



New South Wales

Rice Marketing Amendment Act 2007 No 77

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Rice Marketing Act 1983 No 176	2
4 Repeal of Act	2
Schedule 1 Amendments	3



New South Wales

Rice Marketing Amendment Act 2007 No 77

Act No 77, 2007

An Act to amend the *Rice Marketing Act 1983* with respect to the constitution and procedure of the Rice Marketing Board and the sale or supply of rice outside Australia. [Assented to 7 December 2007]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Rice Marketing Amendment Act 2007*.

2 Commencement

This Act commences on the date of assent to this Act.

3 Amendment of Rice Marketing Act 1983 No 176

The *Rice Marketing Act 1983* is amended as set out in Schedule 1.

4 Repeal of Act

- (1) This Act is repealed on the day following the day on which this Act commences.
- (2) The repeal of this Act does not, because of the operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Act.

Schedule 1 Amendments

(Section 3)

[1] Section 11 Constitution of board

Omit section 11 (4). Insert instead:

- (4) A board is to consist of 3 elected members and 4 nominated members.

[2] Section 12 Variation of total number of elected members

Omit the section.

[3] Section 51A Conditions of appointment as authorised buyer

Insert after section 51A (2):

- (2A) An approval under subsection (2) may not authorise the sale or supply, during any period, of any commodity purchased by an authorised buyer if:
- (a) another approval under that subsection authorises the sale or supply, during the same period, of the same kind of commodity purchased by some other authorised buyer, and
 - (b) the board has given a written undertaking to the other authorised buyer that it will not give another approval in respect of the sale or supply of that commodity during that period.

[4] Section 51B

Insert after section 51A:

51B General prohibition on sale or supply of commodities outside Australia

- (1) A person who sells or supplies any commodity to a person outside Australia is guilty of an offence.
Maximum penalty: 2,000 penalty units.
- (2) This section does not apply to the sale or supply of a commodity to a person outside Australia pursuant to a written approval under section 51A (2).
- (3) This section applies only in relation to the sale or supply of rice grown in New South Wales, being the commodity in respect of which the Rice Marketing Board for the State of New South Wales is constituted.

[5] Section 127 Annual meetings of authorities

Omit section 127 (2). Insert instead:

- (2) An authority's annual meeting must be held within 6 months after the end of its financial accounting period or within such further period as may be directed by the Minister.

[6] Section 156 Proceedings for offences

Insert "or 51B (1)" after "section 51A (6)" in section 156 (1B).

[7] Section 165

Insert after section 164:

165 Review of Act

- (1) The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.
- (2) The review is to be undertaken as soon as possible after the period of 2 years from the date of assent to the *Rice Marketing Amendment Act 2007*.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 2 years.

[8] Schedule 3 Provisions relating to procedure of authorities

Omit "one shall in the case of a board be a nominated member" from clause 2 (1).

Insert instead "at least 2, in the case of a board, must be nominated members".

[9] Schedule 6 Special provisions relating to Rice Marketing Board

Insert at the end of the Schedule:

8 Chairperson of the Board

- (1) The Chairperson of the Board is to be elected from among the nominated members of the Board.
- (2) This clause commences on the first day after the commencement of the *Rice Marketing Amendment Act 2007* on which there is a vacancy in the office of Chairperson.

[Agreement in principle speech made in Legislative Assembly on 16 November 2007
Second reading speech made in Legislative Council on 29 November 2007]

BY AUTHORITY