

Queensland



Primary Producers' Organisation and Marketing Act 1926

**PRIMARY PRODUCERS'
ORGANISATION AND
MARKETING
(QUEENSLAND PORK
PRODUCERS'
ORGANISATION)
REGULATION 1997**

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Information about this reprint

This regulation is reprinted as at 23 July 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 reprint 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.



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[as amended by all amendments that commenced on or before 23 July 1999]

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Primary Producers' Organisation and Marketing (Queensland Pork Producers' Organisation) Regulation 1997*.

Definitions

2. In this regulation—

“**annual conference**”, for part 6, see section 58(1).

“**appropriately qualified**”, for a delegate of a power, includes having the qualifications, experience or standing to exercise the power.

“**associate member**” see section 4(4).

“**authorised representative**” means an authorised representative of a corporate member under section 9.

“**branch**” means a local pork producers' branch established under section 31.

“**branch AGM**” see section 42(1).

“**council**” means the Queensland Pork Producers' State Council.

“**council AGM**” see section 23(1).

“**deputy-president**” means the deputy-president of the council.

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“financial producer member” see section 4(3).

“industry” means the Queensland pork producing industry.

“member”, of a branch, means a person who is a member of the branch under section 33(1).

“member”, of the organisation, means a person who is a member of the organisation under section 4.

“no-confidence motion” see section 19.

“organisation” means the Queensland Pork Producers' Organisation.

“pig” means a live non-ruminant omnivorous ungulate bristly mammal of the family *Suidae* grown under controlled conditions for human consumption.

“president” means the president of the council.¹

“producer” means a person who at any time in the current year has owned and grown 70 or more pigs.

“producers' AGM” means the annual general meeting of growers for the industry under section 34A(1)² of the Act.

“representative authority” see section 9(2).

PART 2—STRUCTURE OF ORGANISATION

Structure

3. The organisation consists of—
 - (a) its members; and

¹ Under section 6 (Chairperson), the president is also the chairperson of the organisation.

² Section 34A (Annual general meeting of growers) of the Act

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- (b) the Queensland Pork Producers' State Council; and
- (c) local pork producers' branches.

Membership

4.(1) The organisation has the following types of members—

- (a) producer members;
- (b) financial producer members;
- (c) associate members.

(2) Every producer is a **“producer member”**.

(3) A **“financial producer member”** is—

- (a) a producer member who has paid all general levies the person was required to pay under section 63;³ or
- (b) anyone else who has—
 - (i) at any time in the current year grown 70 or more pigs; and
 - (ii) paid the council all general levies for the year as if the person was a producer who owned and grew the same number of pigs during the year that the person grew.

(4) An **“associate member”** is a person who—

- (a) has at any time in the current year grown 70 or more pigs; or
- (b) applies to the council to become an associate member and—
 - (i) is admitted by the council as an associate member; and
 - (ii) has paid the council all associate membership fees fixed by the council.

(5) If a person who became an associate member under subsection (4)(b) fails to pay an associate membership fee when the fee becomes payable, the membership ends.

³ Section 63 (General levy)

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(6) However, the council may not bring any proceeding to recover the fee from the person.

Membership records

5.(1) The organisation must keep a register of its members.

(2) The register must state each member's—

- (a) name, address and membership number; and
- (b) type of membership under section 4.

(3) The organisation must give each member a document that states the matters mentioned in subsection (2) for the member.

Chairperson

6.(1) The president is the chairperson of the organisation.

(2) However, the president may only be the chairperson of a branch if elected chairperson of the branch under section 37.⁴

PART 3—THE COUNCIL

Division 1—Functions

Functions

7. The council's functions are to—

- (a) encourage and maintain a comprehensive organisation of the State's pork producers in 1 body to represent their interests; and
- (b) develop sound policies to effectively represent the industry; and

⁴ Section 37 (Election of officers)

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- (c) effectively communicate with other industries, the public and governments about the industry; and
- (d) affiliate with other entities and take reasonable or practicable action to ensure the industry is adequately represented at any level at which their interests may be affected; and
- (e) advocate and promote improved efficiencies in the industry; and
- (f) do anything else appropriate to represent the interests of the industry and the persons engaged in it.

Division 2—Membership

Membership

8.(1) The council consists of 6 members.

(2) The members must be elected under schedule 1 in the last quarter of every second year after the commencement.

(3) Subject to section 22,⁵ a member holds office from when the member is elected or re-elected—

- (a) for 2 years; or
- (b) until the member earlier vacates the office.

(4) A member's term of office starts at the beginning of the next year after the member is declared to be elected or re-elected.

Eligibility for membership

9.(1) A person may only be elected as a council member or continue to hold office as a council member if the person is—

- (a) an eligible person; and
- (b) mentally and physically capable of performing the duties of a member; and

⁵ Section 22 (What happens if motion carried)

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- (c) not a person who has within 10 years been found guilty of fraud or an offence involving dishonesty—
 - (i) in the State; or
 - (ii) elsewhere, if the act or omission that formed the offence would have been an offence involving fraud or dishonesty had it happened in the State; and
- (d) not a bankrupt and has not within 5 years been a bankrupt or a person who has taken advantage of the laws in force relating to bankruptcy.

(2) A corporate member may give its authorised representative a certificate (a “**representative authority**”) stating that—

- (a) the body is a financial producer member; and
- (b) the representative is the body’s authorised representative.

(3) A representative authority must be signed as follows—

- (a) if it is by a corporation—by an officer of the corporation;
- (b) if it is by an estate—by each personal representative of the estate;
- (c) if it is by a partnership—by each partner;
- (d) if it is by a trustee—by each trustee of the trust.

(4) A representative authority is evidence of the matters stated in it.

(5) In this section—

“**corporate member**” means the following—

- (a) a corporation that is a financial producer member;
- (b) an estate that is a financial producer member;
- (c) a partnership, the members of which are financial producer members;
- (d) a trust that is a financial producer member.

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“eligible person” means an individual who is—

- (a) a financial producer member, other than because of membership of a partnership the members of which are financial producer members; or
- (b) an authorised representative of a corporate member.

Vacation of membership

10.(1) A council member's office becomes vacant if—

- (a) the member—
 - (i) dies; or
 - (ii) resigns by signed notice given to the council; or
 - (iii) stops being eligible to be a member under section 9(1); or
 - (iv) becomes incapable of performing the duties of a member because of physical or mental incapacity; or
 - (v) is absent from 3 consecutive council meetings without the council's leave or reasonable excuse; or
- (b) a majority of the members of the council resolve that the member's office becomes vacant.

(2) A majority under subsection (1)(b) can not include a casting vote by the member presiding.

How vacancy is filled

11.(1) This section applies if a council member's office becomes vacant.

(2) The candidate at the last election of council members who received the next highest number of votes after the last person elected must be appointed for the rest of the member's term of office.

(3) However, if there was no other candidate at the last election or if the candidate mentioned in subsection (2) is no longer eligible to be elected as a member under section 9(1), or is unwilling or can not be appointed, the council may—

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- (a) elect a member to fill the office; or
- (b) require an election under schedule 1 to fill the office.

Division 3—Officers

Officers

12.(1) The council must have a president and a deputy-president.

(2) The council may have other officers it decides.

Eligibility for office

13. A person may only become an officer or continue to hold office if the person is a council member.

Election of officers

14.(1) The officers of the council must be elected at a council AGM.

(2) The meeting must elect the president first.

(3) An election must be by simple majority of the persons who have the right to vote at the meeting.

What happens if votes are equal

15.(1) If the votes cast for 2 or more candidates for president are equal, the candidate who received the most number of votes in the last election of council members is elected.

(2) If the votes for 2 or more candidates for another office are equal, the chairperson of the meeting must decide who is elected by exercising a casting vote, as well as a primary vote.

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Term of office

16.(1) An officer holds office from when the officer is elected or re-elected until—

- (a) the happening of an event stated in subsection (2) or (3) that applies to the officer; or
- (b) the officer earlier vacates the office.

(2) If the officer was elected in a year in which an election for the person's office as a member of the council is not held the event for subsection (1) is the next council AGM.

(3) If the officer was elected in a year in which an election for the person's office as a member of the council is held and the person is—

- (a) re-elected a member of the council—the event for subsection (1) is the next council AGM; or
- (b) not re-elected a member of the council—the event for subsection (1) is the end of the year.

(4) If the officer mentioned in subsection (3)(b) was the president, the member of the council who received the highest number of votes in the election mentioned in subsection (3) is taken to be the president until the next council AGM.

Vacation of office

17. An office becomes vacant if the officer—

- (a) stops being a council member; or
- (b) resigns by signed notice given to the council.

How vacancy in office is filled

18.(1) If an office becomes vacant, the council may fill the vacancy.

(2) A person appointed to fill a vacancy holds office for the rest of the term of office of the person's predecessor.

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Division 4—Motions of no confidence in council

When motion must be put

19. The council must put to financial producer members a motion that they have no confidence in the council (a “**no-confidence motion**”) if given a written requisition—

- (a) signed by at least 33% of the financial producer members; and
- (b) stating the reasons for the motion.

How motion is conducted

20.(1) Subject to section 21, a no-confidence motion must be conducted, with all necessary changes, as if—

- (a) the motion was a ballot for an election under schedule 1—
 - (i) sections 2 (other than the definitions “candidate’s statement” and “scrutineer”), 4, 5 and 7(1); and
 - (ii) part 4, other than sections 13, 18(1)(c), 18(2) and (3), 20(1)(e), 24(1)(a)(i), 27(1) to (3), 30(1)(b) and (c), 30(2)(c) and division 5; and
- (b) a reference to an appointee or to a scrutineer is a reference to a scrutineer under subsection (3).

(2) A ballot paper for a no-confidence motion must—

- (a) state the motion; and
- (b) require the voter to indicate whether the voter is in favour of or against the motion; and
- (c) be completed by recording whether the voter is in favour of or against the motion and otherwise complying with schedule 1, section 24.

(3) The following bodies may each appoint 1 scrutineer for the ballot—

- (a) the members of the council;

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- (b) the financial producer members who signed the requisition for the motion.

When motion is carried

21. A no-confidence motion is only carried if—

- (a) at least 75% of financial producer members vote on the motion; and
- (b) 66% of the members who voted are in favour of the motion.

What happens if motion carried

22.(1) If a no-confidence motion is carried—

- (a) the Minister must appoint a returning officer to conduct an election under schedule 1 for new council members for the rest of the members' term of office; and
- (b) the returning officer must conduct the election as soon as possible; and
- (c) the members go out of office when the result of the election is declared.

(2) Subsection (1)(a) applies despite schedule 1, section 4.⁶

(3) If a member is elected at an election held under subsection (1), the member holds office for—

- (a) the rest of the term of office of the members in whom the no-confidence motion was carried; and
- (b) 2 years from the end of the rest of the term.

⁶ Schedule 1, section 4 (Appointment)

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Division 5—Council proceedings

Council AGM's

23.(1) The council must hold an annual meeting (a “**council AGM**”) in each February.

(2) The council must fix a time and place each for each council AGM.

Special meetings

24.(1) The president may call a special meeting of the council by giving at least 7 days notice to each council member.

(2) However, notice may be waived if all members agree.

(3) The president or the secretary of the council must call a special meeting if given a written requisition by 2 council members.

(4) A requisition must state the purpose of the special meeting.

(5) A special meeting must be held within 14 days of the giving of the notice calling the meeting.

(6) In this section—

“**president**” includes the deputy-president if the president has died or resigned and another president has not been appointed.

Ordinary meetings

25.(1) The council must hold at least 6 other meetings (“**ordinary meetings**”) in each year.

(2) One of the ordinary meetings must be held in each August or September to consider the council's budget for the next year.

(3) The council may call other ordinary meetings it requires.

(4) Ordinary meetings are to be held at a time and place fixed by the council.

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Notice of meetings

26.(1) Seven days written notice of an annual meeting or ordinary meeting must be given to each council member.

(2) However, notice of an annual meeting or ordinary meeting may be waived if all members agree.

(3) A special meeting must be called by giving written notice and a copy of the requisition for the meeting to each council member within 7 days after the requisition is received by the president or the secretary of the council.

(4) A notice calling any meeting must—

- (a) state the day, time and place of the meeting; and
- (b) include an agenda for the meeting.

(5) A resolution passed at a council meeting is not invalidated because—

- (a) of an accidental failure to give a member notice of the meeting; or
- (b) a member did not receive notice of the meeting.

Minutes

27.(1) The secretary of the council must keep minutes of council meetings.

(2) A draft of the minutes of each meeting must be given to the next council meeting for confirmation.

(3) If the draft minutes are confirmed, the member presiding at the next meeting must sign the minutes as the true minutes of the preceding meeting.

Conduct of proceedings

28.(1) Subject to subsections (2) to (10), the council may conduct its proceedings as it considers appropriate.

(2) The president or, if the president is absent, the deputy-president, is to preside at a proceeding of the council.

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(3) If the president and the deputy-president are absent or unwilling to preside at a proceeding, the council must elect another member to preside at the proceeding.

(4) At a council meeting—

- (a) 4 members form a quorum; and
- (b) a question is to be decided by a majority 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 as well as a primary vote.

(5) A meeting must not be conducted if a quorum is not present.

(6) If a quorum is not present within 1 hour after the time fixed for a meeting, the meeting lapses.

(7) The council may hold meetings, or allow members to take part in its meetings by telephone, video link or another form of communication that allows reasonably contemporaneous and continuous communication between the members taking part in the meeting.

(8) A member who takes part in a meeting of the council under subsection (7) is taken to be present at the meeting.

(9) A resolution is a valid resolution of the council, even though it is not passed at a meeting of the council, if the required minimum number of members give written agreement to the resolution.

(10) In this section—

“**proceeding**” means a council meeting or other council proceeding under this regulation.

Division 6—Miscellaneous

Staff generally

29.(1) The council may engage a secretary of the council or other employees it considers necessary to perform its functions.

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(2) An employee need not be a member of the council or the organisation.

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

Delegation

30.(1) The council may delegate the whole or any part of its powers to an appropriately qualified member, executive or employee of the council.

(2) In subsection (1)—

“executive” means a body consisting of the president and other council members decided by the council.

PART 4—BRANCHES

Division 1—Establishment and functions

Establishment

31.(1) The local pork producers' branches named in schedule 2 are established.

(2) The area of each branch is the local government areas set out opposite the name of the branch in schedule 2.

Functions

32. The functions of a branch are to—

- (a) initiate matters concerning the industry in the area or section of the industry for which the branch is interested; and
- (b) bring before the council requirements and problems of the

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industry that are not wholly of local or sectional concern and are of common interest to all pork producers; and

- (c) advise, support and extend the council's efforts to promote the efficiency and general prosperity of producers in the area or section of the industry for which the branch is interested; and
- (d) collect and record information of value to the industry and distribute it to anyone interested in the industry; and
- (e) comply with instructions and directions of the council and give any information it has to the council, if required; and
- (f) do anything else appropriate to represent the interests of the industry and the persons engaged in it.

Division 2—Membership

Membership

33.(1) A person is a member of a branch if the person—

- (a) is a member of the organisation; and
- (b) has elected to join the branch.

(2) The secretary of each branch must—

- (a) keep a register of its members; and
- (b) if asked by the council—give a copy of the register to the council.

Division 3—Officers

Officers

34.(1) A branch must have a chairperson.

(2) A branch may also have a deputy-chairperson, secretary or other officers it decides.

(3) An officer, other than the secretary, must be a member of the branch.

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Eligibility for office

35. A person may only become an officer or continue to hold office if the person—

- (a) is a member of the branch; and
- (b) is mentally and physically capable of performing the duties of a member; and
- (c) has not within 10 years been found guilty of fraud or an offence involving dishonesty—
 - (i) in the State; or
 - (ii) elsewhere, if the act or omission that formed the offence would have been an offence involving fraud or dishonesty had it happened in the State; and
- (d) is not a bankrupt and has not within 5 years been a bankrupt or a person who has taken advantage of the laws relating to bankruptcy.

Term of office

36. An officer holds office from when the officer is elected or re-elected until—

- (a) the end of the next branch AGM of the branch after the person began the office; or
- (b) the officer earlier vacates the office.

Election of officers

37.(1) The officers of a branch must be elected at—

- (a) the first meeting of the branch; and
- (b) at each following branch AGM of the branch.

(2) The meeting must elect the chairperson first.

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(3) An election must be by simple majority of the members of the branch present and voting at the meeting.

What happens if votes are equal

38.(1) If the votes cast for 2 or more candidates for chairperson of the meeting are equal, the secretary must decide who is elected by drawing lots.

(2) If the votes for 2 or more candidates for another office are equal, the chairperson of the meeting must decide who is elected by exercising a casting vote, as well as a primary vote.

Vacation of office

39. An office becomes vacant if—

- (a) the officer—
 - (i) dies; or
 - (ii) resigns by signed notice given to the branch; or
 - (iii) stops being eligible to be an officer under section 35; or
 - (iv) if the officer is the chairperson or deputy-chairperson of the branch—the officer stops being a member of the branch and a member of the organisation; or
 - (v) is absent from 3 consecutive branch meetings without the leave of the branch or reasonable excuse; or
- (b) a majority of the members of the branch at branch meeting resolve that the member's office becomes vacant.

How vacancy is filled

40.(1) If an office becomes vacant, the branch may fill the vacancy.

(2) A person appointed to fill a vacancy holds office for the rest of the term of office of the person's predecessor.

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Division 4—Branch proceedings

First branch meeting

41.(1) This section applies if a branch has been established but has not held any meeting.

(2) The council must call a first meeting of the branch as if the meeting was an ordinary meeting of the branch under this division.

(3) The president, or other person authorised in writing by the president, must preside over the meeting until the branch elects a member to preside at the proceeding.

Branch AGM's

42.(1) A branch must hold an annual general meeting of its members (a “branch AGM”).

(2) The branch AGM must be the first meeting of the branch in each year.

(3) The branch must fix a time and place for the next branch AGM at the last meeting in each year.

Special meetings

43.(1) The chairperson of a branch may call a special meeting of its members by giving at least 7 days notice to each branch member.

(2) However, notice may be waived if a majority of the members agree.

(3) The chairperson or the secretary of the branch must call a special meeting if given a written requisition by 5 members of the branch or 2 council members.

(4) A requisition must state the purpose of the special meeting.

(5) A special meeting must be held within 14 days of the giving of the notice calling the meeting.

(6) In this section—

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“**chairperson**” includes a deputy-chairperson if the chairperson has died or resigned and another chairperson has not been appointed.

Ordinary meetings

44.(1) A branch may call other meetings of its members (“**ordinary meetings**”) it requires.

(2) Ordinary meetings are to be held at a time and place fixed by the branch.

Notice of meetings

45.(1) Seven days written notice of an annual general meeting or ordinary meeting of a branch must be given to each of its members.

(2) However, notice of an annual meeting or ordinary meeting may be waived if a majority of the members agree.

(3) A special meeting must be called by giving written notice and a copy of the requisition for the meeting to each branch member within 7 days after the requisition is received by the chairperson or the secretary of the branch.

(4) A notice calling any meeting must—

- (a) state the day, time and place of the meeting; and
- (b) include an agenda stating each item of business proposed or required to be dealt with at the meeting.

(5) A resolution passed at a branch meeting is not invalidated because of—

- (a) the accidental failure to give a member notice of the meeting; or
- (b) a member did not receive notice of the meeting.

Minutes

46.(1) The secretary of a branch must keep minutes of meetings of the branch.

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(2) A draft of the minutes of each meeting must be given to the next branch meeting for confirmation.

(3) If the draft minutes are confirmed, the member presiding at the next meeting must sign the minutes as the true minutes of the preceding meeting.

(4) The secretary must give a copy of the signed minutes to the secretary of the council.

Conduct of proceedings

47.(1) Subject to subsections (2) to (7), a branch may conduct its proceedings as it considers appropriate.

(2) The chairperson of a branch or, if the chairperson is absent, the deputy-chairperson, is to preside at a proceeding of the branch.

(3) If the chairperson and the deputy-chairperson are absent or unwilling to preside at a proceeding, the branch must elect another member to preside at the proceeding.

(4) At a branch meeting—

- (a) 3 members present form a quorum; and
- (b) a question is to be decided by a majority of the members present and voting; and
- (c) each member of the branch present has a vote on each question to be decided and, if the votes are equal, the member presiding has a casting vote as well as a primary vote; and
- (d) any member of the branch may move, second and vote on a motion.

(5) A meeting must not be conducted if a quorum is not present.

(6) If a quorum is not present within 30 minutes after the time fixed for a meeting, the meeting lapses.

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(7) In this section—

“proceeding” means a branch meeting or other branch proceeding under this regulation.

Division 5—Miscellaneous

Delegation

48.(1) A branch may delegate the whole or any part of its powers to an appropriately qualified executive, officer or member of the branch.

(2) In subsection (1)—

“executive” means a body consisting of—

- (a) the chairperson and deputy-chairperson of the branch; and
- (b) other branch members decided by the branch.

Decisions not binding on council

49. A decision of a branch does not bind the council.

PART 5—PRODUCERS' AGM'S

Notice

50. The notice of the producers' AGM required by section 34A(2) of the Act must be given at least 7 days before the meeting.⁷

⁷ For when the council must convene the annual general meeting, see section 34A (Annual general meeting of growers) of the Act. For procedure governing the meeting see schedule 2 (Meeting procedure), part 2 (Annual general meetings of growers) of the Act.

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Length

51. The producers' AGM must not sit for more than 1 day.

Chairperson in president's absence

52. If the president of the council is absent from the producers' AGM, the deputy-president is the chairperson of the meeting.⁸

Secretary

53.(1) The secretary of the council is the secretary of the producers' AGM.

(2) The secretary of the council must keep minutes of the producers' AGM.

(3) A draft of the minutes must be given to the next producers' AGM for confirmation.

(4) If the draft minutes are confirmed, the person presiding at the next producers' AGM must sign the minutes as the true minutes of the preceding meeting.

Agenda

54. The agenda for the producers' AGM must include—

- (a) the items fixed by the council; and
- (b) any notice of motion to be made at the meeting given to the secretary under the Act, schedule 2, part 2, section 6.⁹

⁸ Under schedule 2 (Meeting procedure), part 2 (Annual general meetings of growers) of the Act, the president is the chairperson of the annual general meeting.

⁹ Schedule 2 (Meeting procedure), part 2 (Annual general meetings of growers), section 6 of the Act

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Who may participate

55.(1) Any member of the organisation may attend and make a recommendation to the producers' AGM.

(2) However, only the following members may vote—

- (a) a producer member;
- (b) a financial producer member;
- (c) an associate member who grows pigs.¹⁰

Reports

56. The president and secretary must each table at the producers' AGM a report together with audited financial statements for the previous year.

Decisions not binding on council

57. A decision of the producers' AGM—

- (a) amounts to a recommendation to the council; and
- (b) does not bind the council.

PART 6—ANNUAL PORK INDUSTRY CONFERENCE

Council may call annual conference

58.(1) The council may call an annual pork industry conference (the “**annual conference**”) at a time and place fixed by the council.

(2) The annual conference may be held at the same time and place as the producers' AGM for the same year.

¹⁰ See also schedule 2 (Meeting procedure), part 2 (Annual general meetings of growers) of the Act.

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Notice

59.(1) Seven days written notice of the annual conference must be given to each member of the organisation.

(2) However, notice may be waived if a majority of the members agree.

(3) A notice must—

- (a) state the day, time and place of the conference; and
- (b) include an agenda for the conference.

(4) A resolution passed at an annual conference is not invalidated because—

- (a) of an accidental failure to give a member notice of the conference;
or
- (b) a member did not receive notice of the conference.

President presides over annual conference

60. The president or, if the president is absent, the deputy-president, is to preside at the annual conference.

Who may participate

61. Any member of the organisation may attend and vote on motions put to the annual conference.

Decisions not binding on council

62. A decision of the annual conference—

- (a) amounts to a recommendation to the council; and
- (b) does not bind the council.

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PART 7—LEVIES

General levy

63. The council may, with the approval of the Minister, make a general levy for each year on producers or a class of producers for the administrative purposes of the organisation.

Producer must pay levy

64. A producer must pay a levy made under this regulation.

Maximum penalty—the lesser of—

- (a) the amount of the levy; or
- (b) 20 penalty units.

Duty to deduct amount of levy

65.(1) This section applies to a person if—

- (a) the person owes a producer an amount for a pig or part of a pig supplied or delivered to the person by the producer; and
- (b) the producer owes a levy under this regulation.

(2) The council may require the person to—

- (a) if the amount is more than the levy—
 - (i) hold from the amount enough to pay the levy; and
 - (ii) pay the amount held to the council; or
- (b) if the amount is less than the levy—pay the whole amount to the council.

(3) A person must not contravene a requirement without reasonable excuse.

Maximum penalty—2 penalty units

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Recovery of levies

66.(1) This section applies if an amount that the council has levied on a producer under this regulation or required a person to pay under section 65(2) has not been paid.

(2) The council may recover the amount from the producer or the person as a debt in a court having jurisdiction in relation to the amount.

PART 8—MISCELLANEOUS

Hindering meeting

67.(1) If a person hinders or prevents a person who has the right to conduct a meeting under this regulation from conducting the meeting, the meeting may by resolution direct the person—

- (a) to leave the meeting; and
- (b) not to further attend the meeting or, if the meeting is adjourned, the adjourned meeting.

(2) In subsection (1)—

“meeting” includes the annual conference.

Fees, allowances and travelling expenses

68. The fees, allowances and travelling expenses that may be paid to a member or officer of the council or the secretary of a branch are the fees, allowances and travelling expenses in schedule 3.

SCHEDULE 1

ELECTION OF COUNCIL MEMBERS

sections 8, 11 and 22

PART 1—PRELIMINARY

Application of sch 1

1. This schedule applies if an election of council members must be held under section 8(2), 11(3) or 22 of the regulation.¹¹

Definitions for sch 1

2. In this schedule—

“**ballot box**” means a ballot box kept under section 21.

“**ballot envelope**” see section 20(1)(c).

“**candidate’s statement**” see section 10(1)(b)(i).

“**initialled**”, by the returning officer, includes being marked with a facsimile of the returning officer’s initials.

“**return envelope**” see section 20(1)(b).

“**returning officer**”, of the election, means the person appointed under section 4 to conduct the election.

“**roll**”, for the election, means the roll of voters prepared for the election under section 15 or 17.

“**scrutineer**” means a candidate who acts personally as a scrutineer or a person appointed by a candidate under section 27.

¹¹ Certain parts of schedule 1 also apply to no-confidence motions. See section 20 (How motion is conducted) of the regulation.

SCHEDULE 1 (continued)

“voter” means a person—

- (a) who is a financial producer member; and
- (b) whose name is stated on the roll under section 15 or 17.

“voting declaration” see section 20(1)(c).

“voting category”, of a voter, means the voter’s voting category under section 14(2).

“voting material” see section 20(1).

Who is a “candidate”

3.(1) A **“candidate”** means a person who has nominated as a candidate in the election whose nomination—

- (a) has been accepted under section 10(3); and
- (b) has not been withdrawn.

(2) However, a person ceases to be a candidate if, before the result of the election is declared, the person dies or stops being eligible to be elected as a council member.

PART 2—RETURNING OFFICER

Appointment

4. The council must appoint a person who is not a member or officer of the council as the returning officer for the election.

Functions and powers

5.(1) The returning officer—

SCHEDULE 1 (continued)

- (a) must not influence, or attempt to influence, the outcome of the election; and
- (b) must conduct the election under this schedule; and
- (c) may take the action and give the directions the returning officer considers reasonably necessary to—
 - (i) ensure no irregularities happen in the election; or
 - (ii) remedy a procedural defect that appears to the returning officer to exist about the election.

(2) Also, the returning officer must ensure suitable arrangements are made with Australia Post for the return of ballot papers to a box at a post office.

(3) To ensure the integrity of a ballot, the address for return of ballot papers must not be the council's usual postal address.

PART 3—PRE-ELECTION PROCEDURES

Closing day and time for nominations

6.(1) The returning officer must fix the closing day for nominations for election to council membership.

(2) The closing day must be not less than 10 days and not more than 35 days after the notice calling for nominations is given under section 8.

(3) Nominations close at 5.00 pm on the closing day.

Starting and finishing days of ballot

7.(1) The returning officer must fix the starting and finishing days for a

SCHEDULE 1 (continued)

ballot to decide the result of the election if a ballot becomes necessary under section 12.¹²

(2) The starting day must not be before the closing day for nominations for the offices to be filled at the election.

Calling for nominations

8.(1) The returning officer must call for nominations for election to council membership by written notice given to all financial producer members.

(2) The notice must state—

- (a) the closing day for nominations; and
- (b) that nominations close at 5.00 pm on the closing day; and
- (c) the requirements for making a nomination under section 10(1);¹³ and
- (d) the starting and finishing days for a ballot to decide the result of the election if a ballot becomes necessary under section 12;¹⁴ and
- (e) that only financial producer members when nominations close may vote in the election.

Nomination—eligibility

9. Only a financial producer member or an authorised representative of a financial producer member when nominations close may nominate for the election.

¹² Schedule 1, section 12 (When a ballot must be held)

¹³ Schedule 1, section 10 (Nomination—procedure)

¹⁴ Schedule 1, section 12 (When a ballot must be held)

SCHEDULE 1 (continued)

Nomination—procedure

10.(1) A nomination for office—

- (a) must be—
 - (i) written; and
 - (ii) signed by the nominee and at least 3 financial producer members; and
 - (iii) given to the returning officer before nominations close; and
- (b) must be accompanied by—
 - (i) a written statement by the nominee (a “**candidate’s statement**”); and
 - (ii) if the nomination is by an authorised representative—a representative authority for the nominee.

(2) A candidate’s statement must—

- (a) be on a single A4 sheet of paper printed only on 1 side; and
- (b) be typewritten; and
- (c) include the nominee’s name and other details.

(3) If a nomination complies with subsections (1) and (2), the returning officer must accept it.

(4) A candidate may withdraw the candidate’s nomination by written notice given to the returning officer no later than 3 days after nominations close.

What happens if a nomination is defective

11.(1) If a nomination is given to the returning officer after nominations have closed, the returning officer must reject it.

(2) If a person who is not eligible to nominate purports to nominate or if a nomination does not comply with section 10(1)(a)(i) or (ii) or (b), the returning officer must—

SCHEDULE 1 (continued)

- (a) reject it; and
 - (b) give the nominee written notice stating that—
 - (i) the nomination was rejected and the reason for the rejection; and
 - (ii) another nomination that complies with section 10(1) and (2) may be given to the returning officer before nominations close.
- (3) If practicable, the notice must be given before nominations close.
- (4) Failure to give the notice does not invalidate the election.

When a ballot must be held

12.(1) The returning officer must declare a candidate elected to the council if the number of candidates for election to the council is not more than the number to be elected.

(2) If, on the close of nominations, there are more candidates for election to the council than the number of members to be elected, the returning officer must conduct a ballot under schedule 1, part 4.

(3) However, if during the conduct of a ballot, the number of candidates is no longer more than the number of members to be elected, the returning officer must declare the remaining candidates elected.

SCHEDULE 1 (continued)

PART 4—CONDUCTING BALLOTS*Division 1—Voting entitlement***How many votes may be cast**

13. Each voter may vote for not more than the number of members of the council to be elected in the election.

Value of each vote

14.(1) The value of each vote a voter may cast is fixed by the voter's voting category under subsection (2).

(2) A voter's voting category and the value are worked out according to the number of pigs grown by the voter, as follows—

- from 70 to 227—category 1 (1 value)
- from 228 to 454—category 2 (2 values)
- from 455 to 907—category 3 (4 values)
- from 908 to 1814—category 4 (7 values)
- from 1 815 to 3 629—category 5 (11 values)
- from 3 630 to 7 258—category 6 (16 values)
- from 7 259 to 14 515—category 7 (22 values)
- from 14 516 to 29 030—category 8 (29 values)
- from 29 031 to 58 061—category 9 (37 values)
- 58 062 or more—category 10 (46 values).

(3) For subsection (2), the number of pigs grown is taken to be the highest number of pigs the voter expected to grow during—

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- (a) the year of the election, as stated by the grower in a signed notice to the council;¹⁵ or
- (b) if the voter has not given a notice for the year of the election—the last year for which the voter gave a signed notice to the council stating the number of pigs the voter expected to grow during that year.

Roll—preparation

15.(1) A roll for a ballot must be prepared at the direction of the returning officer.

(2) The returning officer must ensure the roll—

- (a) states the following—
 - (i) the name of each person who is a financial producer member when nominations for the election close, in alphabetical order;
 - (ii) the person's address, opposite their name;
 - (iii) the person's voting category; and
- (b) is completed when nominations for the election close.

(3) The following bodies are taken to be only 1 financial producer member for subsection (2)(a)(i)—

- (a) a corporation that is a financial producer member;
- (b) an estate that is a financial producer member;
- (c) a partnership, the members of which are financial producer members;
- (d) a trust that is a financial producer member.

(4) The organisation must give the returning officer—

¹⁵ The notice is commonly given in a document called 'Sow and pig numbers [for the next year]'.

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SCHEDULE 1 (continued)

- (a) a copy of its financial producer member's register; and
- (b) access to the organisation's records reasonably necessary for the returning officer to ensure the roll is accurate.

Roll—inspection

16.(1) The returning officer must make the roll for the election available for inspection—

- (a) from when nominations for the election close to 30 days after the result of the election is declared; and
- (b) at the organisation's office when it is open for business.

(2) A candidate, producer member or other person authorised by the returning officer may at the times and place stated in subsection (1)—

- (a) inspect the roll, free of charge; or
- (b) take a copy of the roll or part of the roll.

When someone can claim a right to vote

17.(1) Despite section 15(2)(b), if a financial producer member's name does not appear on the roll, the member may ask the returning officer to have the member's name included on the roll.

(2) If the returning officer is satisfied the applicant was a financial producer member when nominations for the election closed, the returning officer must include the applicant's name on the roll.

Division 2—Voting material

Ballot papers—form

18.(1) A ballot paper for the election must—

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- (a) be of paper that will hide a vote marked on it from view when it is folded once; and
- (b) be a different colour from the colour used for ballot papers at the 2 previous elections held for members of the council; and
- (c) list the names of each candidate once only, with the surname first, followed by the candidate's other names; and
- (d) state how the voter may vote; and
- (e) state that the voter must fill in and sign the voting declaration or the vote will not be counted; and
- (f) state that the voter must return the ballot paper to the returning officer by—
 - (i) posting the ballot paper to the returning officer so it is received before or on the finishing day of the ballot; or
 - (ii) putting it in the ballot box before or on the finishing day of the ballot.

(2) The order of names on the ballot paper must be decided by lot drawn by the returning officer.

(3) If 2 or more candidates have the same surname and first names, the candidates must be distinguished in an appropriate way.

Example—

The address of each candidate may be added to the ballot paper.

Ballot paper—preparation

19. The returning officer must prepare a ballot paper for each voter that—

- (a) states the voter's voting category; and
- (b) is initialled by the returning officer.

SCHEDULE 1 (continued)

Distributing voting material

20.(1) The returning officer must post the following things (the “**voting material**”) to each voter—

- (a) a ballot paper prepared under section 19;
- (b) an unsealed reply paid envelope (a “**return envelope**”) addressed to the returning officer;
- (c) a ballot envelope (a “**ballot envelope**”) and a voting declaration (a “**voting declaration**”);
- (d) other material the returning officer considers appropriate for the ballot including, for example, directions or notes to help the voter to comply with this regulation and cast a valid vote;
- (e) a copy of each candidate’s statement for the election.

(2) Voting material must be posted to each voter—

- (a) in a sealed envelope to the voter’s address on the roll; and
- (b) as soon as practicable, but not earlier than 2 days before the starting day of the ballot.

(3) The voting declaration must state ‘I certify that I am the person whose name appears on this envelope and I have voted on the ballot paper enclosed.

(4) If a voter gives the returning officer a notice that the voter will be absent from the address stated on the roll when voting material is to be given, the returning officer must post the material to the address stated in the notice.

(5) Before posting voting material to a voter, the returning officer must mark a different ballot number for each voter on—

- (a) the roll against the voter’s name; and
- (b) the declaration form; and
- (c) the return envelope.

SCHEDULE 1 (continued)

(6) The ballot numbers must start with a number chosen by the returning officer.

(7) A ballot paper or a ballot envelope must not be marked in a way that could identify the voter.

Returning officer must keep a ballot box

21.(1) After posting the voting material, the returning officer must obtain a ballot box.

(2) The returning officer must—

- (a) keep the box in a safe place; and
- (b) seal the box in a way that—
 - (i) allows voting material to be placed in it until the ballot finishes; and
 - (ii) prevents voting material from being taken from it until votes for the ballot are to be counted.

Duplicate voting material

22.(1) This section applies if voting material posted to a voter—

- (a) has not been received by the voter; or
- (b) has been lost or destroyed; or
- (c) if the document is a ballot paper—has been spoilt.

(2) The voter may apply to the returning officer for a duplicate of the document.

(3) The application must—

- (a) be received by the returning officer on or before the finishing day of the ballot; and
- (b) state the grounds on which it is made; and

SCHEDULE 1 (continued)

- (c) if practicable—be substantiated by evidence verifying, or tending to verify, the grounds; and
 - (d) state that the voter has not voted at the ballot; and
 - (e) if the document is a spoiled ballot paper—be accompanied by the ballot paper.
- (4) If the application complies with subsection (3), the returning officer must—
- (a) if the document is a spoiled ballot paper—
 - (i) mark 'spoilt' on the paper; and
 - (ii) initial the paper where marked and keep the paper; and
 - (iii) give a fresh ballot paper prepared under section 19¹⁶ to the voter; or
 - (b) if the document is not a spoiled ballot paper—give a duplicate of the document to the voter.

Division 3—Voting

How long ballot is open

- 23.** A ballot must remain open for—
- (a) at least 14 days; and
 - (b) no longer than 42 days.

How to vote

- 24.(1)** A voter may vote only by completing the following steps—

¹⁶ Schedule 1, section 19 (Ballot paper—preparation)

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- (a) completing a ballot paper given to the voter under section 20 or 22¹⁷ by—
 - (i) writing a tick or a cross in the square opposite the name or names of the number of candidates the voter may vote for under section 13;¹⁸ and
 - (ii) complying with the instructions on the paper;
- (b) putting the ballot paper in a ballot envelope;
- (c) sealing the ballot envelope;
- (d) filling in and signing the voting declaration for the ballot paper;
- (e) putting the voting declaration and the ballot envelope in the return envelope;
- (f) sealing the return envelope;
- (g) complying with any direction under section 20(1)(d);
- (h) returning the return envelope to the returning officer before voting closes by—
 - (i) posting it to the returning officer so that the envelope is received before or on the finishing day for the ballot; or
 - (ii) putting it in the ballot box before or on the finishing day for the ballot.

(2) A voter may only put 1 ballot envelope in a return envelope.

Candidate may not collect votes

25. A candidate or a person who acts for a candidate must not knowingly receive from a person who has the right to vote in the election—

¹⁷ Schedule 1, section 20 (Distributing voting material) or section 22 (Duplicate voting material)

¹⁸ Schedule 1, section 13 (How many votes may be cast)

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- (a) a ballot paper for the election; or
- (b) an envelope that contains a ballot paper.

Maximum penalty—20 penalty units.

Division 4—Counting and scrutiny of votes

How returning officer must deal with voting material

26.(1) The returning officer must keep voting material for a ballot that has been returned to the returning officer in a safe place until the vote has been counted.

(2) If, after the finishing day for the ballot, the returning officer receives a return envelope purporting to contain a ballot paper for the ballot, the returning officer must—

- (a) keep the envelope sealed; and
- (b) mark the envelope 'Received by the returning officer after the finishing day for the ballot'; and
- (c) keep the envelope in safe custody, separately from return envelopes received before or on the finishing day; and
- (d) identify the voter on the roll from the ballot number on the envelope; and
- (e) record on the roll that the voter's return envelope was returned after the finishing day.

Scrutineers—appointment

27.(1) A candidate may—

- (a) act personally as a scrutineer; or
- (b) appoint 1 other person (an **“appointee”**) as a scrutineer for the candidate.

SCHEDULE 1 (continued)

- (2) An appointment must be in writing and signed by the candidate.
- (3) A candidate must notify the returning officer of the name of each of the candidate's appointees as soon as possible after they are appointed.
- (4) The returning officer may refuse to allow an appointee to attend the counting of the votes in the election or act as a scrutineer if—
- (a) the returning officer asks to inspect the appointment; and
 - (b) the appointee does not produce it.

Scrutineers' rights

- 28.(1)** A scrutineer may be present at the—
- (a) preparation and giving of voting material for a ballot; or
 - (b) receipt of voting material and placing the material in safe custody under section 26;¹⁹ or
 - (c) counting of votes.
- (2) A scrutineer may make an objection or advise the returning officer if, under section 31(1)(b),²⁰ the scrutineer considers an error has been made.

Initial scrutiny of voting material

- 29.(1)** As soon as possible after the finishing day for the ballot, the returning officer must—
- (a) seal the ballot box in a way that prevents anything from being placed in it; and
 - (b) take the ballot box to the place where votes are to be counted; and
 - (c) deal with the voting material under this section.

¹⁹ Schedule 1, section 26 (How returning officer must deal with voting material)

²⁰ Schedule 1, section 31 (Scrutineers' objections)

SCHEDULE 1 (continued)

(2) After the ballot box has been taken to the place where votes are to be counted, the returning officer must—

- (a) unseal the ballot box and take out the return envelopes; and
- (b) open each return envelope and take out each ballot envelope and voting declaration; and
- (c) if a return envelope contained more than 1 ballot envelope—mark each of the ballot envelopes from the return envelope ‘informal under schedule 1, section 30(2)(f)’; and
- (d) examine each declaration and mark off the voter’s name on the roll for the election each declaration relates to; and
- (e) check the ballot number on each declaration against the ballot number marked against the voter’s name on the roll for the election each declaration relates to; and
- (f) ensure each declaration is signed.

(3) After complying with subsection (2), the returning officer must put the ballot envelopes and the declarations into separate containers for each election if satisfied—

- (a) each declaration is signed; and
- (b) the ballot number on each declaration corresponds with the ballot number marked beside the voter’s name on the roll for the election each declaration relates to.

(4) However, the returning officer must not put a ballot envelope or a declaration in the containers mentioned in subsection (3) if—

- (a) the returning officer reasonably believes the voter to whom it was sent did not sign the declaration; or
- (b) the person named on the declaration is not the person to whom it was sent.

(5) The returning officer must keep ballot envelopes and declarations excluded under subsection (4) separate from other ballot envelopes and declarations.

SCHEDULE 1 (continued)

(6) Subsection (4) does not apply if the returning officer is satisfied the person who filled in and signed the declaration—

- (a) is a voter and has not previously voted in the ballot; and
- (b) has a reasonable explanation for using the ballot material.

(7) If subsection (3) or (6) apply, the returning officer must—

- (a) accept the declaration as valid; and
- (b) note the acceptance on the declaration; and
- (c) record the correct ballot number on the roll against the name of the voter who signed the declaration.

(8) After separating the ballot envelopes and the declarations, the returning officer must do the following in order—

- (a) seal the container holding declarations;
- (b) open the ballot envelopes not excluded under subsection (4) and take out the ballot papers;
- (c) if a ballot envelope is marked 'informal under schedule 1, section 30(2)(f)'—mark each of the ballot papers from the envelope 'informal under schedule 1, section 30(2)(f)';
- (d) put all of the ballot papers in the ballot box.

Counting votes

30.(1) To count votes the returning officer must—

- (a) admit the valid votes and reject the informal votes; and
- (b) record the value of each vote for each candidate; and
- (c) count the total values of the valid votes for each candidate and record the total; and
- (d) count the number of informal votes.

SCHEDULE 1 (continued)

(2) A vote is only informal if—

- (a) the ballot paper is not initialled by the returning officer and the returning officer is not satisfied the paper is authentic; or
- (b) the ballot paper is marked in a way that allows the voter to be identified; or
- (c) the ballot paper is marked in a way that purports to cast more votes than the number of members to be elected in the election; or
- (d) the ballot paper is not marked in a way that makes it clear how the voter meant to vote or how many votes are cast; or
- (e) the ballot paper does not comply with a direction given under section 20(1)(d);²¹ or
- (f) the ballot envelope from which the ballot paper was taken was returned in a return envelope that contained another ballot envelope.

Scrutineers' objections

31.(1) At the counting of votes a scrutineer may—

- (a) object to a ballot paper being admitted as valid or rejected as informal by the returning officer; or
- (b) object to the number of votes a voter cast; or
- (c) advise the returning officer if the scrutineer considers an error has been made in conducting the ballot or counting votes.

(2) If an objection is made, the returning officer must—

- (a) decide whether the ballot paper is to be admitted or rejected; and
- (b) note the decision on the ballot paper and initial the note.

²¹ Schedule 1, section 20 (Distributing voting material)

SCHEDULE 1 (continued)

(3) If the returning officer is advised under subsection (1), the returning officer must—

- (a) decide whether the error has been made; and
- (b) if appropriate—direct action to correct or mitigate the error.

Direction by returning officer to leave count

32. The returning officer may direct a person to leave the place where votes are being counted if the person—

- (a) does not have the right to be present, or remain present, at the count; or
- (b) interrupts the count, other than to exercise a scrutineer's right.

Division 5—Election result

How result is decided

33.(1) If only 1 council member is to be elected in the election, the candidate with the highest total value of votes is elected.

(2) If more than 1 council member is to be elected, that number of candidates corresponding with the number of members to be elected who have the highest total value of votes are elected.

Example—

If 6 council members are to be elected under section 8(2)²² of the body of the regulation, the 6 candidates who receive the highest total value of votes are elected.

What happens if values for 2 or more candidates are equal

34.(1) If the votes cast for 2 or more candidates are equal, the returning

²² Section 8 (Membership) of the body of the regulation

SCHEDULE 1 (continued)

officer must decide which candidate is elected by drawing lots.

(2) A decision under subsection (1) must be made in the presence of any scrutineer who wishes to attend.

Declaration of result

35.(1) The returning officer must—

- (a) make a signed declaration of the result of the election as soon as possible after the counting of votes for the election; and
- (b) within 1 day of the making of the declaration give a copy of it to the secretary of the council and each candidate.

(2) If the election involved a ballot, the declaration must state the following—

- (a) how many ballot papers were printed;
- (b) how many eligible voters were on the roll for the election or ballot, including a supplementary roll;
- (c) how many votes were informal;
- (d) how many votes were rejected for a reason other than being informal and the reason for each rejection;
- (e) the total value of formal votes for each candidate.

Examples of reasons for rejection under paragraph (d)—

The voter's voting declaration was not—

- filled in or signed
- put in the return envelope
- taken from the return envelope before the returning officer received the return envelope.

SCHEDULE 2

BRANCHES

section 31

Name of branch	Local government areas
Atherton local pork producers' branch	Atherton, Cairns, Cardwell, Eacham, Herberton, Johnstone and Mareeba
Beaudesert local pork producers' branch	Beaudesert, Gold Coast and Logan
Biloela local pork producers' branch	Banana, Bauhinia and Duaringa
Boonah/Rosewood local pork producers' branch	Boonah, Ipswich and Laidley
Dalby/Chinchilla local pork producers' branch	Dalby, Chinchilla and Tara
Gatton/Esk local pork producers' branch	Esk and Gatton
Gympie local pork producers' branch	Caboolture, Caloundra, Cooloola, Kilcoy, Noosa and Tiaro
Millmerran local pork producers' branch	Millmerran and Waggamba
Monto local pork producers' branch	Bundaberg, Burnett, Eidsvold, Isis, Kolan and Perry
Rockhampton local pork producers' branch	Calliope, Fitzroy, Gladstone and Miriam Vale

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SCHEDULE 2 (continued)

South Burnett local pork producers' branch	Biggenden, Gayndah, Kilkivan, Kingaroy, Mundubbera, Murgon, Nanango and Woocoo
Toowoomba local pork producers' branch	Cambooya, Crows Nest, Jondaryan, Pittsworth, Rosalie and Toowoomba
Townsville local pork producers' branch	Dalrymple, Hinchinbrook, and
Warwick local pork producers' branch	Clifton, Inglewood, Stanthorpe and Warwick

SCHEDULE 3

FEES, ALLOWANCES AND TRAVELLING EXPENSES

section 68

Meaning of “absence”

- 1.** In this schedule, “**absence**” means a necessary absence from home—
 - (a) for a council member—to attend a council meeting or on council business; or
 - (b) for the secretary of a branch—to attend a meeting of the branch or on business of the branch.

President

- 2.** For the president, an annual allowance of \$15 528.

Other council members

- 3.** For members of the council, other than the president, a fee of \$ 103.00 for each day or part of a day of a—
 - (a) council meeting attended by the member; or
 - (b) special duty, approved by the council, that the member was engaged in.

Branch secretary

- 4.** For the secretary of a branch, a fee of \$ 25.00 for each day or part of a day of a meeting of the branch attended by the secretary.

SCHEDULE 3 (continued)

Overnight absences

5.(1) For each overnight absence, the following allowances—

- (a) an accommodation allowance of—
 - (i) for Sydney—\$106.00; or
 - (ii) for another capital city—\$92.00; or
 - (iii) for elsewhere—\$55.00;
- (b) a meal allowance of—
 - (i) for breakfast—\$10.00; or
 - (ii) for lunch—\$11.00; or
 - (iii) for dinner—\$21.00;
- (c) for incidental expenses—\$10.00.

(2) However, if reasonable accommodation or a meal can not be obtained for an amount under subsection (1)(a) or (b), the allowances under subsection (1)(a) and (b) are the reasonable, but no more than actual, cost of the accommodation or meals.

Other absences

6. For each absence, other than a overnight absence, the following meal allowances—

- (a) for an absence of less than 12 hours—
 - (i) if the person needed to buy the meal as part of the travel, including, for example, as part of a 1 day conference—the reasonable, but no more than the actual, cost of the meal; or
 - (ii) if the person returned home after 6.30 pm on the day of the absence—\$21.00 for dinner; or
- (b) for an absence of more than 12 hours—\$32.00 for all meals.

SCHEDULE 3 (continued)

Transport allowance

7. A transport allowance for travel because of any absence—
- (a) if a private motor vehicle was used—at 48c for each km travelled;
or
 - (b) the reasonable, but no more than actual, cost of commercial road travel or airfares.

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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 23 July 1999. Future amendments of the Primary Producers' Organisation and Marketing (Queensland Pork Producers' Organisation) Regulation 1997 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

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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	sdiv	=	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	none	20 November 1997

5 List of legislation

Primary Producers' Organisation and Marketing (Queensland Pork Producers' Organisation) Regulation 1997 SL No. 388
made by the Governor in Council on 13 November 1997
notfd gaz 14 November 1997 1164-5
commenced on date of notification
exp 1 September 2008 (see SIA s 54)
as amended by—

*Primary Producers' Organisation and
Marketing (Queensland Pork Producers'
Organisation) Regulation 1997*

**Primary Producers' Organisation and Marketing (Queensland Pork
Producers' Organisation) Amendment Regulation (No. 1) 1999 SL No. 97**
notfd gaz 28 May 1999 pp 401–2
commenced on date of notification

6 List of annotations

PART 9—TRANSITIONAL AND REPEAL

pt 9 (ss 69–75) exp 1 March 1998 (see s 75)

SCHEDULE 3—FEES, ALLOWANCES AND TRAVELLING EXPENSES

President

s 2 amd 1999 SL No. 97 s 3

Transport allowance

s 7 amd 1999 SL No. 97 s 3