

AGRICULTURAL PRODUCTS.

No. 16 of 1966.

**AN ACT to amend the Agricultural Products Act,
1929-1965.**

[Assented to 17th October, 1966.]

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 *Agricultural Products Act Amendment Act, 1966.*

Short title
and citation.

(2) In this Act the Agricultural Products Act, 1929-1965, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Agricultural Products Act, 1929-1966.

S. 2
amended.

2. Section two of the principal Act is amended by adding after the interpretation, "Agricultural products", the following interpretation—

"Citrus" includes oranges, mandarins, lemons and grapefruit. .

S. 3
amended.

3. Section three of the principal Act is amended by substituting for the words, "Twenty pounds" in the last line of subsection (2), the words, "Forty dollars".

S. 3A
amended.

4. Section three A of the principal Act is amended—

- (a) by inserting immediately before the word, "Committee" in line three of subsection (1), the words, "Apple Sales";
- (b) by inserting after the word, "apples", in line seven of subsection (1), the passage, "or pears, or both apples and pears,";
- (c) by inserting after the word, "The" being the first word in subsection (3), the words, "Apple Sales";
- (d) by substituting for the words, "respectively in the" in lines two and three of paragraph (b) of subsection (3), the words, "or pear growing in the respective";
- (e) by repealing subsection (4) and substituting the following subsection—
 - (4) Subject to the Minister the functions of the Apple Sales Committee are—
 - (a) to enquire into the size of the anticipated crops of apples and of pears and the quality, grade and types of apples and of pears being harvested or expected to be harvested;
 - (b) to investigate and assess the demand for apples and pears within the State;

- (c) to make recommendations and submit proposals to the Minister from time to time with respect to the grades and sizes of the varieties of apples and pears the sale of which should be permitted, and the grades and sizes thereof the sale of which should be prohibited, within the State, and to vary those recommendations and proposals from time to time as circumstances may require; and
- (d) to exercise and perform such other powers and duties as the Minister may consider necessary or advisable relating to better marketing of apples and of pears. ; and
- (f) by repealing subsections (5), (6), (7) and (8).

5. Section three B of the principal Act is repealed and the following section substituted—

S. 3B
repealed and
section
substituted.

3B. (1) In this section unless the context requires otherwise—

Citrus
Advisory
Committee.

“Citrus Sales Committee” means the Citrus Sales Advisory Committee constituted under this section;

“grower” means a person by whom or on whose behalf citrus are actually grown or produced for sale.

(2) For the purpose of this section a Committee having the functions prescribed by this section is constituted under the name of the “Citrus Sales Advisory Committee”.

(3) The Citrus Sales Committee shall consist of six persons who shall be appointed by the Minister, and of those six persons—

- (a) one shall be the Director of Agriculture or his nominee, who shall be the Chairman of the Committee;

- (b) three shall be growers carrying on the business of citrus growing within the State and each of whom is nominated by the body known as the Central Citrus Council of the Western Australian Fruit Growers' Association (Inc.);
- (c) one shall be a person nominated by the body known as the Chamber of Fruit and Vegetable Industries of Western Australia (Inc.);
- (d) one shall be a person nominated by the Minister as the representative of the consumers.

(4) Subject to the Minister the functions of the Citrus Sales Committee are—

- (a) to enquire into the size of the anticipated crops of the respective kinds of citrus and the quality, grade and varieties of citrus being harvested or expected to be harvested;
- (b) to investigate and assess the demand for the respective kinds of citrus within the State;
- (c) to make recommendations and submit proposals to the Minister from time to time with respect to the grades and sizes of the varieties of the respective kinds of citrus the sale of which should be permitted, and the grades and sizes thereof the sale of which should be prohibited, within the State, and to vary those recommendations and proposals from time to time as circumstances may require; and
- (d) to exercise and perform such other powers and duties as the Minister may consider necessary or advisable relating to better marketing of citrus.

S. 3C
repealed
and section
substituted.

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

Provisions
relating to
Committees.

3C. (1) The appointment as a member of either of the Committees constituted under sections three A and three B of this Act of an

officer within the meaning of the Public Service Act, 1904, does not prejudice or affect the provisions of that Act or any other Act applying to him as such an officer, and does not prejudice or affect his rights or obligations as such under any of those Acts.

(2) The Minister may at any time remove any member of a Committee referred to in this section and may appoint a member to that Committee in place of a member so removed or of a member who for any other reason ceases to be a member of the Committee.

(3) Each member of a Committee referred to in this section is entitled to such remuneration and travelling and other expenses as the Minister may determine from time to time, and such remuneration and expenses and all other expenses of administration of sections three A to three E (both inclusive) of this Act (including the cost incurred in the appointment and employment of any additional inspectors) shall be paid wholly out of moneys in the Fruit Growing Industry Trust Fund established under the Fruit Growing Industry Trust Fund Act, 1941.

(4) Procedural matters relating to the convening, holding and conduct of meetings of each of the Committees referred to in this section, including the constitution of a quorum, are such as the Minister determines and is hereby authorised to determine from time to time. .

7. The principal Act is amended by adding after section three C, the following sections—

3D. (1) The Minister, on the recommendation of the Apple Sales Committee referred to in section three A of this Act, may at any time and from time to time by notice published in the *Government Gazette* and in a daily newspaper published in Perth prohibit the sale, except for the purpose of export from the State, of apples or pears of any variety or varieties thereof that are not of prescribed grades or prescribed sizes,

Ss. 3D, 3E
and 3F
added.

Minister may
by notice
prohibit
sales of
prescribed
grades, etc.

or of both prescribed grades and prescribed sizes as the Minister specifies in the notice, either entirely or during such period or periods as he so specifies.

(2) The Minister, on the recommendation of the Citrus Sales Committee referred to in section three B of this Act, may at any time and from time to time by notice published in the *Government Gazette* and in a daily newspaper published in Perth prohibit the sale, except for the purpose of export from the State, of any kind or kinds of citrus that are not of prescribed grades or prescribed sizes, or of both prescribed grades and prescribed sizes, of any variety or varieties thereof, as the Minister specifies in the notice, either entirely or during such period or periods as he so specifies.

Penalty.

3E. A person shall not sell, except for the purpose of export from the State, any apples, pears or citrus of which the sale is pursuant to the provisions of section three D of this Act prohibited, and any person who contravenes the provisions of this section commits an offence.

Penalty: One hundred dollars.

Duration of
Ss. 3A-3F.

3F. This section and sections three A to three E, both inclusive, of this Act shall remain in force until the thirty-first day of December, one thousand nine hundred and sixty-eight, and no longer. .

S. 4
amended.

8. Section four of the principal Act is amended by substituting for the words, "Twenty pounds" in the last line of subsection (7), the words, "Forty dollars".

S. 4A
amended.

9. Section four A of the principal Act is amended by substituting for the words, "Fifty pounds" in the last line of subsection (3), the words, "One hundred dollars".

S. 6
amended.

10. Section six of the principal Act is amended by substituting for the words, "Twenty pounds" in the last line, the words, "Forty dollars".