



ANNO DECIMO QUARTO

ELIZABETHAE II REGINAE

A.D. 1965

No. 19 of 1965

An Act to amend the Marketing of Eggs Act, 1941-1963.

[Assented to 10th November, 1965.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:—

1. (1) This Act may be cited as the “Marketing of Eggs Act Amendment Act, 1965”. Short titles.

(2) The Marketing of Eggs Act, 1941-1963, as amended by this Act, may be cited as the “Marketing of Eggs Act, 1941-1965”.

(3) The Marketing of Eggs Act, 1941-1963, is hereinafter referred to as “the principal Act”.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. Subsection (1) of section 2 of the principal Act is amended— Amendment of principal Act, s. 2— Interpretation.

(a) by inserting after the definition of “eggs” therein the following definition:—

“hen” means a female domesticated fowl that is not less than six months old : ; and

(b) by striking out the definition of “producer” therein and inserting in lieu thereof the following definition:—

“producer” means person who keeps twenty or more hens : .

Amendment of
principal Act,
s. 4—
Constitution of
board.

4. Section 4 of the principal Act is amended—

(a) by inserting after the word “shall” first occurring in subsection (4) thereof the passage “, subject to subsection (5) of this section,”; and

(b) by inserting at the end thereof the following subsection :—

(5) If a casual vacancy occurs in the office of a member of the board, the Governor shall appoint a suitable person to the vacant office.

Amendment of
principal Act,
s. 4a—
Election of
producer
members.

5. Section 4a of the principal Act is amended—

(a) by re-designating subsection (1) thereof as subsection (1a) thereof and inserting before that subsection as subsection (1) thereof the following subsection :—

(1) In this section—

“the Commonwealth Acts” means the Commonwealth Acts known as the *Poultry Industry Levy Act 1965*, as amended from time to time, and the *Poultry Industry Levy Collection Act 1965*, as amended from time to time, and includes the regulations made under those Acts :

“the relevant day”, in relation to an election and in relation to a producer, means the last day not earlier than the thirtieth day of June nor later than the thirtieth day of September last preceding the election on which levy was payable by the producer pursuant to the Commonwealth Acts. ;

(b) by inserting after the word “shall” in subsection (2) thereof the passage “, subject to subsection (4) of section 4b of this Act,”;

(c) by striking out subsections (5) and (6) thereof and inserting in lieu thereof the following subsections :—

(5) A producer who, on the relevant day in relation to an election to be held after the commencement of the Marketing of Eggs Act Amendment Act, 1965, was keeping not less than two hundred and fifty hens within an electoral district shall be entitled to have his name included in the roll of electors for that electoral district.

(6) A producer who, on the relevant day in relation to an election to be held after the commencement of the Marketing of Eggs Act Amendment Act, 1965, was keeping not less than two hundred and fifty hens in more than one electoral district shall be entitled to have his name included in the roll of electors for such one of those electoral districts as the board determines.

(6a) For the purposes of this section, the number of hens kept by a producer on the relevant day shall be determined by reference to the amount of the levy payable by him on that day in accordance with the Commonwealth Acts. ; and

(d) by striking out paragraph (b) of subsection (7) thereof and inserting in lieu thereof the following paragraph :—

(b) stating that on the relevant day in relation to the election, which shall be specified in the statement, he was keeping in that electoral district or partly in that district and partly in some other electoral district or districts not less than two hundred and fifty hens ; and.

6. The following section is enacted and inserted in the principal Act after section 4a thereof :—

Enactment of
principal Act,
s. 4b—

4b. (1) For the purposes of section 4a of this Act, a producer which is a body corporate, in lieu of having its own name included in the roll of electors for an electoral district, may, by notice in writing given to the board, nominate a person whose name shall be so included as nominee of the body corporate in lieu of the name of the body corporate.

Producer
companies.

(2) A person so nominated shall, by virtue of such nomination, be deemed to be a producer for the purposes of subsection (3) of section 4a of this Act.

(3) Any such nomination may, by notice in writing given to the board, be revoked by the body corporate and thereupon the person nominated shall cease to be the nominee of the body corporate and, while such revocation is in force, his name shall not be included in any roll of electors as such nominee.

(4) Where the name of a person is included in the roll of electors for an electoral district both as the nominee of a body corporate and as a producer in his own right, such

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person shall be entitled to vote in each capacity, but a person shall not otherwise be entitled to vote more than once at any election.

Amendment of
principal Act,
s. 8—
Casual
vacancies.

7. Section 8 of the principal Act is amended by inserting after the word "seat" being the last word of that section the following passage :—

; or

(e) being a person whose name was at the time of his election included in the roll of electors for an electoral district as the nominee of a body corporate pursuant to section 4b of this Act but not as a producer in his own right, ceases to be the nominee of the body corporate pursuant to subsection (3) of section 4b of this Act.

Amendment of
principal Act,
s. 34—
Regulations.

8. Section 34 of the principal Act is amended by inserting after the passage "section 4a" wherever occurring in paragraphs (f) and (g) thereof the passage "or 4b".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. M. NAPIER, Governor's Deputy.