



New South Wales

Cattle Compensation (Advisory Council) Regulation 1999

under the
Cattle Compensation Act 1951

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Cattle Compensation Act 1951*.

RICHARD AMERY, M.P.,
Minister for Agriculture.

Explanatory note

The object of this Regulation is to repeal and remake, with certain changes, the provisions of the *Cattle Compensation (Advisory Council) Regulation 1993* under the *Cattle Compensation Act 1951*.

This Regulation contains provisions of a machinery nature with respect to the Cattle Compensation Advisory Council established under the Act. In particular, the Regulation provides that one of the part-time members of the Advisory Council is to be a person nominated by the Australian Beef Association Limited, instead of a person nominated by the Cattlemen's Union (as is the case under the 1993 Regulation).

This Regulation is made under the *Cattle Compensation Act 1951*, including sections 16I and 19 (the general regulation-making power).

This Regulation is made in connection with the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989*.

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Cattle Compensation (Advisory Council) Regulation 1999

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Cattle Compensation (Advisory Council) Regulation 1999*.

2 Commencement

This Regulation commences on 30 April 1999.

3 Definitions

In this Regulation:

Advisory Council means the Cattle Compensation Advisory Council established under section 16 of the Act by the Minister.

member means a member of the Advisory Council

the Act means the *Cattle Compensation Act 1951*.

4 Repeal and savings

- (1) The *Cattle Compensation (Advisory Council) Regulation 1993* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Cattle Compensation (Advisory Council) Regulation 1993*, had effect under that Regulation is taken to have effect under this Regulation.

5 Notes

The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

Part 2 Cattle Compensation Advisory Council

6 Constitution of the Advisory Council

The Advisory Council is to comprise the following part-time members appointed by the Minister:

- (a) the Director-General of the Department of Agriculture, who is to be the Chairperson,
- (b) one person nominated by the Director-General of the Department of Agriculture to represent the Department.
- (c) two persons nominated by the NSW Farmers' Association,
- (d) one person nominated by the Australian Beef Association Limited,
- (e) one person nominated by the NSW Dairy Farmers' Association.

7 Terms of office

Subject to this Regulation, a member holds office for such period, not exceeding 5 years, as is specified in the member's instrument of appointment, but is eligible (if otherwise qualified) for re-appointment.

8 Filling of vacancy in office of member

If the office of any member becomes vacant, a person is, subject to this Regulation, to be appointed to fill the vacancy.

9 Vacancy in office of member

- (1) A member vacates office if the member:
 - (a) dies, or
 - (b) is absent from 2 consecutive meetings of the Advisory Council of which reasonable notice has been given to the member personally or in the ordinary course of post. except on leave granted by the Minister or unless, before the expiration of 2 weeks after the last of those meetings. the member is excused by the Minister for being absent from those meetings. or

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- (c) becomes bankrupt. applies to take the benefit of any law for the relief of bankrupt or insolvent debtors. compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or
 - (d) becomes a mentally incapacitated person, or
 - (e) is convicted in New South Wales of an offence that is punishable by penal servitude or imprisonment for 12 months or more or is convicted elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence so punishable, or
 - (f) ceases to have any qualification necessary for his or her appointment as a member, or
 - (g) completes a term of office and is not re-appointed, or
 - (h) resigns the office by instrument in writing addressed to the Minister, or
 - (i) is removed from office by the Minister under this clause.
- (2) The Minister may at any time remove a member from office.
- (3) Without affecting the generality of subclause (2), the Minister may remove from office a member who contravenes the provisions of clause 10.

10 Meetings

- (1) The Advisory Council is to meet at least twice each year.
- (2) The Advisory Council is to conduct at least one meeting each year the main objective of which is to determine how the Advisory Council is to advise the Minister in relation to the allocation of the Cattle Compensation Fund to different research projects and other purposes (that is, payments made under section 12 (6) of the Act).
- (3) The Advisory Council is to conduct at least one further meeting each year the main objective of which is to review the research projects and other purposes to which the Fund has been allocated.

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Part 2 Cattle Compensation Advisory Council

11 General procedure

The procedure for the calling of meetings of the Advisory Council and for the conduct of business at those meetings is, subject to this Regulation, as determined by the Advisory Council.

12 Quorum

The quorum for a meeting of the Advisory Council is 4 members.

13 Presiding member

- (1) The Chairperson is to preside at a meeting of the Advisory Council.
- (2) The Chairperson has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

14 Voting

A decision supported by a majority of the votes cast at a meeting of the Advisory Council at which a quorum is present is the decision of the Advisory Council.

15 Minutes

The Advisory Council is to cause full and accurate minutes to be kept of the proceedings of each meeting of the Advisory Council.