

# **EGG INDUSTRY (AMENDMENT) ACT 1986 No. 54**

**NEW SOUTH WALES**



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**EGG INDUSTRY (AMENDMENT) ACT 1986 No. 54**

**NEW SOUTH WALES**



**Act No. 54, 1986**

An Act to amend the Egg Industry Act 1983 with respect to the appointment of certain members of the New South Wales Egg Corporation, and for other purposes. [Assented to, 15 May 1986]

*Egg Industry (Amendment) 1986*

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**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 (Amendment) Act 1986".

**Commencement**

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.
- (2) Except as provided by subsection (1), this Act shall commence on 1 July 1986.

**Principal Act**

3. The Egg Industry Act 1983 is referred to in this Act as the Principal Act.

**Amendment of Act No. 57, 1983**

4. The Principal Act is amended in the manner set forth in Schedule 1.

**Transitional**

5. Anything—
  - (a) which was done before 1 July 1986 in relation to the appointment of a member of the New South Wales Egg Corporation to represent producers of eggs or in relation to the recommendation of a person to be nominated for any such appointment; and
  - (b) which would have been done in accordance with the Principal Act, as amended by this Act, if this Act had been in force when the thing was done,

shall be deemed to have been done in accordance with the Principal Act, as amended by this Act.

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## SCHEDULE 1

(Sec.4)

## AMENDMENTS TO THE PRINCIPAL ACT

(1) Section 8 (**The Corporation**)—

Omit section 8 (4) (c), insert instead:

- (c) 4 shall be appointed to represent producers in New South Wales and shall be persons nominated by the Minister; and

(2) Schedule 2 (**Constitution and procedure of the Corporation**)—(a) Clause 1 (**Interpretation**)—

Omit the definitions of “elected member” and “election”.

## (b) Clause 2—

Omit the clause, insert instead:

**Qualifications for members nominated to represent producers**

2. (1) A person is eligible to be nominated in accordance with section 8 (4) (c) only if the person—

- (a) was the holder of a licence for the whole of the period of 3 years immediately preceding the nomination;
- (b) had a hen quota of 1,000 or more during the whole of that period;
- (c) was a resident of New South Wales for not less than 6 months in each of those 3 years;
- (d) does not have any direct (and does not knowingly have any indirect) financial interest in any chicken hatching or chicken breeding enterprise conducted within the Commonwealth and is not concerned in the operation of any such enterprise;
- (e) has been recommended for nomination by a selection committee consisting of—
  - (i) the Chairman;
  - (ii) the Director-General of the Department of Agriculture or a person nominated by the Director-General to act as a member of the selection committee;

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SCHEDULE 1—*continued*AMENDMENTS TO THE PRINCIPAL ACT—*continued*

(iii) the Chairman of The Livestock and Grain Producers' Association of New South Wales Egg Producers Section; and

(iv) 2 licensees nominated by that Association, one of whom shall be a producer who keeps hens only within the County of Cumberland and the other of whom shall be a producer who keeps hens only within New South Wales but only outside that County; and

(f) is not a member of the selection committee which recommended the person for nomination.

(2) If there is a vacancy in the membership of the selection committee because there is not a Chairman or not an Association referred to in subclause (1) (e) (iii) or (iv), the Minister may appoint a person to the vacant position in the membership and, in any such case, the selection committee shall be deemed to be constituted in accordance with subclause (1) (e), but only if the membership of the selection committee includes at least 2 licensees.

(c) Clause 3 (**Provisions as to elected members**)—

Omit the clause.

(d) Clause 10 (**Casual vacancies**)—

(i) Clause 10 (1) (h) (i)—

Omit "or" where lastly occurring.

(ii) Clause 10 (1) (h) (iii)—

At the end of clause 10 (1) (h) (ii), insert:

or

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SCHEDULE 1—*continued*

AMENDMENTS TO THE PRINCIPAL ACT—*continued*

- (iii) the member acquires any direct (or knowingly acquires any indirect) financial interest in any chicken hatching or chicken breeding enterprise conducted within the Commonwealth or becomes concerned in the operation of any such enterprise;

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