

Queensland



**PRIMARY INDUSTRIES  
LEGISLATION  
AMENDMENT BILL 1999**



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**PRIMARY INDUSTRIES LEGISLATION  
AMENDMENT BILL 1999**

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**1999**

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**A BILL**

**FOR**

**An Act to amend legislation about primary industries**

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**The Parliament of Queensland enacts—**

1

## **PART 1—PRELIMINARY**

2

### **Short title**

3

Clause **1.** This Act may be cited as the *Primary Industries Legislation Amendment Act 1999*.

4

5

### **Commencement**

6

Clause **2.(1)** Parts 3 and 7 commence, or are taken to have commenced, on 1 July 1999.

7

8

**(2)** Sections 17, 18 and 20 commence on a day to be fixed by proclamation.

9

10

**(3)** The proclamation fixing the day for the commencement of section 20 must fix as the day of commencement the day on which the Brisbane Market Authority becomes a company GOC under the *Government Owned Corporations Act 1993*.

11

12

13

14

**(4)** Sections 28 and 32(3), (6), (7) and (9) are taken to have commenced on 1 July 1998.

15

16

**(5)** The remaining provisions of this Act commence on assent.

17

## **PART 2—AMENDMENT OF AGRICULTURAL STANDARDS ACT 1994**

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### **Act amended in pt 2**

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Clause **3.** This part amends the *Agricultural Standards Act 1994*.

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**Amendment of s 14A (False or misleading representations about stock)**

- Clause 4. Section 14A(1), ‘ ‘false or misleading’ to the person’s knowledge without specifying which’—
- omit, insert—*
- ‘false or misleading in a material particular’.

**PART 3—AMENDMENT OF CHICKEN MEAT  
INDUSTRY COMMITTEE ACT 1976**

**Act amended in pt 3**

- Clause 5. This part amends the *Chicken Meat Industry Committee Act 1976*.

**Amendment of s 4 (Interpretation)**

- Clause 6.(1) Section 4, heading—
- omit, insert—*
- ‘Definitions’.**
- (2) Section 4, definition “**approved form**”—
- omit.*
- (3) Section 4—
- insert—*
- ‘ **“collective negotiations”** means negotiations between growers or their representatives and a processor for making an agreement.

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**“competition legislation”** means the *Trade Practices Act 1974* (Cwlth), section 51(1)(b),<sup>1</sup> or the text of that provision as included in section 51(1)(b)<sup>2</sup> of the Competition Code of Queensland.<sup>3</sup>

**“negotiated agreement”** means an agreement made as a result of collective negotiations.’.

**Amendment of s 5 (Constitution of committee)**

- Clause 7. Section 5(2)—  
*omit, insert—*  
 ‘(2) The committee consists of—  
 (a) an equal number of representatives of growers and processors;  
 and  
 (b) a person, other than a grower or processor, who is to be the chairperson.’.

**Amendment of s 6 (Appointment of members)**

- Clause 8. Section 6(1)—  
*omit, insert—*  
 ‘6.(1) The Minister must appoint the committee members by gazette notice.’.

**Amendment of s 11 (Procedure at meetings)**

- Clause 9. Section 11(2)—

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<sup>1</sup> *Trade Practices Act 1974* (Cwlth), section 51 (Exceptions)

<sup>2</sup> Section 51 (Exceptions) of the Code provides—  
 ‘... the following must be disregarded:

(a) ...

(b) anything done in a State, if the thing is specified in, and specifically authorised by:

(i) an Act passed by the Parliament of that State; or’.

<sup>3</sup> The Code applies as a law of Queensland under the *Competition Policy Reform (Queensland) Act 1996*, part 2.

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<i>omit, insert—</i>	1
‘(2) A quorum consists of—	2
(a) a majority of committee members who are representatives of growers; and	3 4
(b) a majority of committee members who are representatives of processors.’.	5 6

**Amendment of s 12 (Conduct of business)** 7

Clause	10. Section 12(1), after ‘members’—	8
	<i>insert—</i>	9
	‘, other than the chairperson,’.	10

**Omission of s 14 (Validity of acts)** 11

Clause	11. Section 14—	12
	<i>omit.</i>	13

**Replacement of s 16 (Functions)** 14

Clause	12. Section 16—	15
	<i>omit, insert—</i>	16

**‘Functions** 17

‘16.(1) The committee’s functions are—	18
(a) to facilitate collective negotiations for agreements, including, for example, by—	19 20
(i) convening a group comprising representatives of growers and a processor to negotiate agreements; and	21 22
(ii) recommending procedures for the group in the negotiations; and	23 24
(b) to refer disputes between growers and processors to mediation; and	25 26

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(c) to refer disputes under agreements between growers and processors to arbitration; and	1 2
(d) to make recommendations to growers and processors about minimum conditions of agreements and other issues affecting the chicken meat industry; and	3 4 5
(e) to represent growers and processors on issues affecting the industry; and	6 7
(f) to give information to growers and processors about issues affecting the industry.	8 9
‘(2) Despite subsections (1)(d) and (1)(f), the committee must not make recommendations or give information to growers and processors about—	10 11
(a) growing fees for supplying broiler chickens under agreements; or	12
(b) how the fees are decided.	13
<b>‘Powers</b>	14
‘16A.(1) The committee has power to do all things necessary or convenient to be done for performing its functions.	15 16
‘(2) Without limiting subsection (1), the committee has the powers conferred on it by this or another Act.	17 18
<b>‘Additional roles of chairperson</b>	19
‘16B.(1) The chairperson may, at any time, give the Minister a report about the committee’s performance of its functions.	20 21
‘(2) Also the chairperson must, when asked by the Minister, give the Minister a report about the following—	22 23
(a) the committee’s performance of its functions;	24
(b) any issue about the chicken meat industry.	25
‘(3) In addition, the chairperson may advise other committee members about the performance of the committee’s functions.’.	26 27

	<b>Insertion of new pt 2A</b>	1
Clause	<b>13.</b> After section 19A—	2
	<i>insert—</i>	3
	<b>‘PART 2A—AGREEMENTS AND DISPUTE RESOLUTION</b>	4 5
	<b><i>‘Division 1—Agreements</i></b>	6
	<b>‘Agreements to be written</b>	7
	<b>‘19B.(1)</b> A processor must not receive from a grower broiler chickens for processing other than under a written agreement.	8 9
	Maximum penalty—20 penalty units.	10
	<b>‘(2)</b> A grower must not supply to a processor broiler chickens for processing other than under a written agreement.	11 12
	Maximum penalty—20 penalty units.	13
	<b>‘(3)</b> In this section—	14
	<b>“receive”</b> includes purchase.	15
	<b>“supply”</b> includes sell.	16
	<b>‘Processors to notify committee of agreements</b>	17
	<b>‘19C.</b> Within 2 months after entering into an agreement with a grower, a processor must give written notice to the committee of the entering into of the agreement.	18 19 20
	Maximum penalty—10 penalty units.	21
	<b>‘Specific authorisations for competition legislation</b>	22
	<b>‘19D.</b> The following are specifically authorised for the competition legislation—	23 24
	(a) collective negotiations for making a negotiated agreement, or	25
	making a negotiated agreement, or giving effect to a provision of	26

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- a negotiated agreement, that has the purpose of, or would have or be likely to have the effect of, substantially lessening competition; 1  
2
- (b) collective negotiations for making a negotiated agreement, or 3  
making a negotiated agreement, or giving effect to a provision of 4  
a negotiated agreement, to the extent it has the purpose, or has or 5  
is likely to have the effect of, fixing, controlling or maintaining or 6  
providing for the fixing, controlling or maintaining of, the price 7  
for, or a discount, allowance, rebate or credit for, the supply or 8  
acquisition of broiler chickens. 9

*Division 2—Dispute resolution* 10

**‘Mediation** 11

**‘19E.(1)** If a dispute arises between a grower and a processor about an 12  
agreement or proposed agreement, the committee must refer the dispute to 13  
mediation— 14

- (a) if the dispute is not resolved within 90 days after it arose; or 15  
(b) if asked by the parties. 16

**‘(2)** The mediation must be conducted by— 17

- (a) a person agreed to by the parties; or 18  
(b) if the parties can not agree on a mediator—the chairperson or a 19  
person appointed by the chairperson. 20

**‘(3)** The chairperson may appoint a mediator under subsection (2)(b) 21  
only if the person has the qualifications or experience the chairperson 22  
considers appropriate to mediate the dispute. 23

**‘(4)** The parties must pay the mediator the costs of mediation in the 24  
proportions decided by the mediator. 25

**‘(5)** An amount of unpaid costs is a debt payable to the mediator and 26  
may be recovered in a court of competent jurisdiction. 27

**‘(6)** Nothing in this section affects any rights or remedies to which a 28  
party to the dispute may be entitled. 29

	<b>‘Arbitration</b>	1
	<b>‘19F.(1)</b> This section applies if the dispute—	2
	(a) is between the parties to an agreement about an amount payable under the agreement; and	3 4
	(b) is not resolved by mediation by a mediator appointed under section 19E.	5 6
	<b>‘(2)</b> This section applies despite any provision in the agreement to the contrary.	7 8
	<b>‘(3)</b> The chairperson must refer the dispute to an arbitrator, or entity prescribed under a regulation, nominated by the chairperson.	9 10
	<b>‘(4)</b> However, the mediator must not be appointed arbitrator without the agreement of the parties.	11 12
	<b>‘(5)</b> The <i>Commercial Arbitration Act 1990</i> applies to the arbitration.	13
	<b>‘(6)</b> However, the committee can not be ordered to pay the costs, or part of the costs, of the arbitration.’.	14 15
	 <b>Omission of ss 20–22</b>	 16
Clause	<b>14.</b> Sections 20 to 22— <i>omit.</i>	17 18
	 <b>Omission of s 24 (Approval of forms)</b>	 19
Clause	<b>15.</b> Section 24— <i>omit.</i>	20 21

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**PART 4—AMENDMENT AND REPEAL OF CITY OF  
BRISBANE MARKET ACT 1960**

	<b>Act amended in pt 4</b>	3
Clause	<b>16.</b> This part amends the <i>City of Brisbane Market Act 1960</i> .	4
	<b>Omission of ss 2 and 3</b>	5
Clause	<b>17.</b> Sections 2 and 3— <i>omit.</i>	6 7
	<b>Omission of ss 7–48</b>	8
Clause	<b>18.</b> Sections 7 to 48— <i>omit.</i>	9 10
	<b>Insertion of new s 49</b>	11
Clause	<b>19.</b> After section 48— <i>insert—</i>	12 13
	<b>‘Transitional provision—City of Brisbane Market Regulation 1982</b>	14
	‘ <b>49.(1)</b> This section applies to a lease of premises at the Brisbane market entered into between the authority and another person and in force immediately before the commencement of this section.	15 16 17
	‘ <b>(2)</b> The following provisions of the <i>City of Brisbane Market Regulation 1982</i> and any definitions in the Act or the regulation relevant to the provisions, are taken to be terms of the lease from the day this Act is repealed until the lease ends—	18 19 20 21
	(a) section 24(c) and (d); <sup>4</sup>	22

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<sup>4</sup> Section 24(c) and (d) of the regulation deal with the issue of permits by the authority for the operation of mechanical unloading devices in the Brisbane market.

	(b) section 27(1) and (2); <sup>5</sup>	1
	(c) section 57. <sup>6</sup> .	2
	<b>Repeal</b>	3
Clause	<b>20.</b> The <i>City of Brisbane Market Act 1960</i> is repealed.	4
	 <b>PART 5—AMENDMENT OF FISHERIES ACT 1994</b>	5
	<b>Act amended in pt 5</b>	6
Clause	<b>21.</b> This part amends the <i>Fisheries Act 1994</i> .	7
	<b>Amendment of s 4 (Definitions)</b>	8
Clause	<b>22.</b> Section 4—	9
	<i>insert—</i>	10
	‘ <b>“abalone”</b> means a mollusc of the genus <i>Haliotis</i> .’.	11
	<b>Amendment of s 86 (Dockets for wholesale sale of fisheries resources etc.)</b>	12
Clause	<b>23.</b> Section 86—	14
	<i>insert—</i>	15
	‘ <b>(5)</b> Also, if the fisheries resources are abalone and the seller consigns them to the buyer, the seller must ensure they are accompanied by a copy of the required docket.	16
		17
		18
	Maximum penalty—500 penalty units.	19
	‘ <b>(6)</b> In addition, if the required docket relates to the sale of abalone the	20

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<sup>5</sup> Section 27 (Storage of produce) of the regulation

<sup>6</sup> Section 57 (Accidents) of the regulation

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seller and the buyer must each keep a copy of the required docket for 5 years after the day the abalone are sold.<sup>7</sup> 1  
2

Maximum penalty—500 penalty units.’. 3

**Insertion of new s 86A** 4

Clause 24. After section 86— 5

*insert—* 6

**‘Records for processing abalone** 7

‘**86A.(1)** This section applies to a person carrying on the business of processing abalone. 8  
9

‘**(2)** The person must keep a record containing the following particulars for any abalone the person processes— 10  
11

(a) the person’s full name and usual address; 12

(b) if the person is not the owner of the abalone—the full name and usual address of the owner; 13  
14

(c) the species of abalone processed; 15

(d) the date of processing; 16

(e) the weight of each species of abalone before processing; 17

(f) the weight of each species of abalone after processing; 18

(g) the way the abalone are processed. 19

Maximum penalty—1 000 penalty units. 20

‘**(3)** The person must keep the record for 5 years after the day the abalone are processed. 21  
22

Maximum penalty—500 penalty units. 23

‘**(4)** In this section— 24

“**processing**”, abalone, includes doing any of the following to the abalone— 25  
26

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<sup>7</sup> Under section 173 (Power to require production of documents), an inspector may require a person to produce a document required to be kept.

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	(a) shelling;	1
	(b) filleting;	2
	(c) cooking;	3
	(d) preserving;	4
	(e) packing.’.	5
	<b>Insertion of new s 88A</b>	6
Clause	<b>25.</b> Part 5, division 4, after section 88—	7
	<i>insert—</i>	8
	<b>‘Possessing fish taken in contravention of other fisheries legislation</b>	9
	<b>‘88A.</b> A person must not unlawfully possess fish knowing the fish have	10
	been taken in contravention of a law of the Commonwealth or another State	11
	about fishing, fisheries resources or fish habitats.	12
	Maximum penalty—1 000 penalty units.’.	13
	<b>Replacement of s 123 (Protection of marine plants)</b>	14
Clause	<b>26.</b> Section 123—	15
	<i>omit, insert—</i>	16
	<b>‘Protection of marine plants</b>	17
	<b>‘123.</b> A person must not unlawfully—	18
	(a) remove, destroy or damage a marine plant; or	19
	(b) cause a marine plant to be removed, destroyed or damaged.	20
	Maximum penalty—3 000 penalty units.	21
	<i>Example of removing a marine plant—</i>	22
	Removing seagrass from a beach or foreshore.	23
	<i>Example of destroying a marine plant—</i>	24
	Burning saltcouch.	25
	<i>Example of damaging a marine plant—</i>	26
	Pruning or trimming mangroves.’.	27

	<b>Insertion of new s 148A</b>	1
Clause	<b>27.</b> After section 148—	2
	<i>insert—</i>	3
	<b>‘Monitoring warrants for abalone</b>	4
	<b>‘148A.(1)</b> An inspector may apply to a magistrate for a warrant under this section for a place, other than a place, or part of a place used exclusively as a person’s residence, if the inspector is reasonably satisfied—	5
		6
		7
	(a) abalone are at the place; and	8
	(b) it is necessary for the inspector to enter the place to find out if this Act is being complied with in relation to abalone.	9
		10
	<b>‘(2)</b> The application must be sworn and state the grounds on which the warrant is sought.	11
		12
	<b>‘(3)</b> The magistrate may refuse to consider the application until the inspector gives the magistrate all the information the magistrate requires about the application in the way the magistrate requires.	13
		14
		15
	<i>Example—</i>	16
	The magistrate may require additional information supporting the application to be given by statutory declaration.	17
		18
	<b>‘(4)</b> The magistrate may issue the warrant only if the magistrate is satisfied it is reasonably necessary that the inspector should have access to the place for the purpose of finding out whether this Act is being complied with in relation to abalone.	19
		20
		21
		22
	<b>‘(5)</b> The warrant must state—	23
	(a) that an inspector may, with necessary and reasonable help and force—	24
		25
	(i) enter, and from time to time re-enter, the place; and	26
	(ii) exercise an inspector’s powers under this part; and	27
	(b) the purpose for which the warrant is sought; and	28
	(c) the hours of the day or night when the place may be entered; and	29
	(d) any conditions imposed by the magistrate; and	30

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- (e) the date, within 2 months after the warrant's issue, the warrant ends. 1  
2

*Examples for paragraph (d)—* 3

1. The magistrate may limit the number of times an inspector may enter the place while the warrant is in force. 4  
5
2. The magistrate may require an inspector to give to the magistrate information about the use of the inspector's powers under the warrant.'. 6  
7

**PART 6—AMENDMENT OF FRUIT MARKETING ORGANISATION ACT 1923** 8  
9

**Act amended in pt 6** 10

- Clause **28.** This part amends the *Fruit Marketing Organisation Act 1923*. 11

**Amendment of title** 12

- Clause **29.** Title, '**the marketing of certain fruit and vegetables**'— 13  
*omit, insert—* 14  
'**growers in the Queensland fruit and vegetable industry**'. 15

**Insertion of new pt 1 hdg** 16

- Clause **30.** Before section 1— 17  
*insert—* 18

**'PART 1—PRELIMINARY'**. 19

**Amendment of s 1 (Short title)** 20

- Clause **31.** Section 1, '*Fruit Marketing Organisation*'— 21  
*omit, insert—* 22  
'*Fruit and Vegetable Growers*' *Organisation*'. 23

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	<b>Amendment of s 2 (Definitions)</b>	1
Clause	<b>32.(1)</b> Section 2, ‘In this Act—’—	2
	<i>omit, insert—</i>	3
	‘The dictionary in the schedule defines particular words used in this Act.’.	4
		5
	<b>(2)</b> Section 2, definitions “ <b>COD</b> ”, “ <b>committee of direction</b> ”, “ <b>local association</b> ”—	6
		7
	<i>omit.</i>	8
	<b>(3)</b> Section 2—	9
	<i>insert—</i>	10
	‘ “ <b>exotic fruit</b> ” means abius, ambarellos, babacos, bell fruit, black sapotes, boysenberries, breadfruit, carambolas, chempedaks, durians, feijoas, jaboticabas, jackfruit, jambus, mabolos, mamey sapotes, mangosteens, miracle fruit, monsteras, pomegranates, rambutans, rollinias, salaks, sapodillas, soursops, tamarillos, uvillas, white sapotes or any other fruit prescribed under a regulation.’.	11
		12
		13
		14
		15
		16
	<b>(4)</b> Section 2—	17
	<i>insert—</i>	18
	‘ “ <b>local association</b> ” means an entity registered by the QFVG as a local association for this Act.	19
		20
	“ <b>QFVG</b> ” see section 6(1).’.	21
	<b>(5)</b> Section 2, definitions “ <b>citrus fruit</b> ”, “ <b>deciduous fruit</b> ”, “ <b>fruit</b> ” and “ <b>other fruits</b> ”, ‘the Act’—	22
		23
	<i>omit, insert—</i>	24
	‘this Act’.	25
	<b>(6)</b> Section 2, definition “ <b>citrus fruit</b> ”, ‘grapefruit, lemons, limes, mandarins, oranges’—	26
		27
	<i>omit, insert—</i>	28
	‘cumquats, grapefruit, lemons, limes, mandarins, oranges, pomelos’.	29
	<b>(7)</b> Section 2, definition “ <b>deciduous fruit</b> ”, after ‘grapes,’—	30

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	<i>insert—</i>	1
	‘nashis,’.	2
	<b>(8)</b> Section 2, definition “ <b>grower services</b> ”—	3
	<i>insert—</i>	4
	‘(fa) organising and managing a scheme to provide quality strawberry runners to strawberry growers; or’.	5 6
	<b>(9)</b> Section 2, definition “ <b>other fruits</b> ”, from ‘cape gooseberries’ to ‘pawpaws’—	7 8
	<i>omit, insert—</i>	9
	‘avocadoes, cape gooseberries, coconuts, currants, custard apples, exotic fruit, figs, gooseberries, granadillas, kiwi fruit, loganberries, longans, loquats, lychees, macadamia nuts, mangoes, melons, mulberries, papayas, passionfruit, pawpaws, pecan nuts’.	10 11 12 13
	<b>(10)</b> Section 2, definitions (as amended), relocate to schedule, as inserted by this Act.	14 15
	<b>Insertion of new pt 2 hdg</b>	16
Clause	<b>33.</b> After section 2—	17
	<i>insert—</i>	18
	<b>‘PART 2—ESTABLISHMENT OF ORGANISATION’.</b>	19
	<b>Amendment of s 4 (Establishment of organisation for the marketing of Queensland fruit)</b>	20 21
Clause	<b>34.(1)</b> Section 4, heading, ‘ <b>the marketing of Queensland fruit</b> ’—	22
	<i>omit, insert—</i>	23
	‘ <b>growers</b> ’.	24
	<b>(2)</b> Section 4(1), ‘the marketing’—	25
	<i>omit, insert—</i>	26
	‘growers’.	27
	<b>(3)</b> Section 4(2)(d)—	28

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	<i>omit, insert—</i>	1
	‘(c) QFVG;’.	2
	(4) Section 4(3)—	3
	<i>omit.</i>	4
	<b>Amendment of s 6 (Constitution of committee of direction)</b>	5
Clause	<b>35.(1)</b> Section 6, heading, ‘ <b>committee of direction</b> ’—	6
	<i>omit, insert—</i>	7
	‘ <b>QFVG</b> ’.	8
	(2) Section 6(1)—	9
	<i>omit, insert—</i>	10
	‘(1) The committee of direction, as formerly constituted, is continued in existence as the Queensland Fruit and Vegetable Growers (“ <b>QFVG</b> ”) without any change in its legal personality.’.	11
		12
		13
	(3) Section 6(2)—	14
	<i>omit, insert—</i>	15
	‘(2) The QFVG—	16
	(a) is a body corporate; and	17
	(b) has perpetual succession; and	18
	(c) has a seal; and	19
	(d) may sue and be sued in its corporate name.’.	20
	<b>Insertion of new pt 3 hdg</b>	21
Clause	<b>36.</b> After section 6—	22
	<i>insert—</i>	23
	‘ <b>PART 3—WINDING-UP PROCEDURES</b> ’.	24

	<b>Insertion of new pt 4 hdg</b>	1
Clause	<b>37.</b> After section 6W—	2
	<i>insert—</i>	3
	<b>‘PART 4—GENERAL PROVISIONS’.</b>	4
	<b>Omission of ss 7 and 7A</b>	5
Clause	<b>38.</b> Sections 7 and 7A—	6
	<i>omit.</i>	7
	<b>Replacement of s 9 (Constitution of committee of direction)</b>	8
Clause	<b>39.</b> Section 9—	9
	<i>omit, insert—</i>	10
	<b>‘QFVG—election of members</b>	11
	<b>‘9.(1)</b> Subject to subsection (3), the QFVG consists of the number of representatives prescribed under a regulation for each sectional group committee.	12 13 14
	<b>‘(2)</b> Each representative of a sectional group committee must be elected as a member of the QFVG by the committee as prescribed under a regulation.	15 16 17
	<b>‘(3)</b> If a sectional group committee does not elect a representative, the QFVG consists of the number of representatives who have been elected.’.	18 19
	<b>Amendment of s 10 (Constitution of local associations and their functions)</b>	20 21
Clause	<b>40.</b> Section 10(1) to (3)—	22
	<i>omit, insert—</i>	23
	<b>‘(1)</b> The QFVG may register any entity, including the following as a local association for this Act—	24 25
	(a) an association registered under the <i>Associations Incorporation Act 1981</i> ;	26 27

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- (b) a cooperative registered under the *Cooperatives Act 1997*; 1
- (c) a company under the Corporations Law.’. 2

**Amendment of s 11 (Sectional group committees) 3**

Clause **41.(1)** Section 11(1A)(e) and (f)— 4

*omit, insert—* 5

‘(e) the other fruits group committee with functions for— 6

- (i) other fruits and deciduous fruit, other than a fruit for which 7  
another sectional group committee has been elected with 8  
functions for the fruit; and 9

(ii) tomatoes, if there is no elected tomato group committee; 10

(f) the vegetable group committee with functions for— 11

- (i) vegetables, other than a vegetable for which another sectional 12  
group committee has been elected with functions for the 13  
vegetable; and 14

(ii) heavy produce, if there is no elected heavy produce 15  
committee. 16

(g) other sectional group committees with functions for a fruit or 17  
vegetable prescribed under a regulation.’. 18

**(2)** Section 11(3)— 19

*omit.* 20

**(3)** Section 11(5), ‘, as set forth in subsection (1), shall’— 21

*omit, insert—* 22

‘must’. 23

**Replacement of ss 14A–14AC 24**

Clause **42.** Sections 14A to 14AC— 25

*omit, insert—* 26

	<b>‘Application of certain Acts</b>	1
	<b>‘14A.</b> The QFVG is—	2
	(a) a statutory body under the <i>Financial Administration and Audit Act 1977</i> ; and	3 4
	(b) a statutory body under the <i>Statutory Bodies Financial Arrangements Act 1982</i> .’.	5 6
	<b>Amendment of s 15 (Regulations)</b>	7
Clause	<b>43.(1)</b> Section 15, heading—	8
	<i>omit, insert—</i>	9
	<b>‘Regulation-making power’.</b>	10
	<b>(2)</b> Section 15(2)(b), (k), (q) to (s), (x) to (zb), (zd) and (zg), headings—	11
	<i>omit.</i>	12
	<b>(3)</b> Section 15(2)(h), after ‘compilation’—	13
	<i>insert—</i>	14
	‘, audit’.	15
	<b>(4)</b> Section 15(2), after paragraph (k)—	16
	<i>insert—</i>	17
	‘(ka)registration of local associations;’.	18
	<b>(5)</b> Section 15(2), after paragraph (s)—	19
	<i>insert—</i>	20
	‘(sa) the holding and conduct of a poll, and eligibility to vote in a poll, of fruit growers to approve the making of a levy on fruit growers by the QFVG;’.	21 22 23
	<b>(6)</b> Section 15(2)(t), ‘sums’—	24
	<i>omit, insert—</i>	25
	‘amounts’.	26
	<b>(7)</b> Section 15(2)(v), ‘\$40’—	27

	<i>omit, insert—</i>	1
	‘1 penalty unit’.	2
	(8) Section 15(2)(y) to (za) and (zd) to (zf)—	3
	<i>omit.</i>	4
	<b>Insertion of new pt 5</b>	5
Clause	<b>44.</b> After section 18—	6
	<i>insert—</i>	7
	<b>‘PART 5—TRANSITIONAL PROVISION FOR PRIMARY INDUSTRIES LEGISLATION AMENDMENT ACT 1999</b>	8 9 10
	<b>‘References to <i>Fruit Marketing Organisation Act 1923</i></b>	11
	‘19.(1) A reference in an Act or document to the <i>Fruit Marketing Organisation Act 1923</i> may, if the context permits, be taken to be a reference to this Act.	12 13 14
	‘(2) A reference in an Act or document to any of the following may, if the context permits, be taken to be a reference to the QFVG—	15 16
	(a) the committee of direction;	17
	(b) the committee of direction of fruit marketing;	18
	(c) the COD.’.	19
	<b>Omission of schedule</b>	20
Clause	<b>45.</b> Schedule—	21
	<i>omit.</i>	22
	<b>Insertion of new schedule</b>	23
Clause	<b>46.</b> After section 19—	24
	<i>insert—</i>	25

	<b>‘SCHEDULE</b>	1
	<b>‘DICTIONARY</b>	2
	section 2’.	3
	<b>PART 7—AMENDMENT OF GRAIN INDUSTRY (RESTRUCTURING) ACT 1991</b>	4 5
	<b>Act amended in pt 7</b>	6
Clause	<b>47.</b> This part amends the <i>Grain Industry (Restructuring) Act 1991</i> .	7
	<b>Amendment of s 2 (Objects of this Act)</b>	8
Clause	<b>48.(1)</b> Section 2(e), ‘barley and Central Queensland grain sorghum; and’—	9 10
	<i>omit, insert—</i>	11
	‘barley.’.	12
	<b>(2)</b> Section 2(f)—	13
	<i>omit.</i>	14
	<b>Amendment of s 3 (Definitions)</b>	15
Clause	<b>49.(1)</b> Section 3, definitions “ <b>Central Queensland grain sorghum</b> ”, “ <b>defined area</b> ”, “ <b>dissolution date</b> ”, “ <b>expiry date</b> ”, “ <b>Grainco</b> ”, “ <b>Grain Industry Trust</b> ”, “ <b>merger participants</b> ”, “ <b>season</b> ” and “ <b>transfer date</b> ”—	16 17 18 19
	<i>omit.</i>	20
	<b>(2)</b> Section 3—	21
	<i>insert—</i>	22

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	‘ <b>“competition principles agreement”</b> means the competition principles agreement defined in the <i>Queensland Competition Authority Act 1997</i> .	1 2
	<b>“exemption”</b> , for vested grain, means an exemption granted under part 4, division 4.	3 4
	<b>“expiry date”</b> means 30 June 2002.	5
	<b>“Grainco”</b> means Grainco Australia Limited ACN 070 878 241.	6
	<b>“season”</b> , for wheat or barley, means a period notified by Grainco by public notice, or if Grainco does not notify a period, a financial year.’.	7 8
	(3) Section 3, definition, <b>“compulsory marketing scheme”</b> , ‘, barley and Central Queensland grain sorghum’—	9 10
	<i>omit, insert—</i>	11
	‘and barley’.	12
	<b>Insertion of new s 3A</b>	13
Clause	<b>50.</b> After section 3—	14
	<i>insert—</i>	15
	<b>‘Grainco does not represent State</b>	16
	<b>‘3A.</b> Grainco does not represent the State and is not entitled to the immunities of the State.’.	17 18
	<b>Omission of pt 2 (Grainco)</b>	19
Clause	<b>51.</b> Part 2—	20
	<i>omit.</i>	21
	<b>Omission of s 13 (Grainco’s responsibility to account for its administration)</b>	22 23
Clause	<b>52.</b> Section 13—	24
	<i>omit.</i>	25

	<b>Amendment of s 14 (Application of certain other Acts)</b>	1
Clause	<b>53.</b> Section 14(1)—	2
	<i>omit, insert—</i>	3
	<b>‘14.(1)</b> Grainco is—	4
	(a) in relation to the performance of its statutory functions or exercise of its statutory powers, a unit of public administration under the <i>Criminal Justice Act 1989</i> ; and	5 6 7
	(b) a public authority under the <i>Freedom of Information Act 1992</i> .’	8
	<b>Insertion of new s 15A</b>	9
Clause	<b>54.</b> After section 15—	10
	<i>insert—</i>	11
	<b>‘Minister may require information about functions and powers</b>	12
	<b>‘15A.(1)</b> The Minister may, by written notice, require Grainco to give the Minister, or an advisory committee or other body established by the Minister under section 25, information about the performance of its statutory functions or exercise of its statutory powers.	13 14 15 16
	<b>‘(2)</b> The notice must state the time within which the information is required to be given.	17 18
	<b>‘(3)</b> Grainco must comply with the notice.’	19
	<b>Omission of pt 3, div 2</b>	20
Clause	<b>55.</b> Part 3, division 2—	21
	<i>omit.</i>	22
	<b>Amendment of s 29 (Application)</b>	23
Clause	<b>56.</b> Section 29(1) and (2)—	24
	<i>omit, insert—</i>	25
	<b>‘29.(1)</b> Subject to subsection (2), this part applies to all wheat and barley grown in Queensland.	26 27

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	‘(2) This part does not apply to either of the following—	1
	(a) wheat harvested before the date prescribed under a regulation;	2
	(b) wheat or barley harvested after the expiry date.	3
	‘(2A) A date may be prescribed under subsection (2)(a) only if—	4
	(a) a public benefit test is conducted under the competition principles agreement; and	5 6
	(b) application of this part to wheat is consistent with clause 5(1) of the agreement.’.	7 8
	<b>Insertion of new s 38A</b>	9
Clause	<b>57.</b> After section 38—	10
	<i>insert—</i>	11
	<b>‘Exemptions for non-export grain</b>	12
	‘ <b>38A.(1)</b> This section applies if, under a contract—	13
	(a) a grower sells vested grain; and	14
	(b) the grain is not to be exported to a foreign country.	15
	‘(2) The grain is exempt from delivery under the compulsory marketing scheme on condition that the purchaser does not export the grain to a foreign country or sell the grain to another person for export to a foreign country.’.	16 17 18
	<b>Amendment of s 43 (Noncompliance with conditions of exemption)</b>	19
Clause	<b>58.</b> Section 43, ‘a general or special’—	20
	<i>omit, insert—</i>	21
	‘an’.	22
	<b>Amendment of s 45 (Grain pools)</b>	23
Clause	<b>59.</b> Section 45(1)—	24
	<i>omit, insert—</i>	25

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‘**45.(1)** Grainco may establish the grain pools for wheat or barley it considers appropriate.’. 1  
2

**Amendment of s 47 (Reserve fund)** 3

Clause **60.** Section 47(1)(c)— 4  
*omit.* 5

**Omission of pt 9 (Transitional arrangements for appointments)** 6

Clause **61.** Part 9— 7  
*omit.* 8

**PART 8—AMENDMENT OF MEAT INDUSTRY  
ACT 1993** 9  
10

**Act amended in pt 8** 11

Clause **62.** This part amends the *Meat Industry Act 1993*. 12

**Amendment of s 127 (Evidence and procedure)** 13

Clause **63.** Section 127— 14  
*insert—* 15  
‘**(2A)** In deciding an appeal, the tribunal is unaffected by the decision 16  
appealed against.’. 17

**Amendment of s 130 (Appeals to tribunal)** 18

Clause **64.** Section 130(1), after ‘tribunal’— 19  
*insert—* 20  
‘but only on 1 or more of the following grounds— 21

- |  |   |        |
|--|---|--------|
|  | (a) the decision was contrary to this Act;  | 1      |
|  | (b) the decision is manifestly unfair to the appellant;                                   | 2      |
|  | (c) the decision will cause severe and unjustified financial hardship to the appellant.’. | 3<br>4 |

	<b>Replacement of s 131 (How to start an appeal)</b>	5
--	--	---

Clause	65. Section 131—	6
	<i>omit, insert—</i>	7

	<b>‘How to start an appeal</b>	8
--	--------------------------------	---

	‘131.(1) An appeal is started by filing a written notice of appeal with the tribunal.	9 10
--	---	---------

	‘(2) The notice of appeal must—	11
--	---------------------------------	----

	(a) state the grounds of the appeal; and	12
--	--	----

	(b) be accompanied by the fee prescribed under a regulation.	13
--	--	----

	‘(3) The notice of appeal must be filed within 28 days after the appellant receives notice of the decision appealed against.	14 15
--	--	----------

	‘(4) The tribunal may at any time extend the period for filing the notice of appeal.	16 17
--	--	----------

	‘(5) The tribunal must give a copy of the notice to the authority.’.	18
--	--	----

	<b>PART 9—AMENDMENT OF PRIMARY</b>	19
	<b>PRODUCERS’ ORGANISATION AND MARKETING</b>	20
	<b>ACT 1926</b>	21

	<b>Act amended in pt 9</b>	22
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Clause	66. This part amends the <i>Primary Producers’ Organisation and Marketing Act 1926</i> .	23 24
--------	--	----------

	<b>Amendment of title</b>	1
Clause	<b>67.</b> Title, ‘ <b>the orderly marketing of rural commodities, the establishment, operation and accountability of marketing boards,</b> ’—	2
	<i>omit, insert—</i>	3
	<b>‘the establishment, operation and accountability of’.</b>	4
		5
	<b>Amendment of s 1 (Short title)</b>	6
Clause	<b>68.</b> Section 1, ‘ <i>and Marketing</i> ’—	7
	<i>omit.</i>	8
	<b>Amendment of s 2 (Definitions)</b>	9
Clause	<b>69.(1)</b> Section 2, ‘In this Act—’—	10
	<i>omit, insert—</i>	11
	‘The dictionary in schedule 2 defines particular words used in this Act.’.	12
	(2) Section 2, definitions “ <b>affiliated body</b> ”, “ <b>authorised agent</b> ”,	13
	“ <b>board</b> ”, “ <b>certificate</b> ”, “ <b>deliver to the board</b> ”, “ <b>marketing</b> ” and “ <b>net</b>	14
	<b>proceeds of sale</b> ”—	15
	<i>omit.</i>	16
	(3) Section 2—	17
	<i>insert—</i>	18
	‘ “ <b>board</b> ” includes the State council of a producer representative body.	19
	“ <b>QFVG</b> ” means the Queensland Fruit and Vegetable Growers under the	20
	<i>Fruit and Vegetable Growers’ Organisation Act 1923.</i> ’.	21
	(4) Section 2, definition “ <b>commodity</b> ”, from ‘The commodity’ to ‘are	22
	prepared by process of manufacture.’—	23
	<i>omit.</i>	24
	(5) Section 2, definition “ <b>financial year</b> ”, ‘or affiliated body’—	25
	<i>omit.</i>	26

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	(6) Section 2, definitions (as amended), relocate to schedule 2, as inserted by this Act.	1 2
	<b>Omission of pt 2 (Officers)</b>	3
Clause	<b>70.</b> Part 2— <i>omit.</i>	4 5
	<b>Amendment of pt 3 (Commodities and commodity boards)</b>	6
Clause	<b>71.</b> Part 3, heading, ‘COMMODITY’— <i>omit.</i>	7 8
	<b>Amendment of s 9 (Power to declare commodity and extend Act and constitute board for same)</b>	9 10
Clause	<b>72.(1)</b> Section 9(1A) to (1C), (2) to (3A), (5) to (5D), (6) to (6B), (7F) to (8)— <i>omit.</i> <b>(2)</b> Section 9(5E), ‘commodity board’— <i>omit, insert—</i> ‘board’.	11 12 13 14 15 16
	<b>Omission of ss 10–10D</b>	17
Clause	<b>73.</b> Sections 10 to 10D— <i>omit.</i>	18 19
	<b>Amendment of s 11 (Commodity board)</b>	20
Clause	<b>74.(1)</b> Section 11, heading— <i>omit, insert—</i>	21 22

	<b>‘Boards—appointment’.</b>	1
	<b>(2)</b> Section 11(1), ‘elected’—	2
	<i>omit.</i>	3
	<b>(3)</b> Section 11(1A), (1B), (1E) to (1H), (3) to (3C), and (8) to (11)—	4
	<i>omit.</i>	5
	<b>(4)</b> Section 11(4B), ‘committee of direction appointed under the <i>Fruit Marketing Organisation Act 1923</i> ,’—	6
	<i>omit, insert—</i>	7
	‘QFVG’.	8
		9
	<b>Amendment of s 11A (Further powers of commodity board)</b>	10
Clause	<b>75.</b> Section 11A, heading, ‘ <b>commodity board</b> ’—	11
	<i>omit, insert—</i>	12
	‘ <b>boards</b> ’.	13
	<b>Omission of s 11E (Vacation of office)</b>	14
Clause	<b>76.</b> Section 11E—	15
	<i>omit.</i>	16
	<b>Omission of s 13B (Powers of affiliated body)</b>	17
Clause	<b>77.</b> Section 13B—	18
	<i>omit.</i>	19
	<b>Amendment of pt 4 (Marketing)</b>	20
Clause	<b>78.</b> Part 4, heading—	21
	<i>omit.</i>	22

	<b>Omission of s 14 (Powers of marketing board)</b>	1
Clause	<b>79.</b> Section 14—	2
	<i>omit.</i>	3
	<b>Amendment of s 14A (Marketing board to insure against defalcations by agent)</b>	4
Clause	<b>80.(1)</b> Section 14A, heading, ‘ <b>Marketing board</b> ’—	6
	<i>omit, insert—</i>	7
	‘ <b>Boards</b> ’.	8
	<b>(2)</b> Section 14A(1) and (3A) to (6)—	9
	<i>omit.</i>	10
	<b>(3)</b> Section 14A(3), ‘subsections (1) and (2), the committee of direction of fruit marketing’—	11
	<i>omit, insert—</i>	13
	‘subsection (2), the QFVG’.	14
	<b>(4)</b> Section 14A, as amended by subsections (1) to (3)—	15
	<i>relocate and renumber, in part 5, as section 27B.</i>	16
	<b>Replacement of ss 14B–25</b>	17
Clause	<b>81.</b> Sections 14B to 25—	18
	<i>omit, insert—</i>	19
	<b>‘PART 4—ADMINISTRATION OF BOARDS’.</b>	20
	<b>Amendment of s 29 (Board may make levy)</b>	21
Clause	<b>82.</b> Section 29(2E) to (3B)—	22
	<i>omit.</i>	23

	<b>Insertion of new pt 6A hdg</b>	1
Clause	<b>83.</b> After section 29—	2
	<i>insert—</i>	3
	<b>‘PART 6A—QUEENSLAND CANE GROWERS’ ORGANISATION’.</b>	4 5
	<b>Relocation of s 29B (Superannuation schemes)</b>	6
Clause	<b>84.</b> Section 29B—	7
	<i>relocate and renumber, in part 5, as section 27C.</i>	8
	<b>Amendment of s 30 (Cane to be a commodity)</b>	9
Clause	<b>85.(1)</b> Section 30(3A), (5B,) (5D) to (6), (7F), (8)(b) and (8B)—	10
	<i>omit.</i>	11
	<b>(2)</b> Section 30(5), ‘, that is 10 or less,’—	12
	<i>omit.</i>	13
	<b>(3)</b> Section 30(5C)(e)—	14
	<i>omit, insert—</i>	15
	‘(e) fix the number of members of a district cane grower’s executive; or’.	16 17
	<b>(4)</b> Section 30(5C)(f), after ‘elected’—	18
	<i>insert—</i>	19
	‘or appointed’.	20
	<b>(5)</b> Section 30—	21
	<i>insert—</i>	22
	‘ <b>(6)</b> The members of a mill supplier’s committee or a district cane grower’s executive must be elected by growers, or appointed, as prescribed under a regulation.’.	23 24 25
	<b>(6)</b> Section 30(7A), ‘in accordance with regulations made under subsection (8B)’—	26 27

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	<i>omit, insert—</i>	1
	‘, or appointed, as prescribed under a regulation’.	2
	(7) Section 30—	3
	<i>insert—</i>	4
	‘(9) In this section—	5
	‘ “ <b>grower</b> ” means a holder, under the <i>Sugar Industry Act 1991</i> ,	6
	section 136, <sup>8</sup> of an assignment of 2 ha or more that is being used to	7
	grow sugar cane, other than a holder that—	8
	(a) owns a mill within the meaning of that Act; or	9
	(b) is, under the Corporations Law, section 46, <sup>9</sup> a subsidiary of a	10
	corporation that owns a mill within the meaning of that Act.’.	11
	<b>Omission of s 30A (Definitions for section 30)</b>	12
Clause	<b>86.</b> Section 30A—	13
	<i>omit.</i>	14
	<b>Amendment of s 30D (State councils)</b>	15
Clause	<b>87.(1)</b> Section 30D(2)(a), ‘(other than those powers, authorities, duties	16
	and functions that specifically relate to a marketing board)’—	17
	<i>omit.</i>	18
	(2) Section 30D(2)(b)—	19
	<i>omit, insert—</i>	20
	‘(b) may carry on a business.’.	21
	<b>Insertion of new s 30DA</b>	22
Clause	<b>88.</b> After section 30D—	23

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<sup>8</sup> *Sugar Industry Act 1991*, section 136 (The assignment entitlement)

<sup>9</sup> Corporations Law, section 46 (What is a subsidiary)

	<i>insert—</i>	1
	<b>‘State council may fix fees, allowances and expenses</b>	2
	<b>‘30DA.</b> A State council may, with the Minister’s approval, fix the fees, allowances and travelling expenses that may be paid to members of the council or members of a subsidiary body of the council.’.	3 4 5
	<b>Amendment of s 30E (Subsidiary bodies)</b>	6
Clause	<b>89.(1)</b> Section 30E(2)(a)—	7
	<i>omit.</i>	8
	<b>(2)</b> Section 30E(4) and (5), ‘marketing’—	9
	<i>omit.</i>	10
	<b>Insertion of new pt 6B hdg</b>	11
Clause	<b>90.</b> After section 30E—	12
	<i>insert—</i>	13
	<b>‘PART 6B—QUEENSLAND COMMERCIAL FISHERMEN’S ORGANISATION’.</b>	14 15
	<b>Amendment of s 30F (Queensland Commercial Fishermen’s Organisation and State Council)</b>	16 17
Clause	<b>91.</b> Section 30F(11) to (13)—	18
	<i>omit.</i>	19
	<b>Insertion of new pt 6C hdg and relocation of ss 30C–30E</b>	20
Clause	<b>92.(1)</b> After section 30F—	21
	<i>insert—</i>	22
	<b>‘PART 6C—GENERAL PROVISIONS FOR PRODUCER REPRESENTATIVE BODIES’.</b>	23 24

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	(2) Sections 30C, 30D, 30DA (as inserted) and 30E—	1
	<i>relocate and renumber</i> , in part 6C (as inserted), as sections 30G to 30J.	2
	<b>Amendment of s 32 (Evidence)</b>	3
Clause	<b>93.</b> Section 32(c), ‘or is an authorised agent,’—	4
	<i>omit.</i>	5
	<b>Amendment of s 34 (Annual report of board)</b>	6
Clause	<b>94.(1)</b> Section 34(2), words from ‘the commodity’ first mention—	7
	<i>omit, insert—</i>	8
	‘the board’s commodity.’.	9
	(2) Section 34(4)—	10
	<i>omit.</i>	11
	<b>Omission of s 34C (Application of Act to affiliated body)</b>	12
Clause	<b>95.</b> Section 34C—	13
	<i>omit.</i>	14
	<b>Amendment of s 37 (Initiation of winding-up by growers)</b>	15
Clause	<b>96.</b> Section 37(2), from ‘signed—’ to ‘commodity;’—	16
	<i>omit, insert—</i>	17
	‘signed by 30% of the growers of the board’s commodity,’.	18
	<b>Amendment of s 38 (Appointment of inspector)</b>	19
Clause	<b>97.</b> Section 38(1)(d)—	20
	<i>omit.</i>	21

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	<b>Amendment of s 51 (Approved rules or articles)</b>	1
Clause	<b>98.</b> Section 51(1)(a)—	2
	<i>omit.</i>	3
	<b>Amendment of s 56 (Regulation-making power)</b>	4
Clause	<b>99.(1)</b> Sections 56(2)(d), (f) and (h)—	5
	<i>omit.</i>	6
	<b>(2)</b> Section 56(2)(b), after ‘functions of’—	7
	<i>insert—</i>	8
	‘boards and’.	9
	<b>(3)</b> Section 56(2)(o), examples, ‘ <i>paragraph (la)</i> ’—	10
	<i>omit, insert—</i>	11
	‘ <i>paragraph (o)</i> ’.	12
	<b>Replacement of pt 10 hdg</b>	13
Clause	<b>100.</b> Part 10, heading—	14
	<i>omit, insert—</i>	15
	<b>‘PART 10—TRANSITIONAL PROVISIONS</b>	16
	<i>‘Division 1—Transitional provisions before the Primary Industries</i>	17
	<i>Legislation Amendment Act 1999’.</i>	18
	<b>Insertion of new pt 10, div 2</b>	19
Clause	<b>101.</b> After section 58—	20
	<i>insert—</i>	21



## PART 10—MINOR AMENDMENTS AND RENUMBERING OF ACTS

- |        |  |                            |
|--------|--|----------------------------|
|        | <b>Acts amended—schedule</b>   | 1                          |
|        |  | 2                          |
|        | <b>Acts amended—schedule</b>   | 3                          |
| Clause | <b>104.</b> The schedule amends the Acts it mentions.  | 4                          |
|        | <b>Acts renumbered</b>   | 5                          |
| Clause | <b>105.</b> As permitted by the <i>Reprints Act 1992</i> , section 43—   | 6                          |
|        | (a) in the next reprint of the Acts amended by parts 3, 6, 7 and 9, the provisions of each of those Acts must be numbered and renumbered; and  | 7<br>8<br>9                |
|        | (b) in the next reprint of subordinate legislation made under an Act amended by parts 3, 6, 7 and 9, a reference to a provision of the Act under which the subordinate legislation is made, must, if the context permits, be changed to agree with the numbering and renumbering mentioned in paragraph (a). | 10<br>11<br>12<br>13<br>14 |

## PART 11—EXPIRY

- |        |  |                |
|--------|--|----------------|
|        | <b>Expiry of Act</b>   | 15             |
|        |  | 16             |
| Clause | <b>106.</b> This Act expires 3 months after the last of the Acts amended by parts 3, 6, 7 and 9 is reprinted as mentioned in section 105(a). | 17<br>18<br>19 |

<b>SCHEDULE</b>	1
<b>MINOR AMENDMENTS</b>	2
section 104	3
<b>FARM PRODUCE MARKETING ACT 1964</b>	4
<b>1. Section 5, definition “farm produce agent”, ‘and Marketing’—</b>	5
<i>omit.</i>	6
<b>FRUIT MARKETING ORGANISATION ACT 1923</b>	7
<b>1. Section 1A—</b>	8
<i>omit.</i>	9
<b>2. Section 5(3), ‘, subject to section 11(2) to (2H),’—</b>	10
<i>omit.</i>	11
<b>3. Sections 5(3) and (4), 6(3) to (5), 6D(1)(a), 8(2) and (2A), 11(4), 11A, 12(1) to (3), 14, 14AD, 14B(1) and (2), 14C(1), 15(2)(b), (c), (l), (m), (s) and (w), ‘committee of direction’—</b>	12
<i>omit, insert—</i>	13
‘QFVG’.	14
<b>4. Sections 6(2) to (6), 8(2) and 11(3), headings—</b>	15
<i>omit.</i>	16
	17
	18

## SCHEDULE (continued)

- |  |                                       |
|--|---------------------------------------|
| <b>5. Section 6(5)(g)—</b>   | 1                                     |
| <i>omit, insert—</i>   | 2                                     |
| ‘(g) to impose levies on fruit and vegetable growers;’.  | 3                                     |
| <br>   |                                       |
| <b>6. Section 6(5)(h), ‘that the COD is conducting’—</b>   | 4                                     |
| <i>omit, insert—</i>   | 5                                     |
| ‘conducted by the QFVG’.   | 6                                     |
| <br>   |                                       |
| <b>7. Section 6(5)(i)—</b>   | 7                                     |
| <i>omit.</i>   | 8                                     |
| <br>   |                                       |
| <b>8. Sections 6(6), 6A(1)(a), (2) and (4), 6B(2)(a) to (c) and (e), 6B(3),<br/>definition “officer”, 6C(2)(a) to (h), (j), (k), (n), (o), (3) and (4),<br/>6D(1)(c) and (2), 6E(3), 6G(1) to (3), 6H(1), 6J(1)(a) and (b), 6K(1),<br/>6L, 6M(1), (8) and (13), 6N, 6O, 6P(1) and (4), 6Q(1), 6R(1) to (4),<br/>6S(1) and (3), 6T(1)(a), (c), (d), (2)(a), (c) to (f), (h), (i), (k) and (3) to<br/>(6), 6U(a) and (d), 6V(2)(c), (3)(a), 6(b) and (7), 6W(1), 8(1), 8A(1), (2),<br/>(3)(a) to (e) and (5), ‘COD’—</b> | 9<br>10<br>11<br>12<br>13<br>14<br>15 |
| <i>omit, insert—</i>   | 16                                    |
| ‘QFVG’.  | 17                                    |
| <br>   |                                       |
| <b>9. Section 6AA—</b>   | 18                                    |
| <i>omit.</i>   | 19                                    |
| <br>   |                                       |
| <b>10. Section 6D(1)(b)—</b>   | 20                                    |
| <i>omit, insert—</i>   | 21                                    |
| ‘(b) within 3 business days after an amount of money of the QFVG<br>comes under the administrator’s control, pay the amount into the<br>account; and’.   | 22<br>23<br>24                        |

## SCHEDULE (continued)

<b>11. Section 6D(3)—</b>	1
<i>omit.</i>	2
<b>12. Section 6I, paragraph (d)—</b>	3
<i>omit.</i>	4
<b>13. Sections 6K, 6L, 6N, 6P, 6U, 8, 8A, headings, ‘COD’—</b>	5
<i>omit, insert—</i>	6
‘QFVG’.	7
<b>14. Section 6K(2)—</b>	8
<i>omit.</i>	9
<b>15. Sections 6R and 6S, headings, ‘COD’s’—</b>	10
<i>omit, insert—</i>	11
‘QFVG’s’.	12
<b>16. Section 6T(2)(d) and (g), ‘COD’s’—</b>	13
<i>omit, insert—</i>	14
‘QFVG’s’.	15
<b>17. Section 8A(6)—</b>	16
<i>omit.</i>	17
<b>18. Section 11A, heading, before ‘committees’—</b>	18
<i>insert—</i>	19
‘QFVG and’.	20

## SCHEDULE (continued)

<b>19. Section 12, heading, ‘committee of direction’—</b>	1
<i>omit, insert—</i>	2
‘QFVG’.	3
<b>20. Section 12(4)—</b>	4
<i>omit.</i>	5
<b>21. Section 14, heading, ‘committee’—</b>	6
<i>omit, insert—</i>	7
‘QFVG’.	8
<b>PRIMARY PRODUCERS’ ORGANISATION AND MARKETING ACT 1926</b>	9 10
<b>1. Section 2, definitions “producer representative body”, paragraph (e) and “State council”, paragraph (e), ‘section 30C’—</b>	11 12
<i>omit, insert—</i>	13
‘section 30G’.	14
<b>2. Section 2, definition “subsidiary body” and sections 3(2) and 26, ‘section 30E’—</b>	15 16
<i>omit, insert—</i>	17
‘section 30J’.	18
<b>3. Section 13(2), ‘committee of direction of fruit marketing’—</b>	19
<i>omit, insert—</i>	20
‘QFVG’.	21

## SCHEDULE (continued)

- |  |    |
|--|----|
| <b>4. Section 13C(1) and (4), ‘or an affiliated body’—</b>   | 1  |
| <i>omit.</i>   | 2  |
| <b>5. Section 13C(3), ‘and an affiliated body shall’—</b>  | 3  |
| <i>omit, insert—</i>   | 4  |
| ‘must’.  | 5  |
| <b>6. Section 13C(4), 50(3) and 51(4) ‘director of marketing shall’—</b>   | 6  |
| <i>omit, insert—</i>   | 7  |
| ‘chief executive must’.  | 8  |
| <b>7. Section 13C(4) ‘director’s’—</b>   | 9  |
| <i>omit, insert—</i>   | 10 |
| ‘chief executive’s’.   | 11 |
| <b>8. Section 13C—</b>   | 12 |
| <i>insert—</i>   | 13 |
| ‘(5) This section applies to the QFVG as if it were a board.’.   | 14 |
| <b>9. Section 26, ‘the director of marketing, a person acting in the room of the director of marketing in accordance with section 11(1B),’—</b>            | 15 |
| <i>omit.</i>   | 16 |
|  | 17 |
| <b>10. Section 27A(2), ‘committee of direction of fruit marketing constituted under the <i>Fruit Marketing Organisation Act 1923</i> shall be deemed’—</b> | 18 |
|  | 19 |
| <i>omit, insert—</i>   | 20 |
|  | 21 |
| ‘QFVG is taken’.   | 22 |

## SCHEDULE (continued)

<b>11. Section 31A(a), ‘Marketing’—</b>	1
<i>omit, insert—</i>	2
‘ <i>and Vegetable Growers</i> ’.	3
<b>12. Section 34A(4)—</b>	4
<i>omit, insert—</i>	5
‘(4) The meeting procedures for an annual general meeting are stated in schedule 1.’.	6 7
<b>13. Section 34E—</b>	8
<i>omit.</i>	9
<b>14. Section 47(1), ‘section 33’—</b>	10
<i>omit, insert—</i>	11
‘section 56’.	12
<b>15. Section 50(1), ‘13, 14, 14F, 15, 18, 18A, 18B, 18C, 29 and 29B’—</b>	13
<i>omit, insert—</i>	14
‘13 and 27C’.	15
<b>16. Section 53—</b>	16
<i>omit.</i>	17
<b>STAMP ACT 1894</b>	18
<b>1. Section 36(d)—</b>	19
<i>omit, insert—</i>	20

## SCHEDULE (continued)

‘(d) a board constituted under the *Primary Producers’ Organisation Act 1926* or the *Fruit and Vegetable Growers’ Organisation Act 1923*; or’.

**2. Section 69B(1) and schedule 1, heading Mortgage, Bond, Debenture, and Covenant, Exemption 5, ‘and Marketing’—**  
*omit.*

**SUGAR INDUSTRY ACT 1991**

**1. Section 3, definition “mill suppliers’ committee”, ‘and Marketing’—**  
*omit.*

**WHEAT MARKETING (FACILITATION) ACT 1989**

**1. Section 3, definition “marketing board”, ‘and Marketing’—**  
*omit.*