

CO-OPERATION (AMENDMENT) ACT.

Act No. 41, 1949.

An Act to make provision in relation to the marketing of fish by co-operative trading societies and the constitution of co-operative advisory committees ; for these purposes to amend the Co-operation Act, 1923-1948, and the Fisheries and Oyster Farms Act, 1935, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 16th November, 1949.]

George VI.
No. 41, 1949.

BE it enacted by the King'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:—

1. (1) This Act may be cited as the "Co-operation (Amendment) Act, 1949".

Short title
and
commence-
ment.

(2) This Act shall commence two months after the day on which the same receives the Royal assent.

2. (1) The Co-operation Act, 1923-1948, is amended—

Amendment
of Act No.
1, 1924.

(a) by inserting next after section ten the following new section:—

New sec.
10A.

10A. (1) This section shall apply to trading societies the objects of which include, expressly or impliedly, the marketing of fish.

Conditions
applicable
to establish-
ment, opera-
tion, etc., of
markets for
the sale
of fish.

(2) A trading society to which this section applies shall not establish, control or operate any markets for the sale of fish unless the Governor, after a report and recommendation furnished to the Minister by the advisory council constituted under section one hundred and

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and fourteen of this Act or an advisory committee constituted pursuant to section 114c of this Act for trading societies of the class to which this section applies, so approves.

(3) A trading society establishing, controlling or operating any markets for the sale of fish pursuant to this section shall establish, control or operate any such market in accordance with such terms, conditions or stipulations as may be imposed by the Governor in granting his approval or such terms, conditions or stipulations as varied or amended as hereinafter provided.

(4) The Governor may, after a report and recommendation furnished to the Minister by the advisory council or advisory committee referred to in subsection two of this section, by notice in writing to a trading society—

- (a) suspend for such period as he may determine or revoke any approval given to such society pursuant to this section in respect of any market so established, controlled or operated by such society;
- (b) from time to time vary or amend the terms, conditions or stipulations imposed in granting his approval to the establishment, control or operation by such society of any market for the sale of fish.

New sec.
114c.

Co-operative
advisory
commit-
tees.

- (b) by inserting next after section 114B the following new section:—

114c. (1) The Minister may, on the recommendation of the advisory council constituted pursuant to section one hundred and fourteen of this Act, constitute a co-operative advisory committee in respect of each kind of society referred to in paragraphs (a), (b), (c), (d), (f), (g) and (h) of subsection one of section six of this Act or of any particular class or classes of any such kind of society.

(2)

(2) (a) Any such committee shall ^{No. 41, 1949.} consist of such number of members not less than five nor exceeding nine as may be determined by the Minister.

(b) One of such members shall be the person who for the time being holds the office of registrar and who shall by virtue of his office as registrar be the chairman and executive member of the committee.

(c) A deputy or alternate member may be appointed to attend any meeting of a committee at which a member may be unable to be present.

(3) The members (other than the chairman) and deputy or alternate members of a committee shall be appointed by the Minister and shall hold office for such period as he may deem fit and may be removed from office by the Minister.

(4) Meetings of a committee shall be convened by the chairman or by any two members.

(5) Each member and deputy or alternate member of a committee shall, unless he is an officer of the Public Service or a member of the Legislative Council or the Legislative Assembly of New South Wales, be paid such fees as may be prescribed by regulation.

(6) It shall be the duty of a committee to submit recommendations to the Minister with respect to—

- (a) proposals to promote the objects and activities of the societies in respect of which the committee is constituted;
- (b) proposals to improve the methods of operations of such societies;
- (c) proposals to finance the operations of such societies;
- (d) such other matters as may be referred to the committee by the Minister or as may be prescribed.

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(2) The Co-operation, Community Settlement, and Credit Act, 1923, as amended by subsequent Acts and by this Act, may be cited as the Co-operation Act, 1923-1949.

**Amend-
ment of Act
No. 58, 1935.**

3. (1) The Fisheries and Oyster Farms Act, 1935, as amended by subsequent Acts, is amended—

**Sec. 40
(Licensing
of fish
agents and
salesmen.)**

(a) by inserting next after subsection one of section forty, the following new subsection:—

(1A) As from the commencement of the Co-operation (Amendment) Act, 1949, no person other than the corporation sole constituted under section 41A of this Act or a trading society to which the Governor has given approval to establish, control or operate markets for the sale of fish pursuant to section 10A of the Co-operation Act, 1923-1949, shall sell fish in any fish market referred to in subsection one of this section.

**Sec. 40B.
(All fish
to be sold
at market.)**

(b) by inserting in subsection one of section 40B after the words “the market in the district” the words “or in any market established, controlled or operated by a trading society under and in accordance with the provisions of section 10A of the Co-operation Act, 1923-1949”;

**Sec. 41E.
(All fish to
be sold at
market by
auction.)**

(c) by inserting at the end of subsection four of section 41E the following new paragraph:—

(d) This subsection shall not apply to or in respect of fish sold for human consumption at the market in any district by a trading society establishing controlling or operating such market under and in accordance with the provisions of section 10A of the Co-operation Act, 1923-1949.

(2) The Fisheries and Oyster Farms Act, 1935, as amended by subsequent Acts and by this Act, may be cited as the Fisheries and Oyster Farms Act, 1935-1949.