

1994—No. 49

**DAIRY INDUSTRY ACT 1979—REGULATION**

(Relating to certain milk products, to the Dynamite Schools Milk Program and the Distribution Sector Rationalisation Scheme)

NEW SOUTH WALES



*[Published in Gazette No. 35 of 11 February 1994]*

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. R. CAUSLEY, M.P.,  
Minister for Agriculture and Fisheries.

**Commencement**

1. This Regulation commences on 11 February 1994.

**Amendments**

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

- by inserting in clause 4 (2) (1) after the matter “Diet White” the following matter:

DYNAMITE (plain or flavoured)  
HI-LITE
- by omitting from clause 7 (2) the word “dairyman” wherever occurring and by inserting instead the words “dairy farmer”;
- by omitting from clauses 7 (3) and 8 (2) and Schedule 1 the word “dairymen” wherever occurring and by inserting instead the words “dairy farmers”;

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(d) by inserting after clause 7 the following clauses:

**Schools Milk Program**

7A. While the Corporation is funding the Dynamite Schools Milk Program by payments to Milk Marketing (NSW) Pty Limited, the Corporation may reduce the margin in respect of a dairy farmer by so much as will result in a reduction in the amount payable to a dairy farmer per litre of milk of 0.1 cents.

**Distribution Sector Rationalisation Scheme**

7B. (1) While payments are required to be made on behalf of the dairy industry under section 35E of the Act, the margin for the Scheme as referred to in section 35E (4) of the Act is the margin resulting in the total amount of the reductions referred to in subclause (2).

(2) The margins in respect of a dairy farmer, an agent company (processing), a dairy produce merchant by vehicle and the publicity allowance are to be reduced by so much as will result in:

- (a) a reduction in the amount payable to a dairy farmer per litre of milk of 0.3 cents; and
- (b) a reduction in the amount payable to an agent company (processing) per litre of milk of 0.3 cents; and
- (c) a reduction in the amount payable to a dairy produce merchant by vehicle per litre of milk of 0.3 cents; and
- (d) a reduction in the amount payable in respect of the publicity allowance per litre of milk of 0.1 cents.

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**EXPLANATORY NOTE**

The object of this Regulation is:

- (a) to exclude Dynamite and Hi-Lite Milk from the general milk pricing provisions of the Dairy Industry (Pricing) Regulation; and
- (b) to enable the margin payable to a dairy farmer for each litre of milk to be reduced to fund the Dynamite Schools Milk Program; and
- (c) to enable the margins payable to dairy farmers, agent companies (processing), dairy produce merchants by vehicle and in respect of the publicity allowance to be reduced to fund the Distribution Sector Rationalisation Scheme established under section 35E of the Dairy Industry Act 1979; and
- (d) to update references to dairymen.

This Regulation is made under the Dairy Industry Act 1979, including sections 35E (4), 56 and 103 (the general regulation making power).

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