

AG303*

Agricultural Produce Commission Act 1988

Growers Committees (Polling) Amendment Regulations 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Growers Committees (Polling) Amendment Regulations 2001*.

2. The regulations amended

The amendments in these regulations are to the *Growers Committees (Polling) Regulations 1990**.

[* Published in Gazette 23 November 1990, pp. 5774-8.]

3. Citation amended

Regulation 1 is amended by deleting “Growers” and inserting instead —

“ Producers ”.

4. Regulation 3 amended

- (1) Regulation 3 is amended in the definition of “eligible grower” by deleting “grower” in both places where it occurs and inserting instead —

“ producer ”.

- (2) Regulation 3 is amended in the definition of “eligible grower” by deleting “growers” in the first place where it occurs and inserting instead —

“ producers ”.

- (3) Regulation 3 is amended in the definition of “eligible grower” by deleting “growers” in the second place where it occurs and inserting instead —

“ producers’ ”.

- (4) Regulation 3 is amended in the definition of “list of growers” by deleting “growers” in the first 2 places where it occurs and inserting instead —

“ producers ”.

- (5) Regulation 3 is amended in the definition of “list of growers” by deleting “growers” in the third place where it occurs and inserting instead —

“ producers’ ”.

- (6) Regulation 3 is amended in the definition of “relevant area” by deleting “growers” and inserting instead —
 “ producers’ ”.
- (7) Regulation 3 is amended by inserting, in the appropriate alphabetical position, the following definition —
 “
 “poll” means a poll which the Commission is required or authorised to conduct or which is conducted on behalf of a producers’ committee;
 ”.
- 5. Regulation 4 amended**
- (1) Regulation 4 is amended by deleting “grower” where it first occurs and inserting instead —
 “ producer ”.
- (2) Regulation 4 is amended by deleting “relevant growers committee” and inserting instead —
 “ producers’ committee or proposed producers’ committee ”.
- (3) Regulation 4(a) is amended by deleting “grower” and inserting instead —
 “ producer ”.
- 6. Regulation 5 repealed**
 Regulation 5 is repealed.
- 7. Regulation 6 amended**
- (1) Regulation 6(1) is amended by deleting “relevant growers committee or a relevant growers committee that is proposed to be established” and inserting instead —
 “
 producers’ committee or a proposed producers’ committee
 ”.
- (2) Regulation 6(2) is amended by deleting “growers” and inserting instead —
 “ producers ”.
- 8. Regulation 8 amended**
 Regulation 8(2) is amended as follows:
 (a) in paragraph (c) by inserting before “shall” —
 “
 in the case of a poll under section 10 of the Act,
 ”;

- (b) in paragraph (d) by deleting “shall specify the kind of horticultural” and inserting instead —
- “
- in the case of a poll under section 10 of the Act, shall specify the agricultural
- ”;
- (c) by inserting after paragraph (d) the following paragraphs —
- “
- (da) in the case of a poll under section 11(1a) of the Act, shall specify the names of the candidates for election as members of a producers’ committee;
- (db) in the case of any other poll, shall specify the question to be submitted to the persons voting in the poll;
- ”.

9. Regulation 9 amended

Regulation 9 is amended as follows:

- (a) by deleting “growers” and inserting instead —
- “ producers ”;
- (b) by deleting “relevant growers committee” and inserting instead —
- “ producers’ or proposed producers’ committee ”.

10. Regulation 10 amended

(1) Regulation 10(1) is amended as follows:

- (a) by deleting “growers” in both places where it occurs and inserting instead —
- “ producers ”;
- (b) by deleting “grower” and inserting instead —
- “ producer ”.

(2) Regulation 10(2) is amended as follows:

- (a) by deleting “grower” in both places where it occurs and inserting instead —
- “ producer ”;
- (b) by deleting “growers” and inserting instead —
- “ producers ”.

(3) Regulation 10(3) is amended by deleting “grower” and inserting instead —

“ producer ”.

(4) Regulation 10(4) is amended by deleting “growers” and inserting instead —

“ producers ”.

11. Regulation 11 amended

Regulation 11 is amended as follows:

- (a) by deleting “growers” where it first occurs and inserting instead —
“ producers ”;
- (b) in paragraph (a) by deleting “relevant growers committee” and inserting instead —
“ producers’ or proposed producers’ committee ”;
- (c) in paragraphs (b) and (c) by deleting “growers” in the 3 places where it occurs and inserting instead —
“ producers ”.
- (d) in paragraph (b) by deleting “full”.

12. Regulation 12 amended

Regulation 12 is amended by deleting “grower” in both places where it occurs and inserting instead —

“ producer ”.

13. Regulation 14 amended

Regulation 14 is amended by deleting “growers” and inserting instead —

“ producers ”.

14. Regulation 16 amended

- (1) Regulation 16(3) is amended as follows:

- (a) by deleting “establishment of a growers committee or the extension of the functions of a growers committee as the case requires” and inserting instead —
“ motion to be voted on ”;
- (b) by deleting “grower” and inserting instead —
“ producer ”.

- (2) Regulation 16(4) is repealed and the following subregulation is inserted instead —

“

- (4) If a motion involves the establishment of a producers’ committee or the provision of additional services by a producers’ committee, the motion shall include in its terms the purposes for which the producers’ committee is established or the additional services that may be provided by a committee, as the case requires.

”.

- (3) Regulation 16(6) is amended by deleting “(4)” and inserting —

“ (3) ”.

- (4) Regulation 16(7) is repealed and the following subregulation is inserted instead —

“

- (7) The chairperson shall declare the meeting closed when the vote on the motion has been taken.

”.

15. Regulation 17 amended

- (1) Regulation 17(3) is amended as follows:

- (a) by deleting “or notice of such period of not less than 21 days as the Commission approves in the particular case”;
- (b) by deleting “growers” in both places where it occurs and inserting instead —
“ producers’ ”.

- (2) Regulation 17(4) is amended by deleting “growers” in both places where it occurs and inserting instead —

“ producers ”.

16. Regulation 18 amended

Regulation 18(1) is amended as follows:

- (a) by deleting “grower” where it first occurs and inserting instead —
“ producer ”;
- (b) by deleting “growers” where it first occurs and inserting instead —
“ producers ”;
- (c) in paragraph (c)(i) by deleting “growers committee or proposed growers committee” and inserting instead —

“

producers’ committee or proposed
producers’ committee

”;

- (d) in paragraph (c)(i) by deleting “eligible growers” and inserting instead —

“ eligible producers ”;

- (e) in paragraph (c)(i) by deleting “grower” and inserting instead —

“ producer ”;

- (f) by deleting paragraph (c)(ii) and inserting instead —

“

- (ii) which makes provision on the reverse thereof for the name of the producer and signature;

”.

17. Regulation 20 amended

Regulation 20 is amended by deleting “grower” and inserting instead —

“ producer ”.

18. Regulation 21 amended

Regulation 21(1) is amended by inserting after “poll” —

“

or who are candidates for membership of a producers’ committee

”.

19. Regulation 22 amended

Regulation 22(2) is amended as follows:

- (a) by deleting “growers” in both places where it occurs and inserting instead —
“ producers ”;
- (b) by deleting “grower” in both places where it occurs and inserting instead —
“ producer ”;
- (c) in paragraph (c), by deleting “full”.

20. Regulation 23 amended

Regulation 23 is amended by deleting “grower” and inserting instead —

“ producer ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.