

Act No. 1 of 1987

## DRIED FRUITS (AMENDMENT) BILL 1986

NEW SOUTH WALES



### EXPLANATORY NOTE

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

The object of this Bill is to amend the Dried Fruits Act 1939 so as—

- (a) to require retailers of dried fruits to comply with the packaging requirements under the Principal Act;
- (b) to allow adoption of Commonwealth Dried Fruit Orders or other similar publications by regulations made under the Principal Act; and
- (c) to give the New South Wales Dried Fruits Board sole control over the appointment of its staff and the determination of their salaries.

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Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that Schedule 1 (2) (as a result of which retailers will be required to comply with packing and grading requirements under the Principal Act) will commence on a day to be appointed by the Governor-in-Council. The remainder of the proposed Act will commence on assent.

Clause 3 is a formal provision that gives effect to the Schedule of amendments.

Schedule 1 (1) amends section 14 of the Principal Act so as—

- (a) to remove the requirement that the Minister's approval be obtained to staff appointments made by the Dried Fruits Board;

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- (b) to replace a provision allowing the Board to utilise the services of staff of the Water Resources Commission by a provision allowing for the utilisation of the services of the staff or facilities of any government department, administrative office or public authority; and
- (c) to omit a requirement that the salaries or other remuneration of staff of the Board be fixed by the Governor.

Schedule 1 (2) amends section 21 of the Principal Act. That section prohibits the buying or selling of dried fruits which are not packed and graded as required in registered packing houses, but exempts retail buying and selling from that prohibition. The amendment will result in retailers no longer being exempt from the packing and grading requirements. Retail consumers of dried fruits will remain exempt.

Schedule 1 (3) inserts into the Principal Act section 23A, which allows the Dried Fruits Board to grant exemptions from the provisions of sections 21 and 23 of that Act that require all dried fruits to be packed in registered packing houses.

Schedule 1 (4) amends section 39 of the Principal Act (which section deals with regulations) so as to empower the making of regulations which apply differently in specified cases or which authorise any matter to be determined or applied by a specified person. The amendment also permits the adoption in regulations of any published standards or specifications (including, for example, a Commonwealth Dried Fruit Order). An amendment is also made to the section by way of statute law revision to allow the machinery provisions contained in the Interpretation Act 1897 to apply.

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