sale in the metropolitan area of any prescribed produce, products, or provisions in any market other than the market established under this Act or a market place referred to in the proviso to subsection (1) of this section, except with the consent of the Trust and subject to the by-laws.

For the purpose of this paragraph "Market" shall mean any place where a number of producers of prescribed produce, products, or provisions or their agents congregate for the purpose of selling or offering for sale any such prescribed produce, products, or provisions.

- (d) prohibit the sale by wholesale in the metropolitan area of fruit and vegetables (except potatoes and onions), fish, poultry, and eggs by agents elsewhere than in the market established under this Act. For the purposes of this paragraph "agent" means a person whose business, either alone or as part of or in connection with any other business, is to sell on behalf of producers or other persons any of the goods referred to herein on commission, whether such sale be by auction or otherwise.

Nothing in this paragraph shall prevent any person (not acting as agent for a producer) from selling or exposing for sale in his own shop or warehouse any prescribed produce, products or provisions.

- (b) by adding a new subsection as follows:—

(2a) (1) No person other than the original owner shall sell fish by wholesale, whether by auction or otherwise, within the metropolitan area unless the fish has been sold previously by auction in the market established under this Act.

- (2) For the purposes of paragraph (1) of this subsection the expression—

"Fish" includes every variety of marine and freshwater fishes and crustacea, and marine animal life, which, after being taken from the waters in which they are found, are not subjected to any process, other than freezing, for the purposes of preserving the same.

"Original owner" means—

- (a) the person by whom or by whose servants any fish is taken from

the waters in which it is found,
when such person is resident
within the State; and

- (b) the person who first receives any
fish within the State when the
person by whom or by whose
servants such fish is taken from
the waters in which it is found, is
not resident within the State.

Citation of
principal Act
as amended.

3. The principal Act as amended by this Act may be
cited as the Metropolitan Market Act, 1926-1941.
