

Queensland



CITY OF BRISBANE MARKET ACT 1960

**Reprinted as in force on 24 May 1999
(includes amendments up to Act No. 19 of 1999)**

Reprint No. 2B

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Information about this reprint

This Act is reprinted as at 24 May 1999. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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CITY OF BRISBANE MARKET ACT 1960

[as amended by all amendments that commenced on or before 24 May 1999]

An Act to establish a public market in the area of the City of Brisbane

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *City of Brisbane Market Act 1960*.

Exemption from Act

2. A regulation may exempt any fruit or vegetable from the operation of this Act.

Definitions

3. In this Act—

“**authority**” means the Brisbane Market Authority.

“**banana ripener**” means a person whose business, either alone or as part of or in connection with any other business is the ripening of bananas—

- (a) on behalf of producers or other persons on commission or for or in expectation of any fee, gain or reward—for the purpose of sale whether by wholesale or retail; or
- (b) on the person’s own behalf—for the purpose of sale whether by wholesale or retail.

“**Brisbane**” means the area of the city of Brisbane.

“**Brisbane market**” means the market established under this Act.

“building lease” means a lease of land from the authority on which the lessee is required to provide a building or other structural improvement.

“farm products” means cereals, grains, edible bulbs, roots and tubers, pumpkins, hay and chaff, and all dairy produce (including butter and cheese) and includes live or dead poultry and game and eggs.

“other trade and commerce” includes flower shops, petrol stations, trash and treasure markets and other non-fruit and vegetable businesses.

“wholesaler” means a person whose business, either alone or as part of or in connection with any other business is to sell by wholesale any fruit or vegetables—

- (a) on behalf of producers or other persons on commission or for or in expectation of any fee, gain or reward; or
- (b) on the person’s own behalf, whether such sale is by auction or otherwise and includes a banana ripener.

PART 2—BRISBANE MARKET AUTHORITY

Division 1—Establishment of authority

Establishment

4. An authority called the Brisbane Market Authority is established.

Authority is a body corporate

- 5.(1) The authority—
 - (a) is a body corporate with perpetual succession; and
 - (b) has a common seal; and
 - (c) may sue and be sued in its corporate name.
- (2) The authority does not represent the State.

(3) The authority is an exempt public authority under the Corporations Law.

Division 2—Functions and powers of authority

Functions

6.(1) The authority must maintain a market in Brisbane.

(2) The purposes of the Brisbane market are—

- (a) to provide a place to sell and store fruit and vegetables; and
- (b) to provide accommodation and facilities for the conduct of other trade and commerce at the market.

(3) The authority also has other functions given to it under this Act or another Act.

General powers

7.(1) The authority has, for or in connection with the performance of its functions, all the powers of a natural person, and may, for example—

- (a) provide accommodation at the Brisbane market for any person to carry on trade or commerce, including, for example—
 - (i) as a wholesaler; and
 - (ii) by storing farm products, fruit and vegetables; and
 - (iii) by buying fruit and vegetables wholesale for the purpose of reselling them by wholesale; and
 - (iv) as a retailer; and
- (b) enter into contracts; and
- (c) acquire, hold, deal with and dispose of property; and
- (d) appoint agents and attorneys; and
- (e) make charges for services and facilities it supplies; and
- (f) join and take part in industry associations; and

(g) do anything else necessary or convenient to be done for, or in connection with, the performance of its functions.

(2) Without limiting subsection (1), the authority has the powers given to it under this or another Act.

(3) The authority may exercise its powers inside and outside Queensland.

(4) Without limiting subsection (2), the authority may exercise its powers outside Australia.

Delegation

8. The authority may delegate its powers to a committee, member or employee of the authority.

Division 3—Powers of Minister

Power of Minister to notify authority of public sector policies

9.(1) The Minister may give the authority written notice of a public sector policy that is to apply to the authority if the Minister is satisfied it is necessary to give the notice in the public interest.

(2) The authority must ensure the policy is carried out.

(3) Before giving the notice, the Minister must—

(a) consult with the authority; and

(b) ask the authority to advise whether, in its opinion, carrying out the policy would not be in its financial interest.

(4) The Minister must cause a copy of the notice to be gazetted within 21 days after it is given.

Power of Minister to give directions in public interest

10.(1) The Minister may give the authority a written direction if the Minister is satisfied it is necessary to give the direction in the public interest because of exceptional circumstances.

(2) The authority must ensure the direction is complied with.

(3) Before giving the direction, the Minister must—

- (a) consult with the authority; and
- (b) ask the authority to advise whether, in its opinion, complying with the direction would not be in its financial interest.

(4) The Minister must cause a copy of the direction to be gazetted within 21 days after it is given.

Additional matters to be included in annual report

11. Each annual report of the authority must include—

- (a) particulars of the impact on its financial position of any notices and directions given to it by the Minister under this division that relate to the relevant financial year; and
- (b) a copy of each notice and direction and an outline of the action taken by the authority in response to the notice or direction.

Minister may establish advisory bodies

11A. The Minister may establish an advisory committee or other body to assist the Minister in the administration of this Act.

Division 4—Membership of authority

Composition of authority

12.(1) The authority consists of the following members—

- (a) a chairperson with a successful record in business management;
- (b) 1 person with knowledge of and experience in fruit and vegetable growing;
- (c) 1 person with knowledge of and experience in fruit and vegetable wholesaling;
- (d) 1 person with knowledge of and experience in fruit and vegetable buying;

- (e) 3 persons not directly employed in the fruit and vegetable industry with knowledge of and experience in marketing, finance, economics, infrastructure development and maintenance, public administration or industrial relations.

(2) The members of the authority are to be appointed by the Governor in Council.

(3) The chairperson may be appointed either full-time or part-time.

Duration of appointment

15.(1) A member of the authority is to be appointed for a term of not longer than 3 years.

(2) The office of a member of the authority becomes vacant if the member—

- (a) resigns by signed notice to the Minister; or
- (b) is absent from 3 consecutive meetings of the authority without the authority's leave and without reasonable excuse; or
- (c) is convicted of an indictable offence or an offence against this Act; or
- (d) becomes employed by, or a contractor of, the authority; or
- (e) is removed from office by the Governor in Council under subsection (3) or (4).

(3) The Governor in Council may remove a member from office if the member—

- (a) engages in misbehaviour; or
- (b) becomes incapable of performing the duties of a member because of physical or mental incapacity; or
- (c) is incompetent; or
- (d) uses the office for party political purposes; or
- (e) causes the authority's funds or reputation to be used for party political purposes.

(4) The Governor in Council may remove all or any members of the

authority from office if the authority—

- (a) does not carry out a policy notified under section 9¹ or comply with a direction given under section 10;² or
- (b) does not comply with its obligations under the *Financial Administration and Audit Act 1977* for the preparation and submission of reports and plans; or
- (c) uses its funds or reputation for party political purposes.

Fees and allowances

16. The members of the authority are entitled to be paid by the authority the fees and allowances decided by the Governor in Council.

Division 5—Proceedings of authority

Time and place of meetings

17.(1) Meetings of the authority are to be held at the times and places it decides.

(2) However, the authority must meet at least once every 3 months.

(3) The chairperson—

- (a) may at any time call a meeting of the authority; and
- (b) must call a meeting if asked by at least 4 members.

Procedures governing conduct of proceedings of the authority

18.(1) The chairperson is to preside at all meetings at which the chairperson is present.

(2) If the chairperson is absent, the member chosen by the majority of the members present is to preside.

¹ Section 9 (Power of Minister to notify authority of public sector policies)

² Section 10 (Power of Minister to give directions in public interest)

(3) At a meeting of the authority—

- (a) 4 members form a quorum; and
- (b) a question is to be decided by a majority of the votes of the members present and voting; and
- (c) each member present has a vote on each question to be decided and, if the votes are equal, the member presiding has a casting vote.

(4) The authority may conduct its proceedings (including its meetings) as it considers appropriate.

(5) The authority may hold meetings, or permit members to take part in meetings, by telephone, closed-circuit television or another form of communication.

(6) A member who takes part in a meeting of the authority under permission under subsection (5) is taken to be present at the meeting.

(7) If—

- (a) all members of the authority agree, in writing, to a proposed resolution; and
- (b) notice of the proposed resolution was given under procedures approved by the authority;

the resolution is a valid resolution of the authority, even though it was not passed at a meeting of the authority.

Disclosure of interests

19.(1) This section applies to a member of the authority if—

- (a) the member has a direct or indirect financial interest in an issue being considered, or about to be considered, by the authority; and
- (b) the interest could conflict with the proper performance of the member's duties about the consideration of the issue.

(2) As soon as practicable after the relevant facts come to the member's knowledge, the member must disclose the nature of the interest to a meeting of the authority.

(3) The disclosure must be recorded in the authority's minutes and,

unless the authority otherwise decides, the member must not—

- (a) be present when the authority considers the issue; or
- (b) take part in a decision of the authority on the issue.

(4) Another member who also has a direct or indirect financial interest in the issue must not—

- (a) be present when the authority is considering its decision under subsection (3); or
- (b) take part in making the decision.

Minutes

20. The authority must keep minutes of its proceedings.

Division 6—Staff

Staff generally

21.(1) The authority may engage the employees it considers necessary to perform its functions.

(2) The terms of employment of the authority's employees are to be decided by it.

(3) However, subsection (2) has effect subject to any relevant industrial award or agreement.

Chief executive officer and secretary

22.(1) The authority must employ a chief executive officer and a secretary, but both positions may be held by the same person.

(2) The chairperson is not eligible to be employed as the chief executive officer.

Division 7—Other matters about the authority**Seal**

23. Judicial notice must be taken of the imprint of the authority's seal appearing on a document, and the document must be presumed to have been properly sealed unless the contrary is proved.

Authority committees

24.(1) The authority may establish committees to assist or advise it.

(2) The authority may decide—

- (a) the functions of a committee; and
- (b) the membership of a committee; and
- (c) how a committee is to operate.

(3) A member of a committee is entitled to be paid by the authority the fees and allowances decided by the authority.

(4) The authority must give proper consideration to a committee's recommendations.

Application of certain Acts

25.(1) The authority is—

- (a) a unit of public administration under the *Criminal Justice Act 1989*; and
- (b) an agency under the *Equal Opportunity in Public Employment Act 1992*; and
- (c) a statutory body under the *Financial Administration and Audit Act 1977*; and
- (d) a public authority under the *Libraries and Archives Act 1988*; and
- (e) a statutory body under the *Statutory Bodies Financial Arrangements Act 1982*.

(2) The *Statutory Bodies Financial Arrangements Act 1982*, part 2B sets

out the way in which the authority's powers under this Act are affected by the *Statutory Bodies Financial Arrangements Act 1982*, including, for example, section 7(3) and (4) of this Act.

Authority's employees employed under this Act

27. The authority's employees are employed under this Act, and not under the *Public Service Act 1996*.

Superannuation schemes

28.(1) The authority may—

- (a) establish or amend superannuation schemes; or
- (b) join in establishing or amending superannuation schemes; or
- (c) take part in superannuation schemes.

(2) The auditor-general may audit the schemes.

(3) Subsection (2) is subject to the *Financial Administration and Audit Act 1977*, part 6.³

Carrying on business as a wholesaler other than in market prohibited

29.(1) A person must not carry on business as a wholesaler in Brisbane other than in the Brisbane market.

Maximum penalty—

- (a) for a first offence—20 penalty units;
- (b) for a second or subsequent offence—100 penalty units.

(2) However, if the authority is satisfied—

- (a) that a person (the “**wholesaler**”) carries on, on the person's own behalf, the business of buying fruit or vegetables wholesale for the purpose of the resale of the fruit and vegetables by wholesale to persons who in turn, sell them by retail in the course of

³ *Financial Administration and Audit Act 1977*, part 6 (Audit of public accounts and public sector entities)

carrying on the business of selling by retail fruit or vegetables; and

- (b) that, on the resale by wholesale, the wholesaler delivers the fruit and vegetables to the buyer at the place where the buyer carries on the business of selling fruit and vegetables by retail; and
- (c) that the wholesaler obtains in the Brisbane market all fruit and vegetables so supplied by the wholesaler to any person who sells them;

the authority may exempt the wholesaler from subsection (1) in relation to that business of the wholesaler.

(3) The exemption may be given on conditions stated in it, and may be for the term stated in it.

(4) The authority may cancel the exemption at any time, whether or not it was given for a stated term and, if so, whether or not the stated term has ended.

(5) This section expires on 31 August 1999.

PART 3—REVIEW OF ADMINISTRATIVE DECISIONS

Application to authority for reconsideration of administrative decisions

30.(1) A person aggrieved by a decision of the authority of an administrative character may apply to the authority for reconsideration of the decision.⁴

(2) An application must be made in writing and set out in detail the

⁴ Under the *Judicial Review Act 1991*, part 4, (Reasons for decision) a person aggrieved by an administrative decision of the authority can also request it to provide a written statement of reasons for the decision, if they were not given. See the *Acts Interpretation Act 1954*, section 27B for what the authority must set out in those reasons.

grounds on which the applicant seeks reconsideration of the decision.

(3) A decision made by the authority on an application for reconsideration under this section cannot be the subject of a further application for reconsideration of the decision.

Powers of authority on an application under this part

31. The authority may on an application under section 30 confirm, amend or reverse the decision subject to the application.

Right to appeal to the Magistrates Court

32.(1) A person aggrieved by a decision of the authority on a reconsideration under section 31 may appeal against the decision.

(2) The appeal may be made to the Magistrates Court nearest the place where the aggrieved person lives, or carries on a business, or proposes to carry on a business, affected by the decision.

How to start appeal

33.(1) An appeal is started by—

- (a) filing a written notice of appeal with the clerk of the court; and
- (b) serving a copy of the notice on the authority.

(2) The notice of appeal must be filed within 28 days after the appellant receives notice of the decision appealed against.

(3) The court may at any time extend the period for filing the notice of appeal.

(4) The notice of appeal must state the grounds of appeal.

Stay of operation of decisions

34.(1) A court to which an appeal is made has power to grant a stay of the decision appealed against for the purpose of securing the effectiveness of the appeal.

(2) A stay—

- (a) may be granted on conditions; and
- (b) has effect for the period specified by the court; and
- (c) may be revoked or amended by the court.

(3) The period of a stay specified by the court must not extend past the time the court decides the appeal.

(4) An appeal against a decision does not affect the operation or carrying out of the decision unless the decision is stayed.

Hearing procedures

35.(1) An appeal is to be a new hearing, unaffected by the decision appealed against.

(2) In deciding an appeal, the court—

- (a) is not bound by the rules of evidence; and
- (b) must observe natural justice; and
- (c) may hear the appeal in court or chambers.

Powers of court on appeal

36.(1) In deciding an appeal, the court may—

- (a) confirm the decision appealed against; or
- (b) set aside the decision and substitute another decision; or
- (c) set aside the decision and return the matter to the authority with directions that the court considers appropriate.

(2) In substituting another decision, the court has the same powers as the authority.

(3) If the court substitutes another decision, the substituted decision is taken, for the purposes of this Act, to be the decision of the authority.

Further appeal to District Court on questions of law only

37. A party aggrieved by the decision of a Magistrates Court may appeal to the District Court, but only on a question of law.

PART 4—MISCELLANEOUS

Powers of inspectors

38.(1) Subject, in each case, to the prior approval of the chairperson, an inspector or other person appointed by the authority to perform the duties of an inspector may at any time—

- (a) enter any premises wherein the inspector reasonably suspects fruit and vegetables or fruit or vegetables to be sold by wholesale, or to be kept for sale by wholesale or for delivery on sale by wholesale and search for and examine any fruit or vegetables therein;
- (b) place a mark upon and, where the inspector considers it necessary for the execution of this Act, open any package, bin or container suspected by the inspector to contain fruit or vegetables;
- (c) seize, remove and retain any fruit and vegetables in respect of which the inspector reasonably suspects an offence against this Act to have been committed;
- (d) require any person to produce all accounts, books and documents held by the person with respect to the sale or purchase or receipt or dispatch of fruit, vegetables or farm products and inspect and take copies of or extracts from any entries therein;
- (e) require a person whom the inspector reasonably suspects of committing or having committed an offence against this Act to supply his or her name and address and in the case of a purchaser or seller of fruit, vegetables or farm products the name of the person from whom the person purchased or, as the case may be, to whom the person sold the fruit, vegetables or farm products;
- (f) require a person who the inspector reasonably suspects has in contravention of any provision of this Act received or disposed of fruit, vegetables or farm products on behalf of, or as agent for or consignee for another person to supply his or her name and address and the name and address of the person on behalf of whom the person received or disposed of the fruit, vegetables or farm products and the name and address of the person who received or to whom the person forwarded the fruit, vegetables or farm products.

(2) An inspector or other person appointed by the authority to perform the duties of an inspector who is authorised by this Act to search premises shall not make a search unless the inspector or other person has upon his or her person—

- (a) a certificate of his or her appointment issued by the authority; and
- (b) an instruction in writing signed by the chairperson on behalf of the authority authorising him or her to enter the premises nominated therein and to exercise all or any of the powers conferred by this section.

(3) A person apparently in charge of the premises about to be searched is entitled to demand and to be shown the certificate of appointment of the inspector or other person who seeks to search the premises.

(4) Before an inspector enters any part of premises which part is being used exclusively as a dwelling house the inspector shall, save where the inspector has the permission of the occupier of that part to his or her entry, obtain from a justice a warrant to enter.

(5) A justice who is satisfied upon the complaint of an inspector that there is reasonable cause to suspect—

- (a) that in any place fruit, vegetables or farm products are being sold, kept for sale or for delivery on sale; and
- (b) that in respect of that fruit, vegetables or, as the case may be, farm products an offence against this Act has been committed, is being committed or is likely to be committed;

may issue a warrant directed to the inspector to enter the place specified in the warrant for the purpose of exercising therein the powers conferred on an inspector under this Act.

(6) A warrant shall be for the period of 1 month from the date of its issue sufficient authority for the inspector and for all persons acting in aid of the inspector—

- (a) to enter the place specified in the warrant; and
- (b) to exercise therein the powers conferred on an inspector by this Act.

(7) In subsection (4) premises that are used as a dwelling house do not include the curtilage of those premises.

(8) For the purpose of gaining entry to any place an inspector may call to his or her aid such persons as the inspector thinks necessary and those persons, while acting in aid of an inspector in the lawful exercise by the inspector of his or her power of entry, shall have a like power of entry.

Disposal of seized fruit, vegetables and containers

39.(1) Where an inspector or other person appointed by the authority has lawfully seized any fruit or any vegetables (whether with or without containers) the authority—

- (a) may cause that fruit or those vegetables to be destroyed if—
 - (i) it is or they are condemned as unfit for sale; or
 - (ii) it or they may lawfully be destroyed under this Act;
- (b) may cause that fruit or those vegetables (and containers (if any)) to be—
 - (i) sold at the public market established under this Act and the net proceeds of sale retained by the authority until they are disposed of in accordance with an order of any court of competent jurisdiction or in accordance with the provisions of section 40; or
 - (ii) retained by the authority until the determination of any proceeding taken in respect thereof in which the fruit, vegetables or, as the case may be, containers may be admitted in evidence.

(2) The authority may exercise a power conferred by subsection (1) with respect to a portion of the fruit, vegetables or containers lawfully seized notwithstanding that it does not exercise that power or any other power with respect to any other portion.

(3) The Minister may direct that fruit, vegetables or containers lawfully seized under this Act be delivered to the owner subject to such conditions as the Minister imposes, and the authority shall forthwith deliver the fruit, vegetables or containers in question in accordance with that direction.

(4) A person who contravenes or fails to comply with any condition imposed (whether on that person or another) by the Minister under this section commits an offence against this Act.

Disposal of net proceeds of sale

40.(1) Where the authority is holding the net proceeds of sale under section 39, a Magistrates Court—

- (a) upon the determination of a proceeding, whenever commenced, for an offence against this Act alleged to have been committed with respect to the fruit or vegetables sold, of its own motion or on application made in that behalf by any party to that proceeding; or
- (b) if a proceeding specified in paragraph (a) has not been commenced within 6 months after the date of seizure of the fruit or vegetables sold—upon application in that behalf by the authority or by any person claiming a proprietary interest in those proceeds;

may—

- (c) order that the net proceeds of sale be and form part of the funds of the authority if—
 - (i) any person has been convicted of an offence against this Act in respect of the fruit or vegetables sold; or
 - (ii) the person who would otherwise be entitled to the net proceeds of sale or any part thereof is unknown to the chairperson after reasonable inquiry in that behalf; or
 - (iii) for any other reason the court considers it just so to do; or
- (d) order that the net proceeds of the sale be paid to the persons appearing to it to be entitled to them in such proportions as the court considers just; or
- (e) make any other order it considers just.

(2) A court may make separate orders under subsection (1) in respect of several parts of the net proceeds.

(3) Where fruit and vegetables or fruit or vegetables have been seized under section 38⁵ and—

- (a) a proceeding for an offence against this Act alleged to have been

⁵ Section 38 (Powers of inspectors)

committed with respect to that fruit or those vegetables has not been commenced within 12 months after the date of seizure; or

- (b) a proceeding has not been commenced in any court in respect of that fruit or those vegetables or the net proceeds of sale or any part thereof within 12 months after the date of seizure;

the net proceeds of the sale shall without further authority than this provision be applied by the authority to its general use for the purposes of this Act.

(4) Where pursuant to an order of any court or to subsection (3) the authority has paid to any person or applied to its general use net proceeds of the sale or any part thereof, it shall not be liable at the suit of any person for such proceeds or part.

(5) An order of the court made pursuant to subsection (1)(d) or (e) shall not operate or be construed so as to bar the right of a person entitled to recover by action the net proceeds of sale or any part thereof (to which the order refers) from a person to whom those net proceeds or part have been paid in compliance with that order.

(6) An application under subsection (1)(b) shall be made to the Magistrates Court in the Magistrates Courts district in which the principal office of the authority is situated.

(7) A court to which any application is made under this section may require the applicant to give notice of his or her application to such persons as the court specifies and may from time to time adjourn the application for the purpose of enabling that notice to be given.

(8) In this section and section 39⁶—

“net proceeds of sale” means the amount remaining from the proceeds of sale of the fruit and vegetables (and containers (if any)) in question after payment therefrom of expenses incurred in—

- (a) the seizure of the fruit or vegetables;
- (b) the conveyance of the fruit or vegetables from the place of seizure to the place of sale;

⁶ Section 39 (Disposal of seized fruit, vegetables and containers)

- (c) the storage of the fruit or vegetables until delivery on sale;
- (d) the sale in question.

Disposal of fruit, vegetables or containers

41. A court that determines a proceeding for an offence against this Act may make such order with respect to the disposal of any fruit, vegetables or containers retained by the authority for the purposes of that proceeding as it considers just, and the authority and all other persons concerned shall do all things necessary to give effect to that order.

Offences

42. A person shall not—

- (a) assault, obstruct, abuse, threaten or intimidate any person employed by the authority in the exercise of powers or in the discharge of duties under this Act, or attempt so to do;
- (b) give, offer or promise any bribe, recompense, inducement or reward to any person employed by the authority or to any person acting at the direction of that employee with intent to influence that employee in the exercise of powers or the discharge of duties under this Act or, as the case may be, under such direction;
- (c) when required by a person employed by the authority to give information for the purposes of this Act—
 - (i) fail to give information within the person's knowledge or means of knowledge; or
 - (ii) give information that to the person's knowledge is false in a material particular;
- (d) fail to comply with a lawful requirement duly given or imposed by the authority or by a person employed by the authority for the purposes of this Act;
- (e) open, break, remove, alter or erase any fastening, mark or seal placed on any container, door, aperture or place for the purposes of this Act unless the person is authorised by this Act or the authority so to do;

- (f) when required so to do by a person employed by the authority in the discharge of duties under this Act fail—
 - (i) to produce any book, account or document in the person's possession or under the person's control; or
 - (ii) to allow that person to inspect any book, account or document or to make a copy thereof or extract therefrom.

Power to exclude persons from market

43.(1) A person who has been convicted of—

- (a) an indictable offence committed within the market;
- (b) an offence against the by-laws in respect of selling or unlawful conduct;

may be called upon by the authority by notice in writing to show cause before it within 7 days of the service of the notice on the person why he or she should not be prohibited from entering the market.

(2) If a person referred to in subsection (1)—

- (a) fails to appear before the authority; or
- (b) fails to show cause to the satisfaction of the authority;

the authority may order that the person be prohibited from entering the market for such time (not exceeding 3 months) as it thinks fit.

(3) The authority may, at any time, cancel an order made under subsection (2) or vary the terms of that order but in so varying it shall not increase the period of prohibition.

(4) Any person who enters the market in contravention of an order made under subsection (2) commits an offence against this Act and may be removed from the market by an officer of the authority.

(5) For the purposes of exercising the power given to him or her under subsection (4) an officer of the authority may call to his or her aid any police officer or such other persons as the officer of the authority thinks necessary.

By-law making power

44.(1) The authority may make by-laws under this Act.

(2) A by-law may be made for or about—

- (a) prohibiting the sale by auction in Brisbane of any prescribed fruit or vegetables elsewhere than the Brisbane market;
- (b) prohibiting the sale in Brisbane within a prescribed distance from the Brisbane market, of any prescribed fruit or vegetables by hawkers or stallkeepers, or except on the premises of the seller;
- (c) prohibiting the sale in Brisbane of any prescribed fruit or vegetables in any market other than the Brisbane market, except with the consent of the authority and subject to the by-laws;
- (d) the general conduct of its business and proceedings;
- (e) the control, supervision and guidance of its inspectors and employees;
- (f) regulating the use, letting and occupation of the public market established under this Act;
- (g) regulating the presence, conduct and movement of persons or classes of persons within, and their use of, the market which includes but is not limited to the issue of licences or identification cards in respect of such presence or movement and the charging of fees for such licences or cards;
- (h) regulating the presence, use and movement on or in the Brisbane market, of vehicles of every class or description, and animals;
- (i) regulating the manner in which fruit, vegetables and farm products shall be delivered to, stored within and removed from the Brisbane market and prescribing the packages, bins or containers in which fruit, vegetables or farm products shall be delivered to or removed from that market;
- (j) regulating the method of selling in the Brisbane market, and preventing every kind of fraudulent device in relation to the sale of any fruit, vegetables, farm products or other commodities in such market, and prescribing that sales by auction or otherwise may be conducted by employees of the authority;

- (k) regulating the minimum quantities in which fruit, vegetables and farm products may be sold within the Brisbane market;
- (l) preventing and suppressing nuisances and enforcing cleanliness in and in connection with the Brisbane market, and providing for and regulating the storage, removal, treatment and disposal of garbage, offal, waste and sewage;
- (m) prescribing how, when and by whom and under what conditions the Brisbane market, or any part of such market, may be used and occupied;
- (n) notwithstanding any lease between the authority and any wholesaler, prescribing the hours during which fruit vegetables and farm products may be sold by wholesalers within the Brisbane market;
- (o) providing in relation to the Brisbane market, for the inspection, seizure and destruction of fruit, vegetables, farm products or other commodities unfit for sale;
- (p) prescribing and providing for levying, collecting and recovering rents, tolls, fees and charges for the use of the Brisbane market, or of any part of such market;
- (q) prescribing penalties for breaches of the by-laws of not more than 10 penalty units.

(3) For subsection (2)(c)—

“market” means any place where a number of producers of any prescribed fruit or vegetables or their agents or a number of merchants congregate for the purpose of selling or offering for sale any such prescribed fruit or vegetables.

(4) The power of the authority to make by-laws under subsection (1) includes power to make by-laws—

- (a) prescribing any offences under the by-laws by the offender or by the owner of any vehicle involved in the offence, in respect of which a notice may be given to an offender or affixed to a vehicle or to premises advising that a prescribed penalty may be paid for any such offence without involving court proceedings, which offences may be prescribed separately or by reference to any particular by-law;

- (b) prescribing sums of moneys which shall be payable by way of penalties in respect of offences so prescribed which sums of moneys may be so prescribed differently in relation to different offences;
- (c) prescribing such other matters as shall be shown on any notice given to an offender or affixed to a vehicle or to premises.

(5) If there shall be any inconsistency between any by-law made under this Act and any local law made by Brisbane City Council, the former shall prevail and the latter shall, to the extent of the inconsistency, become or be invalid.

(6) A by-law must be approved by the Governor in Council.⁷

Prosecution of offences

45. An offence against this Act is a summary offence.

General offence and penalty

46.(1) A person who contravenes or fails to comply with any provision of this Act commits an offence against this Act.

(2) Save where a specific penalty is otherwise prescribed, a person who commits an offence against this Act is liable to a maximum penalty of 10 penalty units.

Facilitation of proof

47.(1) In any proceedings for the purposes of this Act—

- (a) it shall not be necessary to prove the appointment of the chairperson, secretary or chief executive officer, or an employee, or authorised employee, of the authority;
- (b) a signature purporting to be that of the chairperson, secretary or chief executive officer, or an authorised employee of the authority, shall be taken to be the signature it purports to be until the

⁷ A by-law is subordinate legislation (see *Statutory Instruments Act 1992*, sections 7, 8(b)(i) and 9(1)(a)).

contrary is proved.

(2) The allegation or averment in any complaint or other document giving notice of or alleging that a person has committed an offence against this Act that at any time or date mentioned therein—

- (a) any sign, marking or other device is or is not or was or was not lawfully placed, marked or erected for the purpose of regulating or guiding traffic or the parking of vehicles on a site or the loading or unloading of vehicles or the movement of persons;
- (b) any place is or is not or was or was not—
 - (i) an area within the Brisbane market;
 - (ii) in the Brisbane market;
 - (iii) allocated by the authority or an employee of the authority;
 - (iv) a prohibited or designated area;
 - (v) a roadway;
- (c) any person is or is not or was or was not a wholesaler or his or her agent or employee or is or is not or was or was not in charge of or driving a vehicle or vehicular unloading device;
- (d) anything is or is not or was or was not—
 - (i) fruit, vegetables or farm products;
 - (ii) a vehicular unloading device;
 - (iii) a forklift vehicle;
 - (iv) a tow motor;
 - (v) a vehicle;
 - (vi) a traffic sign;
 - (vii) a nuisance or in an unsanitary condition;
 - (viii) a dog or other animal;

shall be evidence and, in the absence of evidence to the contrary, conclusive evidence of the allegation or averment.

(3) Any certificate or document purporting to be under the hand of the

chairperson, secretary, chief executive officer or authorised officer relating to—

- (a) the payment or nonpayment of moneys required to be paid under this Act;
- (b) a notice issued under the by-laws in respect of an alleged offence against the by-laws;
- (c) the receipt or nonreceipt of any notice, application, submission, payment or other thing required or permitted under this Act or to the decision of or action taken by the secretary or other officer of the authority in respect of such application, submission or other thing;

shall be evidence and, in the absence of evidence to the contrary, conclusive evidence of the matters contained in the certificate.

(4) This section shall apply to any matter alleged or averred hereunder although evidence in support of such matter or of any other matter is given.

Regulation-making power

48.(1) The Governor in Council may make regulations under this Act.

(2) A regulation may—

- (a) impose fees; and
- (b) create offences and prescribe penalties of not more than 10 penalty units for each offence.

ENDNOTES

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 24 May 1999. Future amendments of the City of Brisbane Market Act 1960 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	prev	=	previous
amd	=	amended	(prev)	=	previously
amdt	=	amendment	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
o in c	=	order in council	sch	=	schedule
om	=	omitted	subdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to Act No. 47 of 1995	18 January 1996
1A	to Act No. 25 of 1996	20 August 1996
1B	to Act No. 59 of 1996	13 January 1997
1C	to Act No. 59 of 1996	27 June 1997
2	to Act No. 59 of 1996	3 July 1998
2A	to Act No. 50 of 1998	2 December 1998

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Changed names and titles	1
Obsolete and redundant provisions	1
Renumbered provisions	1

6 List of legislation

City of Brisbane Market Act 1960 9 Eliz 2 No. 4

date of assent 15 March 1960

commenced on date of assent

as amended by—

City of Brisbane Market Act Amendment Act 1961 10 Eliz 2 No. 18

date of assent 4 April 1961

commenced on date of assent

City of Brisbane Market Acts Amendment Act 1962 11 Eliz 2 No. 21

date of assent 3 April 1962

commenced on date of assent

City of Brisbane Market Acts Amendment Act 1967 No. 30

date of assent 15 November 1967

commenced 16 December 1967 (proc pubd gaz 16 December 1967 p 1427)

City of Brisbane Market Act Amendment Act 1978 No. 34

date of assent 8 June 1978

commenced on date of assent

City of Brisbane Market Act Amendment Act 1982 No. 20

date of assent 23 April 1982

ss 1–2 commenced on date of assent

remaining provisions commenced 29 May 1982 (proc pubd gaz 29 May 1982 p 876)

Statutory Bodies Financial Arrangements Act 1982 No. 33 s 14(2), (4) sch 3

date of assent 1 September 1982

commenced on date of assent

City of Brisbane Market Act and Other Acts Amendment Act 1985 No. 84 pt 2

date of assent 9 December 1985

ss 1–2 commenced on date of assent (see s 2(1))

remaining provisions commenced 20 February 1986 (proc pubd gaz 22 February 1986 p 679)

Statute Law (Miscellaneous Provisions) Act 1994 No. 15 s 3 sch 1

date of assent 10 May 1994

commenced on date of assent

Statutory Authorities Superannuation Legislation Amendment Act 1995 No. 36 ss 1, 9 sch 2

date of assent 16 June 1995

commenced on date of assent

Horticulture Legislation Amendment Act 1995 No. 47 pts 1–2

date of assent 22 November 1995

commenced on date of assent

Tobacco Industry (Restructuring) Act 1996 No. 25 ss 1, 28 sch 1 pt 2

date of assent 15 August 1996

commenced on date of assent

Public Service Act 1996 No. 37 ss 1–2, 147 sch 2

date of assent 22 October 1996

ss 1–2 commenced on date of assent

remaining provisions commenced 1 December 1996 (1996 SL No. 361)

Statutory Bodies Financial Arrangements Amendment Act 1996 No. 54 ss 1–2, 9 sch

date of assent 20 November 1996

ss 1–2 commenced on date of assent

remaining provisions commenced 1 June 1997 (1997 SL No. 128)

Primary Industries Legislation Amendment Act (No. 2) 1996 No. 59 pts 1, 3

date of assent 5 December 1996

commenced on date of assent

Primary Industries Legislation Amendment Act 1998 No. 50 pts 1, 4

date of assent 27 November 1998

commenced on date of assent

Statute Law (Miscellaneous Provisions) Act 1999 No. 19 ss 1–3 sch
 date of assent 30 April 1999
 commenced on date of assent

7 List of annotations

Note—A reference to the trust is a reference to the authority (see s 59(1) (ins 1995 No. 47 s 19))

PART 1—PRELIMINARY

pt hdg ins 1995 No. 47 s 3

Exemption from Act

s 2 prev s 2 om 1995 No. 47 s 4
 pres s 2 (prev s 3) sub 1994 No. 15 s 3 sch 1
 renum 1995 No. 47 s 5(2)
 amd 1995 No. 47 s 5(1)

Definitions

prov hdg sub 1995 No. 47 s 6(1)
s 3 pres s 3 (prev s 4) renum 1995 No. 47 s 6(5)
 amd 1995 No. 47 s 6(4)
 def “**Area**” om 1995 No. 47 s 6(2)
 def “**authority**” ins 1995 No. 47 s 6(3)
 def “**Banana ripener**” amd 1961 10 Eliz 2 No. 18 s 2
 def “**Brisbane**” ins 1995 No. 47 s 6(3)
 def “**Brisbane market**” ins 1995 No. 47 s 6(3)
 def “**Building lease**” ins 1982 No. 20 s 4(a)
 def “**Director-General of Agriculture and Stock**” om 1978 No. 34 s 2
 def “**Fruit**” om 1995 No. 47 s 6(2)
 def “**Market**” ins 1982 No. 20 s 4(b)
 om 1995 No. 47 s 6(2)
 def “**Minister**” sub 1978 No. 34 s 2
 om 1994 No. 15 s 3 sch 1
 def “**other trade and commerce**” ins 1995 No. 47 s 6(3)
 def “**policy council**” ins 1995 No. 47 s 6(3)
 om 1996 No. 59 s 8
 def “**selection committee**” ins 1995 No. 47 s 6(3)
 om 1996 No. 59 s 8
 def “**Trust**” om 1995 No. 47 s 6(2)
 def “**Vegetables**” sub 1967 No. 30 s 3
 amd 1994 No. 15 s 3 sch 1
 om 1995 No. 47 s 6(2)

PART 2—BRISBANE MARKET AUTHORITY

pt hdg ins 1995 No. 47 s 7

Division 1—Establishment of authority

div hdg ins 1995 No. 47 s 7

Establishment

- s 4** prev s 4 renum as s 3 1995 No. 47 s 6(5)
 pres s 4 ins 1995 No. 47 s 7

Authority is a body corporate

- s 5** amd 1967 No. 30 s 4; 1982 No. 20 s 5; 1994 No. 15 s 3 sch 1
 sub 1995 No. 47 s 7

Division 2—Functions and powers of authority

- div hdg** ins 1995 No. 47 s 7

Functions

- s 6** amd 1967 No. 30 s 5; 1982 No. 20 s 6
 sub 1995 No. 47 s 7

When Brisbane City Council may nominate fresh representative

- s 6A** ins 1962 11 Eliz 2 No. 21 s 2
 amd 1978 No. 34 s 3; 1994 No. 15 s 3 sch 1
 om 1995 No. 47 s 7

General powers

- s 7** sub 1995 No. 47 s 7

Delegation

- s 8** amd 1994 No. 15 s 3 sch 1
 sub 1995 No. 47 s 7

Division 3—Powers of Minister

- div hdg** ins 1995 No. 47 s 7

Power of Minister to notify authority of public sector policies

- s 9** amd 1961 10 Eliz 2 No. 18 s 3; 1978 No. 34 s 4
 sub 1995 No. 47 s 7

Power of Minister to give directions in public interest

- s 10** amd 1967 No. 30 s 6; 1978 No. 34 s 5
 sub 1995 No. 47 s 7

Additional matters to be included in annual report

- s 11** amd 1978 No. 34 s 6
 sub 1995 No. 47 s 7

Minister may establish advisory bodies

- s 11A** ins 1996 No. 59 s 9

Division 4—Membership of authority

- div hdg** ins 1995 No. 47 s 7

Composition of authority

- s 12** amd 1978 No. 34 s 7; 1985 No. 84 s 5
 sub 1995 No. 47 s 7
 amd 1996 No. 59 s 10

Superannuation schemes

- s 12A** ins 1985 No. 84 s 6
 sub 1995 No. 36 s 9 sch 2
 renum as s 28 1995 No. 47 s 8

Selection committee

- s 13** prev s 13 amd 1994 No. 15 s 3 sch 1
 om 1995 No. 47 s 9
 new s 13 ins 1995 No. 47 s 7
 om 1996 No. 59 s 11

Selection of members for appointment

- s 14** prev s 14 om 1995 No. 47 s 9
 new s 14 ins 1995 No. 47 s 7
 om 1996 No. 59 s 11

Duration of appointment

- s 15** prev s 15 om 1995 No. 47 s 9
 pres s 15 ins 1995 No. 47 s 7
 amd 1996 No. 59 s 12

Fees and allowances

- s 16** prev s 16 amd 1961 10 Eliz 2 No. 18 s 4; 1962 11 Eliz 2 No. 21 s 3;
 1967 No. 30 s 7; 1982 No. 20 s 7; 1994 No. 15 s 3 sch 1
 om 1995 No. 47 s 9
 pres s 16 ins 1995 No. 47 s 7

Surplus land

- s 16A** ins 1967 No. 30 s 8
 amd 1994 No. 15 s 3 sch 1
 om 1995 No. 47 s 9

Division 5—Proceedings of authority

- div hdg** ins 1995 No. 47 s 7

Time and place of meetings

- s 17** prev s 17 amd 1961 No. 18 s 5; 1978 No. 34 s 8; 1994 No. 15 s 3 sch 1
 om 1995 No. 47 s 10
 pres s 17 ins 1995 No. 47 s 7

Procedures governing conduct of proceedings of the authority

- s 18** prev s 18 om 1995 No. 47 s 11
 pres s 18 ins 1995 No. 47 s 7

Disclosure of interests

- s 19** prev s 19 om 1995 No. 47 s 11
 pres s 19 ins 1995 No. 47 s 7

Minutes

- s 20** prev s 20 om 1995 No. 47 s 11
 pres s 20 ins 1995 No. 47 s 7

Division 6—Staff

- div hdg** ins 1995 No. 47 s 7

Staff generally

- s 21 prev s 21 om 1982 No. 33 s 14(2) sch 3; 1995 No. 47 s 11
 pres s 21 ins 1995 No. 47 s 7

Investment of surplus funds

- s 21A ins 1962 11 Eliz 2 No. 21 s 4
 amd 1994 No. 15 s 3 sch 1
 om 1995 No. 47 s 11

Chief executive officer and secretary

- s 22 prev s 22 amd 1982 No. 20 s 8
 om 1995 No. 47 s 11
 pres s 22 ins 1995 No. 47 s 7

Annual statements of account

- s 22A ins 1982 No. 20 s 9
 om 1995 No. 47 s 11

Division 7—Other matters about the authority

- div hdg ins 1995 No. 47 s 7

Seal

- s 23 prev s 23 sub 1982 No. 20 s 9
 om 1995 No. 47 s 11
 pres s 23 ins 1995 No. 47 s 7

Authority committees

- s 24 prev s 24 sub 1982 No. 20 s 9
 om 1995 No. 47 s 11
 pres s 24 ins 1995 No. 47 s 7

Application of certain Acts

- s 25 prev s 25 amd 1994 No. 15 s 3 sch 1
 om 1995 No. 47 s 11
 pres s 25 ins 1995 No. 47 s 7
 amd 1996 No. 54 s 9 sch

Power to permit other businesses at public market

- s 25A ins 1962 11 Eliz 2 No. 21 s 5
 amd 1994 No. 15 s 3 sch 1
 om 1995 No. 47 s 11

Power to accommodate certain wholesalers in public market

- s 25B ins 1962 11 Eliz 2 No. 21 s 6
 om 1995 No. 47 s 11

Powers of inspectors

- s 25C ins 1978 No. 34 s 9
 renum as s 38 1995 No. 47 s 12

Disposal of seized fruit, vegetables and containers

- s 25D ins 1978 No. 34 s 9
 renum as s 39 1995 No. 47 s 12

Disposal of net proceeds of sale

- s 25E ins 1978 No. 34 s 9
 renum as s 40 1995 No. 47 s 12

Disposal of fruit, vegetables or containers

- s 25F ins 1978 No. 34 s 9
 renum as s 41 1995 No. 47 s 12

Offences

- s 25G ins 1978 No. 34 s 9
 amd 1982 No. 20 s 10
 renum as s 42 1995 No. 47 s 12

Power to exclude persons from market

- s 25H ins 1982 No. 20 s 11
 renum as s 43 1995 No. 47 s 12

Strategic plan

- s 26 prev s 26 amd 1967 No. 30 s 9; 1982 No. 20 s 12
 om 1995 No. 47 s 13
 new s 26 ins 1995 No. 47 s 7
 om 1996 No. 59 s 13

Authority's employees employed under this Act

- s 27 prev s 27 renum as s 44 1995 No. 47 s 14
 pres s 27 ins 1995 No. 47 s 7
 sub 1996 No. 37 s 147 sch 2

Superannuation schemes

- s 28 prev s 28 sub 1978 No. 34 s 11
 om 1995 No. 47 s 15
 pres s 28 (prev s 12A) renum 1995 No. 47 s 8

General offence and penalty

- s 28A ins 1982 No. 20 s 14
 amd 1994 No. 15 s 3 sch 1
 renum as s 46 1995 No. 47 s 16

Facilitation of proof

- s 28B ins 1982 No. 20 s 14
 renum as s 47 1995 No. 47 s 17

Carrying on business as a wholesaler other than in market prohibited

- s 29 prev s 29 om 1994 No. 15 s 3 sch 1
 pres s 29 ins 1995 No. 47 s 10
 amd 1998 No. 50 s 20
 exp 31 August 1999 (see s 29(5))

PART 3—REVIEW OF ADMINISTRATIVE DECISIONS

- pt hdg ins 1995 No. 47 s 11

Application to authority for reconsideration of administrative decisions

- s 30 ins 1995 No. 47 s 11

Powers of authority on an application under this part

s 31 ins 1995 No. 47 s 11

Right to appeal to the Magistrates Court

s 32 ins 1995 No. 47 s 11

How to start appeal

s 33 ins 1995 No. 47 s 11

Stay of operation of decisions

s 34 ins 1995 No. 47 s 11

Hearing procedures

s 35 ins 1995 No. 47 s 11

Powers of court on appeal

s 36 ins 1995 No. 47 s 11

Further appeal to District Court on questions of law onlys 37 ins 1995 No. 47 s 11
amd 1999 No. 19 s 3 sch**PART 4—MISCELLANEOUS**

pt hdg ins 1995 No. 47 s 11

Powers of inspectors

s 38 new s 38 (prev s 25C) renum 1995 No. 47 s 12

Disposal of seized fruit, vegetables and containers

s 39 new s 39 (prev s 25D) renum 1995 No. 47 s 12

Disposal of net proceeds of sale

s 40 new s 40 (prev s 25E) renum 1995 No. 47 s 12

Disposal of fruit, vegetables or containers

s 41 new s 41 (prev s 25F) renum 1995 No. 47 s 12

Offences

s 42 new s 42 (prev s 25G) renum 1995 No. 47 s 12

Power to exclude persons from market

s 43 new s 43 (prev s 25H) renum 1995 No. 47 s 12

By-law making powers 44 new s 44 (prev s 27) amd 1978 No. 34 s 10; 1982 No. 20 s 13; 1994 No. 15
s 3 sch 1
renum 1995 No. 47 s 14(16)**Prosecution of offences**

s 45 ins 1995 No. 47 s 15

General offence and penalty

s 46 new s 46 (prev s 28A) renum 1995 No. 47 s 16

Facilitation of proof

s 47 new s 47 (prev s 28B) renum 1995 No. 47 s 17

Regulation-making power

prov hdg sub 1996 No. 25 s 28 sch 1
s 48 ins 1995 No. 47 s 18

PART 5—TRANSITIONAL PROVISIONS

pt hdg ins 1995 No. 47 s 19
exp 22 November 1996 (see s 58)

Definitions for pt 5

s 49 ins 1995 No. 47 s 19
exp 22 November 1996 (see s 49(2))

Continuation of former authority

s 50 ins 1995 No. 47 s 19
exp 22 May 1996 (see ss 49(1), 50(6))

Vesting of assets in the authority

s 51 ins 1995 No. 47 s 19
exp 22 May 1996 (see ss 49(1), 51(2))

Pending legal proceedings

s 52 ins 1995 No. 47 s 19
exp 22 May 1996 (see ss 49(1), 52(2))

Existing staff

s 53 ins 1995 No. 47 s 19
exp 22 May 1996 (see ss 49(1), 53(3))

Existing superannuation arrangements and schemes

s 54 ins 1995 No. 47 s 19
exp 22 May 1996 (see ss 49(1), 54(2))

Market officers

s 55 ins 1995 No. 47 s 19
exp 22 May 1996 (see ss 49(1), 55(2))

Existing approvals, permits and licences

s 56 ins 1995 No. 47 s 19
exp 22 November 1996 (see s 58)

Duty to assist transfer of property

s 57 ins 1995 No. 47 s 19
exp 22 November 1996 (see s 58)

Expiry of part

s 58 ins 1995 No. 47 s 19
exp 22 November 1996 (see s 58)

References to the Trust

s 59 ins 1995 No. 47 s 19
exp 18 January 1996 (see s 59(2))

Numbering and renumbering of Act

s 60 ins 1995 No. 47 s 19
om R1 (see RA s 37)

8 Table of renumbered provisions

TABLE OF RENUMBERED PROVISIONS
 under the Reprints Act 1992 s 43 as required by the City of Brisbane Market
 Act 1960 s 60 [Reprint No. 1]

Previous	Renumbered as
25(1)	25
38(2), 2nd sentence	38(3)
38(3)	38(4)
38(3), 2nd sentence	38(5)
38(3), 3rd sentence	38(6)
38(3), 4th sentence	38(7)
38(4)	38(8)
39(1), 2nd sentence	39(2)
39(2)	39(3)
39(2), 2nd sentence	39(4)
40(1), 2nd sentence	40(2)
40(2)	40(3)
40(3)	40(4)
40(3), 2nd sentence	40(5)
40(4)	40(6)
40(5)	40(7)
40(6)	40(8)
42(b), 2nd mention	42(d)
44(1A)	44(4)
44(4)	44(5)
44(5)	44(6)