

[Act 1997 No 126]



New South Wales

Marketing of Primary Products Amendment (Marketing Orders) Bill 1997

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Marketing of Primary Products Act 1983* so as to do the following:

- (a) to provide that polls relating to marketing orders may only succeed on a question if:
 - the majority of persons enrolled in the relevant roll for the poll cast votes, and
 - the majority of votes cast at the poll are in favour of the question on which the poll is being taken, and
 - (b) to provide that a committee established under a marketing order that is revoked by a subsequent marketing order may become the committee with respect to the new marketing order if the new marketing order so provides, and
 - (c) to enact consequential savings and transitional provisions.
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Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to the *Marketing of Primary Products Act 1983* set out in Schedule 1.

Schedule 1 Amendments

Schedule 1 [1] and [4]–[8] amend sections 68, 82, 85, 97 and 98 to provide that polls relating to marketing orders may only succeed on a question if the majority of persons enrolled in the relevant roll for the poll cast votes, and a majority of votes cast at the poll are in favour of the question on which the poll is being taken.

Schedule 1 [2] and [3] insert proposed sections 73 (8) and 73A to provide that a committee established under a marketing order that is revoked by a subsequent marketing order may become the committee with respect to the new marketing order, if the new marketing order so provides. This can only be done if the new marketing order relates to one or more of the commodities, and relates to the whole or part of the area, to which the old marketing order relates. Proposed section 73A (3) provides for the making of regulations of a savings and transitional nature consequent on the making of the new marketing order.

Schedule 1 [9] and [10] amend Schedule 4 to allow for regulations of a savings and transitional nature to be made in connection with the proposed Act, and to provide that the proposed amendments to sections 68, 82, 85, 97 and 98 apply only to polls in respect of which action is taken under those sections after the amendments commence.