

MILK.

No. 40 of 1965.

AN ACT to amend the Milk Act, 1946-1964.*[Assented to 8th November, 1965.]*

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:—

Short title
and citation.

1. (1) This Act may be cited as the *Milk Act Amendment Act, 1965*.

Reprinted in
Vol. 13 of the
Reprinted
Acts.
Approved
for reprint,
27th May,
1958, and
amended by
Acts Nos.
62 of 1960,
70 of 1963,
and 15 of
1964.

(2) In this Act the Milk Act, 1946-1964, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Milk Act, 1946-1965.

Commence-
ment.

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

3. Section two of the principal Act is amended— S. 2 amended.

(a) by substituting for the figures, “64” in line one of the item commencing with the passage, “PART VI.”, and again in line five of that item, the figures, “61” in each case; and

(b) by adding immediately after line five of the item commencing with the passage, “PART VI.”, the following item—

PART VIA., ss. 62 to 64—MILK IMPROVEMENT
SCHEME. .

4. Section six of the principal Act is amended by deleting the interpretation, “Compensation Fund”. S. 6 amended.

5. Section seventeen of the principal Act is amended by deleting the passage, “(other than contributions to the Compensation Fund in this Act hereafter provided for)” in lines one, two and three of paragraph (d) of subsection (1). S. 17 amended.

6. Section forty-four of the principal Act is repealed and re-enacted with amendments as follows— S. 44 repealed and re-enacted.

44. It shall be the duty of every dairyman holding a dairyman’s license under this Act, whilst he continues to hold such a license, to submit when and as often as he is requested by the Chief Inspector of Stock to do so all dairy cattle kept by him as such to inspection and for testing for disease by the Chief Inspector of Stock, an inspector of stock, a veterinary officer of the Department, or a veterinary surgeon authorised in writing for the purpose by the Chief Inspector of Stock. . Testing of dairy cattle for disease.

7. Sections forty-five, forty-six, forty-seven, forty-eight and forty-nine of the principal Act are repealed. Ss. 45, 46, 47, 48 and 49 repealed.

S. 50
amended.

8. Section fifty of the principal Act is amended by deleting paragraph (c).

Ss. 51, 52, 53
and 54
repealed.

9. Sections fifty-one, fifty-two, fifty-three and fifty-four of the principal Act are repealed.

S. 57
repealed and
section
substituted.

10. Section fifty-seven of the principal Act is repealed and the following section substituted—

Closure of
Dairy Cattle
Compensa-
tion Fund
and applica-
tion of
moneys
therein.

57. (1) Upon the date of the coming into operation of the Milk Act Amendment Act, 1965, the Dairy Cattle Compensation Fund established under the provisions of this section, as those provisions existed immediately prior to that date, and kept at the Treasury shall be closed and not be further operated upon except as provided by this section, and the moneys standing to the credit of that Fund at that date (including any moneys invested by the Board from that Fund) shall be appropriated and applied by the Treasurer—

- (a) in payment of the sum of Ten thousand pounds to the credit of the account called the Cattle Industry Compensation Fund established under the provisions of the Cattle Industry Compensation Act, 1965, and kept at the Treasury; and
- (b) in payment of the balance of those moneys to the Board to be placed to the credit of the ordinary administration funds of the Board and used and applied for defraying the administration expenses of the Board under this Act.

(2) Upon the closure pursuant to this section of the Dairy Cattle Compensation Fund, any right to compensation or to claim compensation under this Act ceases and is extinguished and

subject to the provisions of subsection (3) of this section the Board is discharged from all liability to pay compensation under this Act.

(3) Where at the date of the coming into operation of the Milk Act Amendment Act, 1965, any application for compensation made under the provisions of this Act, as those provisions existed immediately prior to that date, has not been finalised, that application shall be continued and finalised in accordance with those provisions as though the Milk Act Amendment Act, 1965, had not come into operation. .

11. Sections fifty-eight, fifty-nine, sixty and sixty-one of the principal Act are repealed. Ss. 58, 59, 60 and 61 repealed.

12. The principal Act is amended by adding immediately before section sixty-two, the following heading— Heading added prior to s. 62.

PART VIA.—MILK IMPROVEMENT SCHEME. .

13. Section sixty-four of the principal Act is repealed. S. 64 repealed.

14. Section sixty-five of the principal Act is amended by deleting the passage commencing with the passage, “, save” in line three of subsection (2) down to and including the word, “fund”, being the last word in that subsection. S. 65 amended.

15. Section sixty-six of the principal Act is amended by deleting the passage, “(other than compensation)” in lines seven and eight. S. 66 amended.
