

Queensland



Subordinate Legislation 1998 No. 26

Fruit Marketing Organisation Act 1923

**FRUIT MARKETING ORGANISATION
AMENDMENT REGULATION (No. 1) 1998**

TABLE OF PROVISIONS

Section		Page
1	Short title	3
2	Commencement	3
3	Regulation amended	3
4	Amendment of s 11	3
5	Omission of s 12	4
6	Amendment of s 13	4
7	Amendment of s 43 (Number of members elected to committees)	4
8	Amendment of s 45 (Number of members elected by each electorate) ..	5
9	Amendment of s 50	5
10	Amendment of s 52	6
11	Amendment of s 53	6
12	Amendment of s 59	6
13	Amendment of s 106 (Definitions)	6
14	Insertion of new pt 7	6
PART 7—DISSOLUTION OF DECIDUOUS GROUP COMMITTEE		
108	Vesting of assets etc. of deciduous group committee—Act, s 20 ..	7
109	Special elections in new electorates of sectional group committees	8

15	Amendment of schedule (Allocation of local associations to electorates)	8
----	---	---

Short title

1. This regulation may be cited as the *Fruit Marketing Organisation Amendment Regulation (No. 1) 1998*.

Commencement

2. This regulation commences on 28 February 1998.

Regulation amended

3. This regulation amends the *Fruit Marketing Organisation Regulation 1964*.

Amendment of s 11

4.(1) Section 11(1)(b)(iii) and (ba)(ii)—

omit.

(2) Section 11(1)(d), from ‘and grown’ to ‘area’—

omit.

(3) Section 11(1)(e)(i), from ‘including’ to ‘area’—

omit.

(4) Section 11(1)(e)(ii), from ‘and including’ to ‘area’—

omit.

(5) Section 11(3)(a), from ‘(but’ to ‘area)’—

omit.

(6) Section 11(3)(d)(i), from ‘(including’ to ‘area’—

omit.

(7) Section 11(3)(d), proviso, from ‘and including’ to ‘area’—

omit.

(8) Section 11(4)(a), from ‘(but’ to ‘area)’—

omit.

(9) Section 11(4)d(i), from ‘(including’ to ‘area’—
omit.

Omission of s 12

5. Section 12—
omit.

Amendment of s 13

6.(1) Section 13(1)(b)(iii) and (ba)(ii)—
omit.

(2) Section 13(1)(d), from ‘and grown’ to ‘area’—
omit.

(3) Section 13(1)(e)(i), from ‘(including’ to ‘area’—
omit.

(4) Section 13(1)(e), proviso, from ‘and including’ to ‘area’—
omit.

(5) Section 13(1)(f)—
omit.

Amendment of s 43 (Number of members elected to committees)

7.(1) Section 43(a), ‘7’—
omit, insert—

‘9’.

(2) Section 43(e)—
omit.

(3) Section 43(f), '9'—

omit, insert—

'11'.

(4) Section 43(g), '10'—

omit, insert—

'11'.

Amendment of s 45 (Number of members elected by each electorate)

8.(1) Section 45(a), 'banana, deciduous'—

omit.

(2) Section 45—

insert—

'(aa)for the banana committee—

- (i) 1 member, by each of electorates 1, 2, 3, 4 and 6; and
- (ii) 2 members, by each of electorates 5 and 7;'

Amendment of s 50

9.(1) Section 50(2)(b) and (ba), 'outside the Stanthorpe fruit and vegetable area'—

omit.

(2) Section 50(2)(d), from 'and grown' to 'area'—

omit.

(3) Section 50(2)(e)(i), from '(including' to 'area'—

omit.

(4) Section 50(2)(e), proviso, from 'and including' to 'area'—

omit.

(5) Section 50(2)(f)—
omit.

Amendment of s 52

10. Section 52(1)(ii)—
omit.

Amendment of s 53

11. Section 53(c)—
omit.

Amendment of s 59

12. Section 59, from ‘other’ to ‘months’—
omit, insert—
‘must be held quarterly’.

Amendment of s 106 (Definitions)

13. Section 106, definition “the Stanthorpe fruit and vegetable area”—
omit.

Insertion of new pt 7

14. After section 107—
insert—

‘PART 7—DISSOLUTION OF DECIDUOUS GROUP COMMITTEE

‘Vesting of assets etc. of deciduous group committee—Act, s 20

‘108.(1) As from the commencement, the assets, rights and liabilities of the deciduous group committee arising from the conduct of the Granite Belt Fruit Train vest in the other fruits group committee.

‘(2) As from the commencement, the amount in the Apple Promotion Levy Fund vests in the other fruits group committee.

‘(3) As from the commencement, the other assets, rights and liabilities of the deciduous group committee vest in the following sectional group committees in the stated proportions of the following levies allocated in the books of the committee of direction to the deciduous group committee—

- (a) the other fruits group committee—
 - (i) 72% of the general levy;
 - (ii) 39% of the promotion levy;
 - (iii) 39% of the research and development levy;
- (b) the vegetable group committee—
 - (i) 25% of the general levy;
 - (ii) 46% of the promotion levy;
 - (iii) 46% of the research and development levy;
- (c) the tomato group committee—
 - (i) 3% of the general levy;
 - (ii) 15% of the promotion levy;
 - (iii) 15% of the research and development levy.

‘(4) No assets, rights and liabilities of the deciduous group committee vest in the heavy produce group committee.

‘Special elections in new electorates of sectional group committees

‘109.(1) Within 6 months after the commencement, a special election must be held in each of the following electorates of the stated sectional group committees to elect a member to the stated committee—

- (a) other fruits group committee, electorates 10 and 11;
- (b) vegetable group committee, electorate 11.

‘(2) Part 2 applies to the election with all necessary changes.

‘(3) A member elected at the special election holds office until the next general election of the sectional group committee.’.

Amendment of schedule (Allocation of local associations to electorates)

15.(1) Schedule, part 1, electorate 1—

insert—

- ‘ Amiens Local Producers’ Association
- Applethorpe Local Producers’ Association
- Ballandean Local Producers’ Association
- Broadwater Local Producers’ Association
- Cottonvale and Dalveen Local Producers’ and Progress Association
- Glen Aplin Local Producers’ Association
- Macintyre Brook Irrigators’ Association
- Pozieres Local Producers’ Association
- Severnlea/Eukey Local Producers’ Association
- The Summit Local Producers’ and Progress Association
- Thulimbah Local Producers’ Association
- Warwick Fruit and Vegetable Growers’ Association
- Wyberba Local Producers’ Association’.

(2) Schedule 1, part 2, electorate 1—

insert—

- ‘ Amiens Local Producers’ Association
- Applethorpe Local Producers’ Association
- Ballandean Local Producers’ Association
- Broadwater Local Producers’ Association
- Cottonvale and Dalveen Local Producers’ and Progress Association

Glen Aplin Local Producers' Association
 Macintyre Brook Irrigators' Association
 Pozieres Local Producers' Association
 Severnlea/Eukey Local Producers' Association
 The Summit Local Producers' and Progress Association
 Thulimbah Local Producers' Association
 Warwick Fruit and Vegetable Growers' Association
 Wyberba Local Producers' Association'.

(3) Schedule 1, part 3, electorate 1—

insert—

- ' Amiens Local Producers' Association
- Applethorpe Local Producers' Association
- Ballandean Local Producers' Association
- Broadwater Local Producers' Association
- Cottonvale and Dalveen Local Producers' and Progress Association
- Glen Aplin Local Producers' Association
- Macintyre Brook Irrigators' Association
- Pozieres Local Producers' Association
- Severnlea/Eukey Local Producers' Association
- The Summit Local Producers' and Progress Association
- Thulimbah Local Producers' Association
- Warwick Fruit and Vegetable Growers' Association
- Wyberba Local Producers' Association'.

(4) Schedule 1, part 4, electorate 1—

insert—

- ' Amiens Local Producers' Association
- Applethorpe Local Producers' Association
- Ballandean Local Producers' Association
- Broadwater Local Producers' Association
- Cottonvale and Dalveen Local Producers' and Progress Association
- Glen Aplin Local Producers' Association
- Macintyre Brook Irrigators' Association
- Pozieres Local Producers' Association
- Severnlea/Eukey Local Producers' Association
- The Summit Local Producers' and Progress Association

Thulimbah Local Producers' Association
Warwick Fruit and Vegetable Growers' Association
Wyberba Local Producers' Association'.

(5) Schedule, part 5—

omit.

(6) Schedule, part 6—

insert—

- '10. Amiens Local Producers' Association
Applethorpe Local Producers' Association
Broadwater Local Producers' Association
Cottonvale and Dalveen Local Producers' and Progress Association
Macintyre Brook Irrigators' Association
Pozieres Local Producers' Association
The Summit Local Producers' and Progress Association
Thulimbah Local Producers' Association
Warwick Fruit and Vegetable Growers' Association
- 11. Ballandean Local Producers' Association
Glen Aplin Local Producers' Association
Severnlea/Eukey Local Producers' Association
Wyberba Local Producers' Association'.

(7) Schedule, part 7—

insert—

- '11. Amiens Local Producers' Association
Applethorpe Local Producers' Association
Ballandean Local Producers' Association
Broadwater Local Producers' Association
Cottonvale and Dalveen Local Producers' and Progress Association
Glen Aplin Local Producers' Association
Macintyre Brook Irrigators' Association
Pozieres Local Producers' Association
Severnlea/Eukey Local Producers' Association
The Summit Local Producers' and Progress Association

Thulimbah Local Producers' Association
Warwick Fruit and Vegetable Growers' Association
Wyberba Local Producers' Association'

ENDNOTES

1. Made by the Governor in Council on 26 February 1998.
2. Notified in the gazette on 27 February 1998.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Primary Industries, Fisheries and Forestry.