



New South Wales

# Dairy Industry Amendment (Trade Practices Exemption) Act 1998 No 28

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New South Wales

## **Dairy Industry Amendment (Trade Practices Exemption) Act 1998 No 28**

Act No 28, 1998

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An Act to amend the *Dairy Industry Act 1979* to ensure that, during a 5-year period commencing on 21 July 1998, certain milk marketing arrangements administered by the New South Wales Dairy Corporation do not contravene the *Trade Practices Act 1974* of the Commonwealth or the Competition Code of New South Wales. [Assented to 15 June 1998]

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**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *Dairy Industry Amendment (Trade Practices Exemption) Act 1998*.

**2 Commencement**

This Act commences on the date of assent.

**3 Amendment of Dairy Industry Act 1979 No 208**

The *Dairy Industry Act 1979* is amended as set out in Schedule 1.

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## Schedule 1 Amendment

(Section 3)

### Section 109

Insert after section 108:

#### 109 Trade Practices exemption

- (1) Anything done by the Corporation, and anything done on its behalf by its employees, agents or other duly authorised persons, during the ***relevant exemption period*** in the course of exercising the following functions conferred or imposed on the Corporation by this Act is specifically authorised by this Act for the purposes of the *Trade Practices Act 1974* of the Commonwealth and the Competition Code of New South Wales:
  - (a) the delivery to and acceptance by the Corporation of milk vested in the Corporation by this Act (including the determination of the quantities of milk that may be delivered to or will be accepted by the Corporation or the quantities of any such milk for which payment will be made by the Corporation at any particular price),
  - (b) the allocation, transfer, reduction or cancellation of quotas in relation to any such delivery and acceptance of milk,
  - (c) the appointment of persons as authorised agents of the Corporation.
- (2) Things authorised to be done by this section are authorised only to the extent (if any) that they would otherwise contravene Part IV of the *Trade Practices Act 1974* of the Commonwealth and the Competition Code of New South Wales.

(3) In this section:

***relevant exemption period*** means the period of 5 years commencing on 21 July 1998.

[Minister's second reading speech made in—  
Legislative Assembly on 20 May 1998  
Legislative Council on 2 June 1998]

BY AUTHORITY