

# POTATO GROWING INDUSTRY TRUST FUND.

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No. 4 of 1982.

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**AN ACT to amend the Potato Growing Industry  
Trust Fund Act 1947-1981.**

[Assented to 6 May 1982.]

**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 *Potato Growing Industry Trust Fund Amendment Act 1982*.

Short  
title and  
citation.

(2) In this Act the Potato Growing Industry Trust Fund Act 1947-1981 is referred to as the principal Act.

Reprinted as  
approved 17  
August 1975  
and amended  
by Act No. 63  
of 1981.

No. 4.] *Potato Growing Industry Trust Fund.* [1982.]

(3) The principal Act as amended by this Act may be cited as the Potato Growing Industry Trust Fund Act 1947-1982.

Commence-  
ment.

2. This Act shall come into operation on a day to be fixed by proclamation.

Section 4  
amended.

3. Section 4 of the principal Act is amended in the definition of "commercial producer" by deleting "year and who is qualified to vote at the election of a member of the Legislative Assembly." and substituting the following—

“ year; ” .

Section 6  
amended.

4. Section 6 of the principal Act is amended—

(a) by repealing subsection (3);

(b) in subsection (4)—

(i) by inserting after subparagraph (i) of paragraph (b) the following—

“ and ” ; and

(ii) by deleting subparagraph (iii) of paragraph (b).

Section 11  
amended.

5. Section 11 of the principal Act is amended by repealing subsection (2) and substituting the following—

“ (2) Elective members shall be appointed by the Governor under section 6 for a term of 3 years. ” .

Section 21  
amended.

6. Section 21 of the principal Act is amended in subsection (3) by deleting "two" in paragraph (i) of the proviso and substituting the following—

“ ten ” .

7. Section 22 of the principal Act is amended by inserting after subsection (2) the following subsection—

Section 22  
amended.

“ (3) Notwithstanding subsection (2) of this section, the Committee shall not in any year—

(a) use for the purposes described in paragraphs (c), (d), and (e) of that subsection more than 80% of the amount which the Committee estimates will be the income of the Fund for that year; or

(b) use for any one of the purposes described in paragraphs (c), (d), and (e) of that subsection more than 50% of the amount which the Committee estimates will be the income of the Fund for that year. ” .

8. (1) Notwithstanding section 11 (2) of the principal Act as amended by this Act, of the 2 elective members first appointed after the coming into operation of this Act one shall be appointed for a term of 2 years and the other for a term of 3 years.

Transitional.

(2) The elected member to be appointed for 2 years shall be the one who receives the smaller number of votes at the election.

(3) If both the elective members receive the same number of votes at the election or if an election is not necessary, the 2 elective members shall determine by lot which of them shall be appointed for 2 years.