

**1990 - No. 119**

**DAIRY INDUSTRY ACT 1979 - REGULATION**

(Relating to the calculation of milk prices and other matters)

NEW SOUTH WALES



*[Published in Gazette No. 31 of 2 March 1990]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Dairy Industry Act 1979, has been pleased to make the Regulation set forth hereunder.

I. M. ARMSTRONG  
Minister for Agriculture and Rural Affairs.

**Commencement**

1. This Regulation takes effect on 2 March 1990.

**Amendment**

2. The Dairy Industry (Pricing) Regulation 1984 is amended:

- by inserting in clause 4 (2) (1) above the word "Life" the following matter:

Balance High Calcium Milk Drink  
Balance Reduced Lactose Milk
- by omitting from clause 6 the words "will be equal, or nearly equal, to the average price" and by inserting instead the words "will not exceed the average price";
- by inserting at the end of clause 6 the following subclause:

(2) When fixing retail prices referred to in subclause (1), the Corporation is to have regard to prevailing market conditions relating to the distribution and sale of milk and any other matter

that it considers relevant to the exercise of its functions and the purposes of the Act.

- (d) by omitting from clause 7 (1) the matter "subclauses (2) and (3)" and by inserting instead the matter "this clause";
- (e) by inserting after clause 7 (3) the following subclause:
  - (4) Where:
    - (a) the Corporation fixes retail prices referred to in clause 6; and
    - (b) the average price per litre referred to in that clause is less than the average price determined under clause 5, the Corporation is required to make such adjustments as it considers appropriate to sector prices to take account of the reduction in the average price per litre referred to in clause 6.

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#### **EXPLANATORY NOTE**

Retail prices for milk and certain milk products are fixed by the New South Wales Dairy Corporation under the Dairy Industry Act 1979. The Dairy Industry (Pricing) Regulation 1984 (the Principal Regulation) sets out the formula for calculating an average retail price and for calculating the margins for each sector of the milk industry. The Corporation must ensure that the average price of the various retail prices fixed by it is equal to the average price calculated in accordance with the Principal Regulation.

The object of this Regulation is to enable the Corporation to have regard to prevailing market conditions (such as the retail price of interstate milk) and to fix prices below the average price calculated in accordance with the Principal Regulation. Appropriate adjustments in the margins for each sector are also authorised to take account of any such reduction in the average price.

The Regulation also excludes the products "Balance High Calcium Milk Drink" and "Balance Reduced Lactose Milk" from the application of the Principal Regulation.

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