

MARKETING OF EGGS.

No. 69 of 1977.

AN ACT to amend the Marketing of Eggs Act,
1945-1975.

[Assented to 28th November, 1977.]

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 *Marketing of Eggs Act Amendment Act, 1977.*

Short title
and
citation.

(2) In this Act the Marketing of Eggs Act, 1945-1975 is referred to as the principal Act.

Approved
for reprint
13th August,
1975.

(3) The principal Act as amended by this Act may be cited as the Marketing of Eggs Act, 1945-1977.

Section 5
amended.

2. Subsection (1) of section 5 of the principal Act is amended by adding after the word "controls" in line one of the interpretation "producer" the words "more than".

Section 12
amended.

3. Subsection (1) of section 12 of the principal Act is amended by deleting the words "a period of three years from the date" in line three and substituting the words "such period not exceeding three years as is specified in the instrument".

Section 18
amended.

4. Subsection (2) of section 18 of the principal Act is amended by deleting the passage commencing with the passage "to —" in line five and ending with the passage "1965." in the last line and substituting the following passage—

to the Poultry Industry Levy
Collection Act 1965, and the Egg Export Control
Act 1947, of the Parliament of the Common-
wealth and any Acts amending or in substitution
for those Acts or either of them. .

Section 24
amended.

5. Section 24 of the principal Act is amended—

(a) as to subsection (1), by deleting the word "producer", in line two, and substituting the word "person"; and

(b) as to subsection (2), by deleting the word "producer", in line one, and substituting the word "person".

Section 28
substituted.

6. Section 28 of the principal Act is repealed and the following section substituted—

Determina-
tion of
amounts
payable to
producers

28. The Board shall from time to time determine the amount payable to producers with respect to eggs delivered to it. .

7. Section 31 of the principal Act is amended by adding after subsection (3) the following subsection—

Section 31
amended.

(4) The Board may reduce the amount payable to producers for eggs sold to the Board having characteristics or qualities which in the opinion of the Board will render it more difficult for those eggs to be sold within and outside the State.

8. Section 32 of the principal Act is amended—

Section 32
amended.

(a) by repealing subsection (1) and substituting the following subsection—

(1) Subject to this Act the Board shall, out of the proceeds of eggs disposed of by it under this Act, make payments to each producer with respect to eggs delivered by him to the Board on the basis of the determination made under section twenty-eight of this Act, and payments shall be made at such time and on such terms and conditions and in such manner as the Board thinks fit. ;

(b) by repealing subsection (4) and substituting the following subsection—

(4) In any financial year the Board may, out of its gross income, carry over to the next succeeding financial year not more than one per centum thereof and any amount so carried over shall become part of the general funds of the Board. ;

(c) as to subsection (5)—

(i) by deleting paragraph (a) and substituting the following paragraph—

(a) where a producer is the holder of a permit granted under subsection (1) of section twenty-three of this Act he

shall contribute to the general funds of the Board such amount as the Board may determine from time to time;

; and

(ii) by deleting the words "The Board Administration Account" in lines six and seven of paragraph (b) and substituting the words "the general funds of the Board"; and

(d) by adding after subsection (5) the following subsection—

(6) All moneys standing to the credit of the fund called "The Board Administration Account" immediately before the date of the coming into operation of the Marketing of Eggs Act Amendment Act, 1977 shall by force of this subsection become part of the general funds of the Board. .

Section
32MA
added.

9. The principal Act is amended by adding after section 32M the following section—

Minister
may grant
special
licenses.

32MA. (1) Notwithstanding anything in this Part, the Minister may declare any part of the State to be a remote area and may issue a special license to a person in that part of the State subject to such terms and conditions as the Minister thinks fit and specifies in the license.

(2) The Minister may vary or cancel any declaration made under subsection (1) of this section and any license issued thereunder. .
