

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.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 10 November, 1960.

New South Wales



ANNO NONO

ELIZABETHÆ II REGINÆ

Act No. , 1960.

An Act to make further provision with respect to the administration by councils of the Dairies Supervision Act, 1901, as amended by subsequent Acts; for this and other purposes to amend the Local Government Act, 1919, as amended by subsequent Acts, and the Dairies Supervision Act, 1901, as amended by subsequent Acts; and for purposes connected therewith.

BE

Local Government and Dairies Supervision (Amendment).

BE it enacted by the Queen'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 "Local Government and Dairies Supervision (Amendment) Act, 1960".

Short title and citation.

(2) The Dairies Supervision Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Dairies Supervision Act, 1901-1960.

2. The Local Government Act, 1919, as amended by subsequent Acts, is amended by inserting next after section ninety-four the following new section :—

Amendment of Act No. 41, 1919.
New sec. 94A.

94A. (1) Where the Governor has received a report of the Minister for the time being administering the Dairies Supervision Act, 1901, as amended by subsequent Acts, that any council charged with the administration of that Act, as so amended, within its area or any part of its area is not carrying out the administration of that Act, as so amended, to the satisfaction of that Minister, the Governor may by notice in writing require that council to appoint such number of persons, approved by the Minister, as may be specified in the notice to be servants of the council employed in the administration by the council of that Act, as so amended.

Appointment of persons to administer the Dairies Supervision Act, 1901, as amended.

In default of the council's complying with the requirements of any such notice within three months after the service of the notice on the council, the Governor may appoint persons, approved by the Minister, and not exceeding the number specified in the notice, to be servants of the council employed in the administration by the council of the said Act, as so amended, and may fix the terms of any such appointment.

(2)

Local Government and Dairies Supervision (Amendment).

5 (2) Where any person is appointed pursuant to subsection one of this section to be a servant of a council, the council shall not, except with the approval of the Governor, employ him otherwise than in the administration of the Dairies Supervision Act, 1901, as amended by subsequent Acts, in the area or part of the area in which that council is the local authority within the meaning of that Act, as so amended.

10 (3) The salary of any person appointed pursuant to subsection one of this section to be a servant of a council shall be paid by the council and any such person shall not be dismissed, nor shall the terms of his appointment be altered, except by the Governor.

15 (4) (a) Subsection one of this section shall extend to authorise the Governor to make a requirement that two or more councils join in making the appointment, and to authorise the Governor to appoint one or more persons as aforesaid to be servants of the councils jointly, employed in the administration by those councils of the Dairies Supervision Act, 1901, as amended by
20 subsequent Acts, and to fix the terms of any such appointment.

25 (b) Where, pursuant to this section, the Governor appoints any person to be a servant of two or more councils jointly, subsection three of this section shall be read and construed as requiring the salary of that person to be paid by the councils to whose service he is so appointed in such shares or proportions as the Governor may determine.

30 **3.** The Dairies Supervision Act, 1901, as amended by subsequent Acts, is amended—

Amendment of Act No. 46, 1901.

35 (a) by inserting at the end of paragraph four of section six the words "or, in the case of dairy-premises and milk-stores, which do not comply with the requirements of any regulation relating to dairy-premises or milk-stores, as the case may be, made under subsection (1A) of section seventeen of this Act";

Sec. 6. (Powers of local authorities.)

(b)

Local Government and Dairies Supervision (Amendment).

(b) by inserting next after subsection one of section seventeen the following new subsection :— Sec. 17.
(Regulations.)

5 (1A) Without limiting the generality of subsection one of this section regulations may be made for and with respect to prescribing requirements to be observed as to—

(a) the location, lay out, design, construction and maintenance of dairy-premises and milk-stores; and

10 (b) the provision and construction of facilities on or in dairy-premises or milk-stores for securing the wholesomeness and freedom from contamination of milk or cream and
15 the cleaning and sterilising of cans, vessels, utensils, appliances and equipment used in dairy-premises or milk-stores.

Sydney: V. C. N. Blight, Government Printer—1960

[6d.]

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[MR. HILLS;—13 *October*, 1960.]

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Local Government and Dairies Supervision (Amendment).

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2. The Local Government Act, 1919, as amended by subsequent Acts, is amended by inserting next after section ninety-four the following new section :—

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New sec. 94A.

94A. (1) Where the Governor has received a report of the Minister for the time being administering the Dairies Supervision Act, 1901, as amended by subsequent Acts, that any council charged with the administration of that Act, as so amended, within its area or any part of its area is not carrying out the administration of that Act, as so amended, to the satisfaction of that Minister, the Governor may by notice in writing require that council to appoint such number of persons, approved by the Minister, as may be specified in the notice to be servants of the council employed in the administration by the council of that Act, as so amended.

Appointment of persons to administer the Dairies Supervision Act, 1901, as amended.

In default of the council's complying with the requirements of any such notice within three months after the service of the notice on the council, the Governor may appoint persons, approved by the Minister, and not exceeding the number specified in the notice, to be servants of the council employed in the administration by the council of the said Act, as so amended, and may fix the terms of any such appointment.

(2)

Local Government and Dairies Supervision (Amendment).

5 (2) Where any person is appointed pursuant to subsection one of this section to be a servant of a council, the council shall not, except with the approval of the Governor, employ him otherwise than in the administration of the Dairies Supervision Act, 1901, as amended by subsequent Acts, in the area or part of the area in which that council is the local authority within the meaning of that Act, as so amended.

10 (3) The salary of any person appointed pursuant to subsection one of this section to be a servant of a council shall be paid by the council and any such person shall not be dismissed, nor shall the terms of his appointment be altered, except by the Governor.

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20 subsequent Acts, and to fix the terms of any such appointment.

25 (b) Where, pursuant to this section, the Governor appoints any person to be a servant of two or more councils jointly, subsection three of this section shall be read and construed as requiring the salary of that person to be paid by the councils to whose service he is so appointed in such shares or proportions as the Governor may determine.

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Sec. 6. (Powers of local authorities.)

(b)

Local Government and Dairies Supervision (Amendment).

(b) by inserting next after subsection one of section seventeen the following new subsection :— (Regulations.)

5 (1A) Without limiting the generality of subsection one of this section regulations may be made for and with respect to prescribing requirements to be observed as to—

- 10 (a) the location, lay out, design, construction and maintenance of dairy-premises and milk-stores; and
- 15 (b) the provision and construction of facilities on or in dairy-premises or milk-stores for securing the wholesomeness and freedom from contamination of milk or cream and the cleaning and sterilising of cans, vessels, utensils, appliances and equipment used in dairy-premises or milk-stores.

LOCAL GOVERNMENT AND DAIRIES SUPERVISION (AMENDMENT) BILL, 1960.

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to empower the Governor, in areas where the supervision of dairy-premises and milk-stores is not being carried out to the satisfaction of the Minister for the time being administering the Dairies Supervision Act, 1901, as amended by subsequent Acts, to require councils to appoint persons to carry out the administration of that Act, as so amended, in their areas ; in default the Governor to make the required appointment ;
- (b) to amend the Dairies Supervision Act, 1901, as amended by subsequent Acts, so as to—
 - (i) authorise the making of regulations prescribing standards of construction and maintenance for dairy-premises and milk-stores and of facilities ancillary thereto ;
 - (ii) allow councils to refuse or cancel the registration of any dairyman or milk-vendor in respect of dairy-premises or milk-stores which do not comply with the prescribed standards ;
- (c) to make other amendments of an ancillary nature.

LOCAL GOVERNMENT AND DAIRIES SUPERVISION
(AMENDMENT) BILL, 1941

STATE BUREAU NOTE

The Department of Agriculture, State Bureau of Dairy Inspection, has the honor to acknowledge the receipt of your letter of the 10th inst. regarding the proposed amendments to the Local Government and Dairies Supervision Bill, 1941. The Department is currently reviewing the proposed amendments and will advise you of the results of its review as soon as possible.

The Department is particularly interested in the proposed amendments relating to the supervision of dairies and the appointment of inspectors. It is noted that the proposed amendments provide for the appointment of inspectors by the local government and for the supervision of dairies by the State Bureau of Dairy Inspection. The Department is currently reviewing these amendments and will advise you of the results of its review as soon as possible.

The Department is also interested in the proposed amendments relating to the supervision of dairies and the appointment of inspectors. It is noted that the proposed amendments provide for the appointment of inspectors by the local government and for the supervision of dairies by the State Bureau of Dairy Inspection. The Department is currently reviewing these amendments and will advise you of the results of its review as soon as possible.

PROOF

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A BILL

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[MR. HILLS;—13 *October*, 1960.]

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1. (1) This Act may be cited as the "Local Government and Dairies Supervision (Amendment) Act, 1960". Short title and citation.

(2) The Dairies Supervision Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Dairies Supervision Act, 1901-1960.

2. The Local Government Act, 1919, as amended by subsequent Acts, is amended by inserting next after section ninety-four the following new section :— Amendment of Act No. 41, 1919.
New sec. 94A.

94A. (1) Where the Governor has received a report of the Minister for the time being administering the Dairies Supervision Act, 1901, as amended by subsequent Acts, that any council charged with the administration of that Act, as so amended, within its area or any part of its area is not carrying out the administration of that Act, as so amended, to the satisfaction of that Minister, the Governor may by notice in writing require that council to appoint such number of persons, approved by the Minister, as may be specified in the notice to be servants of the council employed in the administration by the council of that Act, as so amended. Appointment of persons to administer the Dairies Supervision Act, 1901, as amended.

In default of the council's complying with the requirements of any such notice within three months after the service of the notice on the council, the Governor may appoint persons, approved by the Minister, and not exceeding the number specified in the notice, to be servants of the council employed in the administration by the council of the said Act, as so amended, and may fix the terms of any such appointment.

(2)

Local Government and Dairies Supervision (Amendment).

5 (2) Where any person is appointed pursuant to subsection one of this section to be a servant of a council, the council shall not, except with the approval of the Governor, employ him otherwise than in the administration of the Dairies Supervision Act, 1901, as amended by subsequent Acts, in the area or part of the area in which that council is the local authority within the meaning of that Act, as so amended.

10 (3) The salary of any person appointed pursuant to subsection one of this section to be a servant of a council shall be paid by the council and any such person shall not be dismissed, nor shall the terms of his appointment be altered, except by the Governor.

15 (4) (a) Subsection one of this section shall extend to authorise the Governor to make a requirement that two or more councils join in making the appointment, and to authorise the Governor to appoint one or more persons as aforesaid to be servants of the councils jointly, employed in the administration by those councils of the Dairies Supervision Act, 1901, as amended by subsequent Acts, and to fix the terms of any such appointment.

20 (b) Where, pursuant to this section, the Governor appoints any person to be a servant of two or more councils jointly, subsection three of this section shall be read and construed as requiring the salary of that person to be paid by the councils to whose service he is so appointed in such shares or proportions as the Governor may determine.

30 3. The Dairies Supervision Act, 1901, as amended by subsequent Acts, is amended—

Amendment of Act No. 46, 1901.

35 (a) by inserting at the end of paragraph four of section six the words "or, in the case of dairy-premises and milk-stores, which do not comply with the requirements of any regulation relating to dairy-premises or milk-stores, as the case may be, made under subsection (1A) of section seventeen of this Act";

Sec. 6. (Powers of local authorities.)

(b)

Local Government and Dairies Supervision (Amendment).

(b) by inserting next after subsection one of section Sec. 17.
seventeen the following new subsection :— (Regula-
tions.)

5 (1A) Without limiting the generality of subsection
one of this section regulations may be made for and
with respect to prescribing requirements to be
observed as to—

- 10 (a) the location, lay out, design, construction and
maintenance of dairy-premises and milk-
stores; and
- 15 (b) the provision and construction of facilities
on or in dairy-premises or milk-stores for
securing the wholesomeness and freedom
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the cleaning and sterilising of cans, vessels,
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dairy-premises or milk-stores.

New South Wales



ANNO NONO

ELIZABETHÆ II REGINÆ

Act No. 52, 1960.

An Act to make further provision with respect to the administration by councils of the Dairies Supervision Act, 1901, as amended by subsequent Acts; for this and other purposes to amend the Local Government Act, 1919, as amended by subsequent Acts, and the Dairies Supervision Act, 1901, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 24th November, 1960.]

BE

Local Government and Dairies Supervision (Amendment).

BE it enacted by the Queen'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 :—

Short title
and citation.

1. (1) This Act may be cited as the "Local Government and Dairies Supervision (Amendment) Act, 1960".

(2) The Dairies Supervision Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Dairies Supervision Act, 1901-1960.

Amendment
of Act No.
41, 1919.
New sec.
94A.

2. The Local Government Act, 1919, as amended by subsequent Acts, is amended by inserting next after section ninety-four the following new section :—

Appointment
of persons
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ter the
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Supervision
Act, 1901,
as amended.

94A. (1) Where the Governor has received a report of the Minister for the time being administering the Dairies Supervision Act, 1901, as amended by subsequent Acts, that any council charged with the administration of that Act, as so amended, within its area or any part of its area is not carrying out the administration of that Act, as so amended, to the satisfaction of that Minister, the Governor may by notice in writing require that council to appoint such number of persons, approved by the Minister, as may be specified in the notice to be servants of the council employed in the administration by the council of that Act, as so amended.

In default of the council's complying with the requirements of any such notice within three months after the service of the notice on the council, the Governor may appoint persons, approved by the Minister, and not exceeding the number specified in the notice, to be servants of the council employed in the administration by the council of the said Act, as so amended, and may fix the terms of any such appointment.

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(2) Where any person is appointed pursuant to subsection one of this section to be a servant of a council, the council shall not, except with the approval of the Governor, employ him otherwise than in the administration of the Dairies Supervision Act, 1901, as amended by subsequent Acts, in the area or part of the area in which that council is the local authority within the meaning of that Act, as so amended.

(3) The salary of any person appointed pursuant to subsection one of this section to be a servant of a council shall be paid by the council and any such person shall not be dismissed, nor shall the terms of his appointment be altered, except by the Governor.

(4) (a) Subsection one of this section shall extend to authorise the Governor to make a requirement that two or more councils join in making the appointment, and to authorise the Governor to appoint one or more persons as aforesaid to be servants of the councils jointly, employed in the administration by those councils of the Dairies Supervision Act, 1901, as amended by subsequent Acts, and to fix the terms of any such appointment.

(b) Where, pursuant to this section, the Governor appoints any person to be a servant of two or more councils jointly, subsection three of this section shall be read and construed as requiring the salary of that person to be paid by the councils to whose service he is so appointed in such shares or proportions as the Governor may determine.

3. The Dairies Supervision Act, 1901, as amended by subsequent Acts, is amended— Amendment of Act No. 46, 1901.

(a) by inserting at the end of paragraph four of section six the words "or, in the case of dairy-premises and milk-stores, which do not comply with the requirements of any regulation relating to dairy-premises or milk-stores, as the case may be, made under subsection (1A) of section seventeen of this Act"; Sec. 6. (Powers of local authorities.)

(b)

Local Government and Dairies Supervision (Amendment).

Sec. 17.
(Regulations.)

(b) by inserting next after subsection one of section seventeen the following new subsection :—

(1A) Without limiting the generality of subsection one of this section regulations may be made for and with respect to prescribing requirements to be observed as to—

(a) the location, lay out, design, construction and maintenance of dairy-premises and milk-stores; and

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By Authority:

V. C. N. BLIGHT, Government Printer, Sydney, 1960

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.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 22 November, 1960.*

New South Wales



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Act No. 52, 1960.

An Act to make further provision with respect to the administration by councils of the Dairies Supervision Act, 1901, as amended by subsequent Acts; for this and other purposes to amend the Local Government Act, 1919, as amended by subsequent Acts, and the Dairies Supervision Act, 1901, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 24th November, 1960.]

BE

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

HOWARD T. FOWLES,
Chairman of Committees of the Legislative Assembly.

Local Government and Dairies Supervision (Amendment).

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Short title and citation. **1.** (1) This Act may be cited as the "Local Government and Dairies Supervision (Amendment) Act, 1960".

(2) The Dairies Supervision Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Dairies Supervision Act, 1901-1960.

Amendment of Act No. 41, 1919. **2.** The Local Government Act, 1919, as amended by subsequent Acts, is amended by inserting next after section ninety-four the following new section :—

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(b) by inserting next after subsection one of section seventeen the following new subsection :—

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

E. W. WOODWARD,
Governor.

*Government House,
Sydney, 24th November, 1960.*