



New South Wales

Competition Policy Reform (New South Wales) Amendment (Grain Marketing) Regulation 1998

under the

Competition Policy Reform (New South Wales) Act 1995

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Competition Policy Reform (New South Wales) Act 1995*.

MICHAEL EGAN, M.L.C.,

Acting Premier

Explanatory note

The object of this Regulation is to authorise certain activities undertaken under the *Grain Marketing Act 1991* for the purposes of the *Trade Practices Act 1974* of the Commonwealth and the *Competition Code of New South Wales*.

The activities that are so authorised are to be disregarded in deciding whether a person has contravened Part IV of the Commonwealth Act (which also forms part of the NSW Code).

This Regulation is made under sections 38 (the general regulation-making power) and 39 (regulations for exceptions under section 51 of the Trade Practices Act or Code) of the *Competition Policy Reform (New South Wales) Act 1995*.

1998 No 391

Clause 1 Competition Policy Reform (New South Wales) Amendment (Grain Marketing) Regulation 1998

Competition Policy Reform (New South Wales) Amendment (Grain Marketing) Regulation 1998

1 Name of Regulation

This Regulation is the *Competition Policy Reform (New South Wales) Amendment (Grain Marketing) Regulation 1998*.

2 Commencement

This Regulation commences on 20 July 1998.

3 Amendment of Competition Policy Reform (New South Wales) Regulation 1996

The *Competition Policy Reform (New South Wales) Regulation 1996* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Clause 7

Insert as clause 7:

7 Authorisations—Grain marketing

The following are specifically authorised by this Regulation for the purposes of the Commonwealth Act and the Competition Code:

- (a) anything done or omitted to be done by the New South Wales Grains Board, and anything done or omitted to be done on its behalf by its employees, agents or other duly authorised persons, in the course of exercising the functions conferred or imposed on the Board by the *Grain Marketing Act 1991*,
- (b) the entering into of any contract, agreement or understanding by or with the Board in accordance with that Act,
- (c) the doing of anything preparatory or incidental to the entering into of any such contract, agreement or understanding,
- (d) anything done under any such contract, agreement or understanding.