



New South Wales

Agricultural Industry Services (Nursery Industry Services Committee) Regulation 2001

under the

Agricultural Industry Services Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Agricultural Industry Services Act 1998*.

RICHARD AMERY, M.P.,

Minister for Agriculture

Explanatory note

The object of this Regulation is to establish the New South Wales Nursery Industry Services Committee as an agricultural industry services committee.

The Committee is established for growers of nursery stock, other than those that grow nursery stock only in small-scale nurseries and those that are charitable organisations, throughout the whole of New South Wales.

The agricultural industry services for which the Committee is constituted are as follows:

- (a) to support research into the development of schemes and techniques for production efficiency, environmental protection and business management in relation to the growing of nursery stock,
- (b) to encourage the adoption of such schemes and techniques by growers of nursery stock,
- (c) to provide education and training for growers of nursery stock in relation to the implementation of such schemes and techniques, and in relation to other matters relating to the growing of nursery stock.

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Explanatory note

The Committee will consist of 7 members, of whom 5 are to be elected by the Committee's constituents and 2 are to be appointed by the industry peak body (Nursery & Garden Industry NSW & ACT Limited (ACN 001 075 574)).

This Regulation is made under the *Agricultural Industry Services Act 1998*, including section 51 (the general power to make regulations) and sections 4 and 6.

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Clause 1 Agricultural Industry Services (Nursery Industry Services Committee)
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Part 1 Preliminary

Agricultural Industry Services (Nursery Industry Services Committee) Regulation 2001

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Agricultural Industry Services (Nursery Industry Services Committee) Regulation 2001*.

2 Commencement

This Regulation commences on 30 June 2001.

3 Definitions

In this Regulation:

charitable organisation means a person or body referred to in any of the tables to section 78 (4) of the *Income Tax Assessment Act 1936* of the Commonwealth.

Committee means the New South Wales Nursery Industry Services Committee established by this Regulation.

industry peak body means Nursery & Garden Industry NSW & ACT Limited (ACN 001 075 574).

nursery stock means any plant that is grown for the purpose of being sold, as a growing plant:

- (a) for ornamental purposes, or
- (b) for timber production, or
- (c) for food production,

but does not include any plant that is grown for the purpose of being sold in the form of a bulb or corm, as turf or as a medicinal herb.

small-scale nursery means any premises used for growing nursery stock where the annual gross revenue from the sale of nursery stock grown on the premises is less than \$50,000.

the Act means the *Agricultural Industry Services Act 1998*.

4 Notes

The explanatory note and table of contents do not form part of this Regulation.

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Part 2 Establishment and functions of Committee

Part 2 Establishment and functions of Committee

5 Establishment of Committee

There is established by this Regulation, under section 4 of the Act, an agricultural industry services committee with the corporate name of the New South Wales Nursery Industry Services Committee.

6 Class of primary producers for which Committee is constituted

The class of primary producers for which the Committee is constituted is growers of nursery stock, other than those that grow nursery stock only in small-scale nurseries and those that are charitable organisations.

7 Area of operations

The area of operations for which the Committee is constituted is the whole of New South Wales.

8 Commodities for which Committee is constituted

The commodity for which the Committee is constituted is nursery stock.

9 Agricultural industry services of Committee

The agricultural industry services for which the Committee is constituted are as follows:

- (a) to support research into the development of schemes and techniques for production efficiency, environmental protection and business management in relation to the growing of nursery stock,
- (b) to encourage the adoption of such schemes and techniques by growers of nursery stock,
- (c) to provide education and training for growers of nursery stock in relation to the implementation of such schemes and techniques, and in relation to other matters relating to the growing of nursery stock.

Part 3 Other provisions relating to Committee

10 Membership of Committee

- (1) The Committee is to consist of 7 members, of whom:
 - (a) 5 are to be elected by the Committee's constituents, and
 - (b) 2 are to be appointed by the industry peak body by notice in writing lodged with the Director-General.
- (2) Each member of the Committee holds office for 4 years.
- (3) The quorum for a meeting of the Committee is 4 of its members.

11 Interim membership

- (1) Pending the first election of its elected members, the Committee is to consist of 3 members, of whom:
 - (a) one is to be the president of the industry peak body, and
 - (b) two are to be other members of the industry peak body, selected by the president of that body.
- (2) Each member of the Committee as constituted in accordance with subclause (1) holds office until the date on which members are elected following the first election.
- (3) The quorum for a meeting of the Committee as constituted in accordance with subclause (1) is 2 of its members.
- (4) The first election is to be called by the Director-General, in accordance with the *Agricultural Industry Services (Polls and Elections) Regulation 2000*, on or before 1 July 2002.

12 Voting entitlements of constituents

The voting entitlements of the Committee's constituents for polls and elections is one vote per constituent.

13 Quorum for meeting of constituents

The quorum for a meeting of the Committee's constituents is 30 constituents.

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Part 3 Other provisions relating to Committee

14 Financial year

The financial year of the Committee is the year ending on 30 June.

BY AUTHORITY