

**EGG INDUSTRY STABILISATION (AMENDMENT)
ACT, 1978, No. 48**

New South Wales



ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 48, 1978.

An Act to amend the Egg Industry Stabilisation Act, 1971, to provide that convictions and orders in respect of offences against the Act shall, in default of payment, be enforceable as judgments in courts of petty sessions instead of by way of imprisonment; to enable search warrants to be issued authorising inspectors to enter premises; and to increase certain penalties. [Assented to, 3rd April, 1978.]

Egg Industry Stabilisation (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 "Egg Industry Stabilisation (Amendment) Act, 1978".

Schedules. 2. This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENTS TO THE EGG INDUSTRY
STABILISATION ACT, 1971, RELATING TO ENFORCEMENT
OF CONVICTIONS AND ORDERS.

SCHEDULE 2.—AMENDMENT TO THE EGG INDUSTRY
STABILISATION ACT, 1971, RELATING TO SEARCH
WARRANTS.

SCHEDULE 3.—AMENDMENTS TO THE EGG INDUSTRY
STABILISATION ACT, 1971, RELATING TO PENALTIES.

Amendment
of Act No.
74, 1971. 3. The Egg Industry Stabilisation Act, 1971, is amended in
the manner set forth in Schedules 1–3.

Egg Industry Stabilisation (Amendment).

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE EGG INDUSTRY STABILISATION ACT, 1971,
RELATING TO ENFORCEMENT OF CONVICTIONS AND ORDERS.

(1) Section 60 (1)—

Omit "All proceedings", insert instead "(1) Subject to subsection (2), all proceedings".

(2) Section 60 (2), (3)—

At the end of section 60, insert :—

(2) Notwithstanding the provisions of the Justices Act, 1902, where any person is, by any conviction or order adjudged to pay any fine, penalty, sum of money or costs in respect of an offence against this Act—

(a) that person shall not be adjudged to be, or be, liable to imprisonment in default of payment of the amount of that fine, penalty, sum of money or costs; and

(b) that conviction or order shall, irrespective of the amount adjudged to be paid, operate, and be enforceable in the same way, as a judgment of a court of petty sessions under the Courts of Petty Sessions (Civil Claims) Act, 1970.

(3) The registrar of the court of petty sessions at which a conviction or order referred to in subsection (2) is effected or made shall enter up judgment against the defendant in the records of the court for the amount adjudged to be paid.

Egg Industry Stabilisation (Amendment).

Sec. 3.

SCHEDULE 2.

AMENDMENT TO THE EGG INDUSTRY STABILISATION ACT, 1971,
RELATING TO SEARCH WARRANTS.

Section 12 (5), (6)—

After section 12 (4), insert :—

(5) Upon complaint made by an inspector on oath before a justice of the peace stating that the inspector has been delayed, obstructed, hindered or impeded in the exercise or performance of his powers, authorities, duties and functions under subsection (1), and upon reasonable grounds being shown in the complaint for the inspector's statement, the justice of the peace may grant a search warrant authorising the inspector, and any member of the police force accompanying him, to enter, using such force as is reasonably necessary, the land, premises or place named in the warrant for the purpose of exercising his powers, authorities, duties and functions under subsection (1).

(6) An inspector shall exercise his powers to enter any land, premises or place under this section only between the hours of 7.00 a.m. and 7.00 p.m.

Sec. 3.

SCHEDULE 3.

AMENDMENTS TO THE EGG INDUSTRY STABILISATION ACT, 1971,
RELATING TO PENALTIES.

(1) (a) Section 16 (4)—

Omit "five hundred dollars", insert instead "\$2.000".

(b) Section 16 (4)—

Omit "one hundred dollars", insert instead "\$500".

Egg Industry Stabilisation (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE EGG INDUSTRY STABILISATION ACT, 1971,
RELATING TO PENALTIES—*continued.*

(2) (a) Section 48 (5)—

Omit “two hundred and fifty dollars”, insert instead
“\$2,000”.

(b) Section 48 (5)—

Omit “fifty dollars”, insert instead “\$500”.

(3) Section 52 (4)—

Omit “five hundred dollars”, insert instead “\$1,000”.

(4) Section 59—

Omit “four hundred dollars”, insert instead “\$1,000”.

(5) (a) Section 62 (1) (e)—

Omit “four hundred dollars”, insert instead “\$1,000”.

(b) Section 62 (1) (e)—

Omit “twenty dollars”, insert instead “\$100”.
