

Farm Produce (Repeal) Act 1996 No 134

[1996-134]



New South Wales

Status Information

Currency of version

Repealed version for 3 December 1999 to 16 July 2009 (accessed 25 December 2024 at 16:29)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by Sch 5 to the *Statute Law (Miscellaneous Provisions) Act 2009 No 56* with effect from 17.7.2009.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Farm Produce (Repeal) Act 1996 No 134



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An Act to limit the application and provide for the repeal of the *Farm Produce Act 1983*, to continue the Flemington Markets Commercial Services Scheme for a limited period, to limit the time for making claims covered by the indemnity scheme under that Act, and to allow the making of savings or transitional regulations as a consequence of that repeal.

1 Name of Act

This Act is the *Farm Produce (Repeal) Act 1996*.

2 Commencement

This Act commences on 30 June 1997.

3 (Repealed)

4 Repeal of *Farm Produce Act 1983 No 30*

The *Farm Produce Act 1983* is repealed on a day or days to be appointed by proclamation.

5 Savings and transitional provisions

- (1) **Continuation of Flemington Markets Commercial Services Scheme** Anything done by a person in connection with the making of or the giving of effect to contracts or arrangements, or to the arriving at or the giving of effect to understandings, concerning the marketing of primary produce or the adoption of marketing practices in accordance with the Flemington Markets Commercial Services Scheme is specifically authorised by this Act for the purposes of the *Trade Practices Act 1974* of the Commonwealth and the *Competition Code of New South Wales*, but only if the contracts, arrangements or understandings have been entered into before 1 September 1997. The **Flemington Markets Commercial Services Scheme** is the scheme established by the by-laws published in Gazette No 31 of 15 February 1991 at pages 1253-1265, as amended from time to time.
- (2) **Claims covered by indemnity scheme** A person may sue on an indemnity furnished under the *Farm Produce Act 1983* to the registrar under that Act or may be reimbursed out of money received by that registrar under such an indemnity despite any repeal effected pursuant to this Act, but only if:

- (a) notice of particulars of the claim giving rise to the action or reimbursement has been given to the registrar before 1 January 1998, and
 - (b) that Act applied to the sale of farm produce to which the claim relates.
- (3) **Savings and transitional regulations** The Governor may make regulations containing other provisions of a savings or transitional nature consequent on the repeal or partial repeal of the *Farm Produce Act 1983* pursuant to section 4 of this Act or the limitation on the operation of that Act imposed by section 3 of that Act.
- (4) Any such provision may, if the regulations so provide, take effect on 30 June 1997 or a later date.
- (5) To the extent to which any such provision takes effect on a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
- (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.

Schedule 1 (Repealed)