

**MARKETING OF PRIMARY PRODUCTS (AMEND-
MENT) ACT, 1978, No. 66**

New South Wales



ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 66, 1978.

An Act to amend the Marketing of Primary Products Act, 1927, to provide that convictions and orders in respect of offences against the Act shall, in default of payment, be enforceable as judgments in courts of petty sessions instead of by way of imprisonment; and to increase certain penalties. [Assented to, 6th April, 1978.]

Marketing of Primary Products (Amendment).

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 :—

1. This Act may be cited as the "Marketing of Primary Products (Amendment) Act, 1978". Short title.

2. This Act contains the following Schedules :— Schedules.

SCHEDULE 1.—AMENDMENTS TO THE MARKETING OF
PRIMARY PRODUCTS ACT, 1927, RELATING TO
ENFORCEMENT OF CONVICTIONS AND ORDERS.

SCHEDULE 2.—AMENDMENTS TO THE MARKETING OF
PRIMARY PRODUCTS ACT, 1927, RELATING TO
PENALTIES.

3. The Marketing of Primary Products Act, 1927, is amended Amendment
of Act No.
34, 1927.
in the manner set forth in Schedules 1 and 2.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE MARKETING OF PRIMARY PRODUCTS ACT,
1927, RELATING TO ENFORCEMENT OF CONVICTIONS AND ORDERS.

(1) Section 31 (1)—

Omit "Any", insert instead "Subject to subsection (5),
any".

Marketing of Primary Products (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE MARKETING OF PRIMARY PRODUCTS ACT,
1927, RELATING TO ENFORCEMENT OF CONVICTIONS AND ORDERS
—*continued.*

(2) Section 31 (5), (6)—

After section 31 (4), insert :—

(5) Notwithstanding the provisions of the Justices Act, 1902, where any person is, by any conviction or order adjudged to pay any fine, penalty, sum of money or costs in respect of an offence against this Act—

- (a) that person shall not be adjudged to be, or be, liable to imprisonment in default of payment of the amount of that fine, penalty, sum of money or costs; and
- (b) that conviction or order shall, irrespective of the amount adjudged to be paid, operate, and be enforceable in the same way, as a judgment of a court of petty sessions under the Courts of Petty Sessions (Civil Claims) Act, 1970.

(6) The registrar of the court of petty sessions at which a conviction or order referred to in subsection (5) is effected or made shall enter up judgment against the defendant in the records of the court for the amount adjudged to be paid.

Marketing of Primary Products (Amendment).

SCHEDULE 2.

Sec. 3.

AMENDMENTS TO THE MARKETING OF PRIMARY PRODUCTS ACT,
1927, RELATING TO PENALTIES.

(1) Section 11 (3)—

Omit "two hundred dollars", insert instead "\$1,000".

(2) Section 25 (5)—

Omit "forty dollars", insert instead "\$200".

(3) Section 29 (4)—

After "Act", insert "and, upon conviction, shall be liable
to a penalty not exceeding \$1,000".

(4) Section 31 (2)—

Omit "one hundred dollars", insert instead "\$500".

(5) Section 34 (4)—

Omit "one hundred dollars", insert instead "\$1,000".
