



Western Australia

Horticultural Produce Commission General Regulations 1991

Compare between:

[31 Mar 1995, 00-b0-02] and [13 Feb 2001, 00-c0-06]

HORTICULTURAL PRODUCE COMMISSION ACT 1988

Horticultural Produce Commission General Regulations 1991

1. Citation

These regulations may be cited as the *Horticultural Produce Commission General Regulations 1991*.

2. Commencement

These regulations shall come into operation on the day on which they are published in the *Government Gazette*.

3. Interpretation

In these regulations unless the contrary intention appears —

“**dealer**” means any person who —

- (a) purchases any horticultural produce direct from a grower wholesale for resale;
- (b) receives horticultural produce from a grower for wholesale sale on behalf of the grower;
- (c) being a grower sells on his or her own behalf by wholesale or retail sale any horticultural produce produced by him or her; or
- (d) packs horticultural produce on behalf of a grower;

“**grower**” means a grower of horticultural produce in relation to whom a growers committee is established under the Act;

“**sale**” includes barter or exchange.

4. Dealer to collect and pay charges

- (1) A grower is liable to pay such charges as are imposed by the Commission under section 14 of the Act.
- (2) Any charge referred to in subregulation (1) shall be collected by any person who is a dealer in horticultural produce produced by a grower.
- (3) A dealer who collects any charge under subregulation (2) shall pay the charge so collected to the Commission not later than 14 days after the end of the month during which the charge was collected.

4A. Publication of notice of charge imposed under section 14 of the Act

A notice that requires publication for the purposes of 14 (3) of the Act shall be published in a newspaper circulating in the area or areas of the State where the growers, on whom the charge referred to in the notice is imposed, are located.

[Regulation 4A inserted in Gazette 31 March 1995 p.1150.]

5. Information to be furnished

A dealer shall not later than 14 days after the end of each month during which the dealer has dealt in horticultural produce produced by a grower furnish to the Commission a return in the form approved by the Commission showing all dealings by the dealer in horticultural produce produced by the grower.

6. Offences

A person who fails to comply with any of the provisions of these regulations commits an offence.

Penalty: \$1 000.

Notes

- ^{1.} This is a compilation of the *Horticultural Produce Commission General Regulations 1991* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Horticultural Produce Commission General Regulations 1991</i>	8 Feb 1991 pp.576-7	8 Feb 1991
<i>Horticultural Produce Commission General Amendment Regulations 1995</i>	31 Mar 1995 p.1150	31 Mar 1995
<u>These regulations were repealed by the Agricultural Produce (Horticultural Industry) Regulations 2001 r. 9 as at 13 Feb 2001 (see Gazette 13 Feb 2001 p. 865)</u>		