

**CARNARVON BANANA INDUSTRY (COMPENSATION TRUST FUND)
ACT 1961**

**CARNARVON BANANA INDUSTRY (COMPENSATION TRUST FUND)
AMENDMENT REGULATIONS 1990**

Made by His Excellency the Lieutenant-Governor and Administrator in Executive Council.

Citation

1. These regulations may be cited as the *Carnarvon Banana Industry (Compensation Trust Fund) Amendment Regulations 1990*.

Principal regulations

2. In these regulations the *Banana Industry Compensation Trust Fund Act Regulations 1962** are referred to as the principal regulations.

[*Published in the Gazette of 18 April 1962 at pp. 937-47. For amendments to 12 February 1990 see 1988 Index to Legislation of Western Australia at page 194.]

Regulation 1 amended

3. Regulation 1 of the principal regulations is amended by deleting "Banana Industry Compensation Trust Fund Act Regulations, 1962" and substituting the following—

"
Carnarvon Banana Industry (Compensation Trust Fund) Regulations 1962".

Regulation 2 repealed and a regulation substituted

4. Regulation 2 of the principal regulations is repealed and the following regulation is substituted—

Interpretation

"
2. In these regulations unless the context requires otherwise—
"election" means the election of an elective member of the Committee;
"electoral roll" means the electoral roll kept pursuant to regulation 5. "

Regulations 19A, 19B and 19C inserted

5. After regulation 19 of the principal regulations the following regulations are inserted—

Prescribed capacity

"
19A. For the purpose of section 19 (1a) (a) of the Act, 13 kilograms is prescribed as the capacity of a carton.

Prescribed sum

19B. For the purpose of section 19 (1a) (b) of the Act, a sum of 20 cents per carton is prescribed.

Prescribed rate of compensation

19C. For the purpose of section 25 (3) of the Act, a rate of \$2.60 per carton is prescribed. ”.

Regulation 20 amended

6. Regulation 20 of the principal regulations is amended in subregulation (2)—

- (a) in paragraph (c) by deleting “and extent”; and
- (b) by deleting paragraph (d).

Appendix amended

7. The Appendix to the principal regulations is amended—

(a) in Form No. 1—

- (i) by deleting “Banana Industry Compensation Trust Fund Act 1961” in both places where it occurs and substituting in each case the following—

“ Carnarvon Banana Industry (Compensation Trust Fund) Act 1961 ”;

- (ii) by deleting “The Banana Industry Compensation Committee” and substituting the following—

“ the Carnarvon Banana Industry Compensation Committee ”; and

- (iii) by deleting “Banana Industry Compensation Trust Fund Act Regulations 1962” and substituting the following—

“ Carnarvon Banana Industry (Compensation Trust Fund) Regulations 1962 ”;

(b) in Form No. 2—

- (i) by deleting “Banana Industry Compensation Trust Fund Act 1961” in both places where it occurs and substituting in each case the following—

“ Carnarvon Banana Industry (Compensation Trust Fund) Act 1961 ”;

and

- (ii) by deleting “Banana Industry Compensation Trust Fund Act Regulations, 1962” and substituting the following—

“ Carnarvon Banana Industry (Compensation Trust Fund) Regulations 1962 ”;

(c) in Form No. 3—

- (i) by deleting “Banana Industry Compensation Trust Fund Act 1961” and substituting the following—

“ Carnarvon Banana Industry (Compensation Trust Fund) Act 1961 ”;

and

- (ii) by inserting before “Banana Industry Compensation Committee” in both places where it occurs the following—

“ Carnarvon ”;

(d) in Form No. 4—

- (i) by deleting “Banana Industry Compensation Trust Fund Act, 1961” and substituting the following—

“ Carnarvon Banana Industry (Compensation Trust Fund) Act 1961 ”;

and

- (ii) by inserting before “Banana Industry Compensation Committee” the following—

“ Carnarvon ”;

(e) in Form No. 5—

- (i) by deleting “Banana Industry Compensation Trust Fund Act 1961” and substituting the following—

“ Carnarvon Banana Industry (Compensation Trust Fund) Act 1961 ”;

and

- (ii) by inserting before “Banana Industry Compensation Committee” the following—

“ Carnarvon ”;

- (f) in Form No. 6 by deleting "Banana Industry Compensation Trust Fund Act 1961" and substituting the following—
- " Carnarvon Banana Industry (Compensation Trust Fund) Act 1961 ";
- (g) in Form No. 7—
- (i) by deleting "Banana Industry Compensation Trust Fund Act 1961" and substituting the following—
- " Carnarvon Banana Industry (Compensation Trust Fund) Act 1961 ";
- and
- (ii) by inserting before "Banana Industry Compensation Committee" the following—
- " Carnarvon ";
- and
- (h) by deleting Form No. 8 and substituting the following Form—

Form No. 8

Western Australia

The Carnarvon Banana Industry (Compensation Trust Fund) Act 1961

(Regulation 20)

APPLICATION FOR COMPENSATION

TO: The Chairman, The Carnarvon Banana Industry Compensation Committee

Address of Plantation (including Lot No.)

Cause of Destruction

Date of Destruction 19.....

Statutory Declaration

The following statutory declaration is to be completed and signed:

I,
 Given names Surname (Block Letters)

do solemnly and sincerely declare that I am the owner* of the banana plants described in the claim form on the reverse of this application and that the information contained in that claim form and elsewhere in this application is to the best of my knowledge and belief, correct in every particular and I make this solemn declaration by virtue of Section 106 of the Evidence Act, 1906.

*If not the registered owner, state the reason for signing for the owner. If applicable, state full particulars of tenancy, owner's name, Lot No. whether lease agreement or contract of sale, and where agreement of document may be sighted.

Signature (Owner of Banana Plants)

Place of residence

Declared at in the State of Western Australia

the day of 19.....

Before me

Signature—Justice of the Peace

or any other person authorised to witness a Statutory Declaration including the following:

Town or Shire Clerk, or Councillor
 Electoral Registrar
 Postmaster
 Officer of State or Commonwealth Public Service
 Bank, Building Society or Credit Union Manager

CLAIM FORM

Plantation No. (Water Authority of Western Australia Assessment No.)

Name for Payment

Postal address

As the area of every banana patch is recorded in Western Australian Department of Agriculture records the area column below should be completed with the assistance of a representative of the Carnarvon Regional Office.

	FOR USE BY ASSESSORS ONLY
AREA OF EACH PLANTING (to nearest .001 hectare)	PERCENTAGE DAMAGED (includes hidden damage)
A. MATURE PLANTS (Compensation Factor = 1)	
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B. PLANTS WHICH ARE NOT OVER 760 mm IN HEIGHT (Compensation Factor = 0.3)

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.....

C. PLANTS WHICH ARE OVER 760 mm BUT NOT 1.52 METRES IN HEIGHT (Compensation Factor = 0.4)

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.....
.....

D. PLANTS WHICH ARE 1.52 METRES IN HEIGHT AND OVER AND UP TO THE BUNCHING STAGE BUT HAVING NO BUNCHES SHOWING (Compensation Factor = 0.5)

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.....

E. PLANTS WHICH HAVE REACHED THE STAGE OF EARLY BUNCHING (Compensation Factor = 0.75)

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Assessors' Signatures

SPECIAL INSTRUCTIONS

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By His Excellency's Command,

G. PEARCE, Clerk of the Council.
