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[1965

Crown Law Department,
Perth, 25th January, 1965.

THE undermentioned Regulations made under the provisions of the Fruit Growing Industry (Trust Fund) Act, 1941, and amended from time to time prior to 15th October, 1964, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

R. C. GREEN,
Under Secretary for Law.

FRUIT GROWING INDUSTRY (TRUST FUND) ACT, 1941.

REGULATIONS.

Published in the *Government Gazette* on the 27th March, 1942, and incorporating amendments thereto published in the *Government Gazette* on the 12th March, 1943, the 12th December, 1947, and the 19th December, 1952; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954 by authority of the Minister dated 25th January, 1965.

FRUIT GROWING INDUSTRY (TRUST FUND) ACT, 1941.

Regulations.

1. (1) The nomination by the Western Australian Fruit Growers' Association Incorporated of persons to be appointed by the Governor as members of the Fruit Growing Industry Trust Fund Committee shall be made by resolution passed at a duly convened and duly constituted meeting of members of the said Association, held and conducted in accordance with the rules of the Association.

(2) A certificate in writing, signed by the chairman of the meeting at which any resolution aforesaid is passed, stating the names of the persons nominated, the date of the meeting, and that such meeting was duly convened and duly constituted in accordance with the rules of the Association, shall be conclusive evidence (unless a manifest error be subsequently discovered) that the persons named in such certificate have been duly nominated for appointment by the Governor as members of the Fruit Growing Industry Trust Fund Committee.

(3) The certificate evidencing the nomination by the said Association of persons for appointment by the Governor as members of the said Committee shall be delivered or sent by the chairman, who signed the same, to the Under Secretary for Agriculture, who shall forthwith submit the same to the Minister.

(4) If the Minister approves of the persons named in the certificate, he shall submit the names of such persons to the Governor in Council.

(5) If the Minister does not approve of any person named in the certificate, he shall indorse on the certificate and sign a memorandum of his disapproval and return the certificate to the Association.

(6) Upon receipt of the certificate indorsed as aforesaid by the Minister, the Association shall, as soon as reasonably may be, take steps to nominate another person in the place of the person of whom the Minister has by the said memorandum indicated his disapproval.

Amended by
G.G. 19/12/52,
p.p. 2957-8.

2. The fees and allowances which shall be payable to the chairman and members of the Fruit Growing Industry Trust Fund Committee in accordance with section 15 of the Act shall be as follows:

- (a) A sitting fee of £2 2s. 0d. per day or part of a day for attendance at meetings of the Committee.
- (b) A travelling allowance as paid to permanent heads of State Government Departments whilst a member is travelling to and from meetings of the Committee or is otherwise engaged on the business of the Committee.
- (c) The actual cost of travelling from the home of the chairman or member to the place where the meeting of the Committee is held and return to his home. Provided that such cost shall not exceed the fare for a similar journey by train, tram, or omnibus, whichever is available and is the smaller fare.
- (d) Whenever by the direction of the Committee the chairman or any member makes any inspection or performs any other service for the Committee under and for the purposes of the Act or regulations, he may, by resolution of the Committee, be granted and paid out of the Fruit Growing Industry Trust Fund, as part of the administration costs, a fee by way of remuneration for his services for and in respect of each day or part of a day during which the services are performed: provided that the fee granted and paid to the chairman or member shall not exceed £2 2s. 0d. per day.

3. (1) As and whenever the Minister, acting pursuant to subsection (5) of section 17 of the Act declares the rate of the contribution to be made to the Fund by growers under the said section 17, he shall give notice of the rate of the contribution so declared to the Committee in writing under his hand, and in such notice shall state the kind of fruit in respect of which such rate is declared and the season or period during or in connection with which the contribution at the said declared rate is to be made.

(2) Upon receipt of such notice from the Minister, the Committee shall cause a notification thereof to be published in the Government Gazette, and to be sent or given to the Association, and by such other means as the Committee shall deem sufficient, shall cause the particulars of the said notice to be brought to the notice of growers, dealers, and any other persons affected thereby.

(3) Every declaration aforesaid made by the Minister as notified by him to the Committee shall take and have effect according to the tenor of the notice thereof as furnished by the Minister to the Committee.

Ins. by
G.G. 12/3/43,
p. 423.

4. In addition to apples and pears, each and every species of citrus fruit shall be "fruit" within the meaning of that term as defined in section 3 of the Act for the purposes of the Act.

Ins. by
G.G. 12/12/47,
p. 2276.

5. In addition to the fruit mentioned in the last preceding regulation stone fruit shall be "fruit" within the meaning of that term as defined in section three of the Act for the purposes of the Act.

For the purposes of this regulation, the term "stone fruit" means—apricots, cherries, loquats, nectarines, peaches and plums.