

POTATO GROWERS LICENSING (AMENDMENT) BILL, 1980

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Potato Growers Licensing Act, 1940,
so as—

- (a) to provide that potato growers are required to be licensed under that Act only if they use for the production of potatoes more than the minimum area prescribed by regulation instead of more than 1 011 square metres (Schedule 1 (1));
 - (b) to increase the penalties that may be imposed for offences against that Act or the regulations thereunder (Schedule 1 (1), (3) and (5));
and
 - (c) to amend that Act by way of statute law revision (Schedule 1 (2) and (4)).
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**POTATO GROWERS LICENSING (AMENDMENT)
BILL, 1980**

No. , 1980.

A BILL FOR

An Act to amend the Potato Growers Licensing Act, 1940, with respect to exemptions from that Act and penalties, and in certain other respects.

[MR DAY—16 September, 1980.]

Potato Growers Licensing (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 :—

5 **1.** This Act may be cited as the "Potato Growers Licensing (Amendment) Act, 1980". Short title.

2. (1) This section and section 1 shall commence on the date of assent to this Act. Commence-
ment.

10 (2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Potato Growers Licensing Act, 1940, is amended in the manner set forth in Schedule 1. Amendment
of Act
No. 13,
1940.

15

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE POTATO GROWERS LICENSING ACT, 1940.

(1) (a) Section 3 (1)—

Omit the subsection, insert instead :—

20

(1) A person shall not use for the production of potatoes—

(a) any area of land exceeding the minimum area prescribed for the purposes of this section; or

Potato Growers Licensing (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE POTATO GROWERS LICENSING ACT,
1940—*continued.*

- 5 (b) any areas of land exceeding in the aggregate
the minimum area so prescribed,
unless he is the holder of a license under this Act.

Penalty: \$1,000.

- (b) Section 3 (4)—

Omit the subsection.

- 10 (2) (a) Section 4 (2)—

Omit "Colonial".

- (b) Section 4 (2) (a)—

Omit "—1938".

- (3) Section 6 (2)—

- 15 Omit the subsection, insert instead :—

(2) A person shall not obstruct, hinder, threaten or assault any inspector or authorised person in the execution of the powers or authorities conferred upon him by this Act.

- 20 Penalty: \$1,000.

Potato Growers Licensing (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE POTATO GROWERS LICENSING ACT,
1940—*continued.*

- (4) Section 7—
5 Omit “or police”.
- (5) Section 9 (2)—
Omit “one hundred dollars”, insert instead “\$500”.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980

(10c)

- (f) to ensure that the... (2) and...
- (g) to ensure the... (1) and (2)...
- (h) to ensure the... (1)...
- (i) to ensure the... (1)...

The effect of this Bill is to amend the... (1)...

(This Bill is intended to be introduced into Parliament)

EXPLANATORY NOTE

BY THE SECRETARY OF STATE (MEMBER OF PARLIAMENT) IN 1930

**POTATO GROWERS LICENSING (AMENDMENT)
ACT, 1980, No. 112**

New South Wales



ANNO VICESIMO NONO

ELIZABETHÆ II REGINÆ

Act No. 112, 1980.

An Act to amend the Potato Growers Licensing Act, 1940, with respect to exemptions from that Act and penalties, and in certain other respects. [Assented to, 22nd October, 1980.]

Potato Growers Licensing (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.

1. This Act may be cited as the "Potato Growers Licensing (Amendment) Act, 1980".

Commence-
ment.

2. (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment
of Act
No. 13,
1940.

3. The Potato Growers Licensing Act, 1940, is amended in the manner set forth in Schedule 1.

Sec. 3.

SCHEDULE 1.

AMENDMENTS TO THE POTATO GROWERS LICENSING ACT, 1940.

(1) (a) Section 3 (1)—

Omit the subsection, insert instead :—

(1) A person shall not use for the production of potatoes—

(a) any area of land exceeding the minimum area prescribed for the purposes of this section; or

Potato Growers Licensing (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE POTATO GROWERS LICENSING ACT,
1940—*continued.*

(b) any areas of land exceeding in the aggregate
the minimum area so prescribed,
unless he is the holder of a license under this Act.

Penalty: \$1,000.

(b) Section 3 (4)—

Omit the subsection.

(2) (a) Section 4 (2)—

Omit "Colonial".

(b) Section 4 (2) (a)—

Omit "—1938".

(3) Section 6 (2)—

Omit the subsection, insert instead :—

(2) A person shall not obstruct, hinder, threaten or
assault any inspector or authorised person in the execution
of the powers or authorities conferred upon him by this
Act.

Penalty: \$1,000.

Potato Growers Licensing (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE POTATO GROWERS LICENSING ACT,
1940—*continued.*

(4) Section 7—

Omit “or police”.

(5) Section 9 (2)—

Omit “one hundred dollars”, insert instead “\$500”.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 22nd October, 1980.*