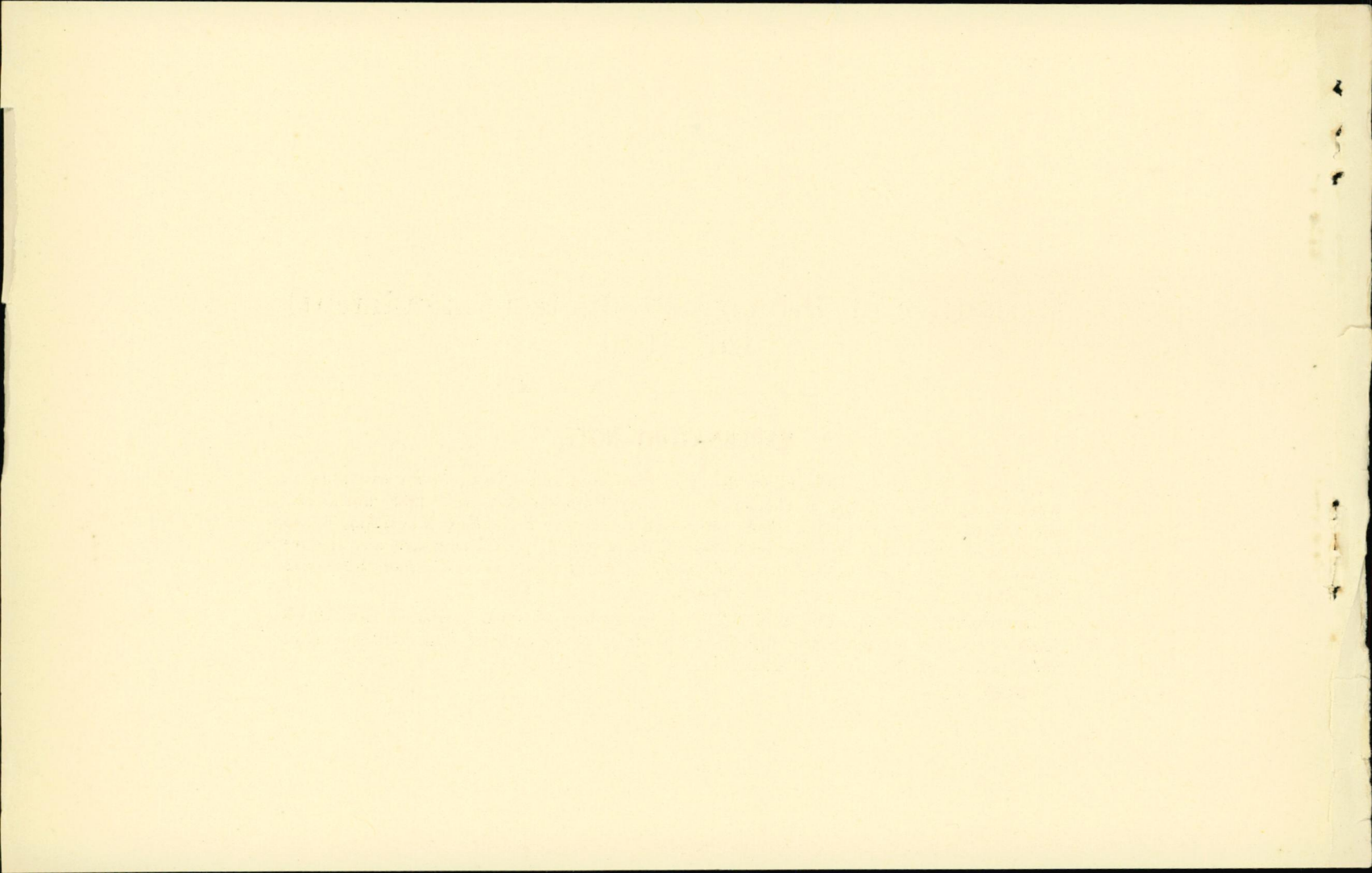


Marketing of Primary Products (Amendment) Bill, 1940.

EXPLANATORY NOTE.

By reason of a recent decision of the Victorian Supreme Court, doubt exists as to whether section 9A of the Marketing of Primary Products Act, 1927-1938, authorised the making of a proclamation which purported to confer on the Egg Marketing Board constituted under that Act, power to manufacture egg pulp. This Board also desires to manufacture dried egg albumen and the same doubt exists as to whether this power can lawfully be conferred upon the Board.

In order to remove doubt, this Bill replaces section 9A with a new section which makes provision for the conferring upon Boards of power to treat commodities and to manufacture articles from commodities.



No. , 1940.

A BILL

To amend the Marketing of Primary Products Act, 1927-1938, in certain respects; and for purposes connected therewith.

[MAJOR REID;—19 November, 1940.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Marketing of Primary Products (Amendment) Act, 1940." Short title and citation.

(2) The Marketing of Primary Products Act, 1927-1938, as amended by the Dried Fruits Act, 1939, and by this Act, may be cited as the Marketing of Primary Products Act, 1927-1940.

Marketing of Primary Products (Amendment).

2. The Marketing of Primary Products Act, 1927-1938, as amended by the Dried Fruits Act, 1939, is amended—

Amendment of Act No. 34, 1927.

5 (a) by omitting section 9A and by inserting in lieu thereof the following new section:—

Substituted sec. 9A.

9A. (1) The Governor may, if he is satisfied that it would be in the best interests of the producers of a commodity so to do, by proclamation published in the Gazette authorise a board—

Governor may empower board to manufacture.

10 (i) to treat or contract for the treatment of the commodity delivered to it in pursuance of this Act; or

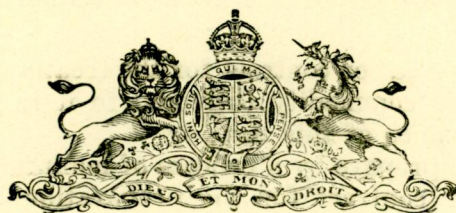
15 (ii) to prepare by a process of manufacture or contract for the preparation by a process of manufacture any article from such commodity.

20 (2) The powers, duties and functions conferred or imposed upon a board by this Act in respect of the commodity delivered to it shall, where applicable, extend, mutatis mutandis, to any of the commodity treated or any article prepared in pursuance of an authority conferred under this section.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 21 November, 1940.

New South Wales.



ANNO QUARTO

GEORGII VI REGIS.

Act No. , 1940.

Act An to amend the Marketing of Primary Products Act, 1927-1938, in certain respects; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Marketing of Primary Products (Amendment) Act, 1940." Short title and citation.

(2) The Marketing of Primary Products Act, 1927-1938, as amended by the Dried Fruits Act, 1939, and by this Act, may be cited as the Marketing of Primary Products Act, 1927-1940.

Marketing of Primary Products (Amendment).

2. The Marketing of Primary Products Act, 1927-1938, as amended by the Dried Fruits Act, 1939, is amended—

Amendment of Act No. 34, 1927.

5 (a) by omitting section 9A and by inserting in lieu thereof the following new section:—

Substituted sec. 9A.

9A. (1) The Governor may, if he is satisfied that it would be in the best interests of the producers of a commodity so to do, by proclamation published in the Gazette authorise a board—

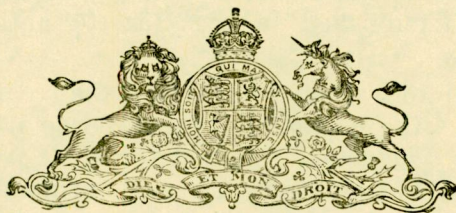
Governor may empower board to manufacture.

10 (i) to treat or contract for the treatment of the commodity delivered to it in pursuance of this Act; or

15 (ii) to prepare by a process of manufacture or contract for the preparation by a process of manufacture any article from such commodity.

20 (2) The powers, duties and functions conferred or imposed upon a board by this Act in respect of the commodity delivered to it shall, where applicable, extend, mutatis mutandis, to any of the commodity treated or any article prepared in pursuance of an authority conferred under this section.

New South Wales.



ANNO QUARTO

GEORGII VI REGIS.

Act No. 42, 1940.

An Act to amend the Marketing of Primary Products Act, 1927-1938, in certain respects; and for purposes connected therewith. [Assented to, 5th December, 1940.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Marketing of Primary Products (Amendment) Act, 1940." Short title and citation.

(2) The Marketing of Primary Products Act, 1927-1938, as amended by the Dried Fruits Act, 1939, and by this Act, may be cited as the Marketing of Primary Products Act, 1927-1940.

Marketing of Primary Products (Amendment).

Amendment of
Act No. 34,
1927.

2. The Marketing of Primary Products Act, 1927-1938, as amended by the Dried Fruits Act, 1939, is amended—

Substituted
sec. 9A.

(a) by omitting section 9A and by inserting in lieu thereof the following new section:—

Governor may
empower board
to manu-
facture.

9A. (1) The Governor may, if he is satisfied that it would be in the best interests of the producers of a commodity so to do, by proclamation published in the Gazette authorise a board—

- (i) to treat or contract for the treatment of the commodity delivered to it in pursuance of this Act; or
- (ii) to prepare by a process of manufacture or contract for the preparation by a process of manufacture any article from such commodity.

(2) The powers, duties and functions conferred or imposed upon a board by this Act in respect of the commodity delivered to it shall, where applicable, extend, mutatis mutandis, to any of the commodity treated or any article prepared in pursuance of an authority conferred under this section.

By Authority:

THOMAS HENRY TENNANT, Government Printer, Sydney, 1940.

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 28 November, 1940.

New South Wales.



ANNO QUARTO

GEORGII VI REGIS.

Act No. 42, 1940.

An Act to amend the Marketing of Primary Products Act, 1927-1938, in certain respects; and for purposes connected therewith. [Assented to, 5th December, 1940.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Marketing of Primary Products (Amendment) Act, 1940." Short title and citation.

(2) The Marketing of Primary Products Act, 1927-1938, as amended by the Dried Fruits Act, 1939, and by this Act, may be cited as the Marketing of Primary Products Act, 1927-1940.

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

W. W. HEDGES,
Chairman of Committees of the Legislative Assembly.

Marketing of Primary Products (Amendment).

Amendment of
Act No. 34,
1927.

2. The Marketing of Primary Products Act, 1927-1938, as amended by the Dried Fruits Act, 1939, is amended—

Substituted
sec. 9A.

(a) by omitting section 9A and by inserting in lieu thereof the following new section:—

Governor may
empower board
to manu-
facture.

9A. (1) The Governor may, if he is satisfied that it would be in the best interests of the producers of a commodity so to do, by proclamation published in the Gazette authorise a board—

- (i) to treat or contract for the treatment of the commodity delivered to it in pursuance of this Act; or
- (ii) to prepare by a process of manufacture or contract for the preparation by a process of manufacture any article from such commodity.

(2) The powers, duties and functions conferred or imposed upon a board by this Act in respect of the commodity delivered to it shall, where applicable, extend, mutatis mutandis, to any of the commodity treated or any article prepared in pursuance of an authority conferred under this section.

In the name and on behalf of His Majesty I assent to this Act.

F. R. JORDAN,

By Deputation from His Excellency the Governor.
Government House,
Sydney, 5th December, 1940.