

4.—(1.) Section five of the Principal Act is amended by omitting sub-sections (2.) to (13.) (inclusive) and inserting in their stead the following sub-sections :—

Australian
Egg Board.

“ (2.) The Board shall consist of—

- (a) a member representing the Government of the Commonwealth ;
- (b) two members representing the board established in the State of New South Wales and known as the Egg Marketing Board for the State of New South Wales ;
- (c) a member representing the board established in the State of Victoria and known as the Egg and Egg Pulp Marketing Board ;
- (d) a member representing the board established in the State of Queensland and known as The Egg Marketing Board ;
- (e) a member representing the board established in the State of South Australia and known as The South Australian Egg Board ;
- (f) a member representing the board established in the State of Western Australia and known as The Western Australian Egg Marketing Board ;
- (g) a member with commercial experience ; and
- (h) a member representing employees engaged in the handling, grading and processing of eggs.

“ (3.) The members of the Board shall be appointed by the Governor-General.

“ (4.) A member representing a State Board shall be appointed from amongst the members of the State Board on the nomination of the Minister of State administering the State Act by or under which the State Board is established.

“ (5.) The appointment of a member of the Board in accordance with the last preceding sub-section shall not be invalidated or called in question by reason only of a defect or irregularity in or in connexion with his nomination.

“ (6.) The member representing employees engaged in the handling, grading and processing of eggs shall, wherever practicable, be a person selected after consultation by the Minister with representatives of the appropriate trade union or trade unions.

“ (7.) The member representing the Government of the Commonwealth shall be the Chairman of the Board.

“ (8.) The performance or exercise of the functions or powers of the Board is not affected by reason only of there being a vacancy in the office of a member of the Board.”

(2.) The members of the Australian Egg Board holding office immediately before the commencement of this Act shall cease to hold office upon the commencement of this Act.

5. After section five of the Principal Act the following sections are inserted :—

Term of office of members.

“ 5A.—(1.) The Chairman shall hold office for such period as the Governor-General determines.

“ (2.) Subject to the next succeeding sub-section, a member of the Board, other than the Chairman, shall hold office for a period of three years after the date of his appointment, but shall be eligible for re-appointment.

“ (3.) A member of the Board representing a State Board shall cease to hold office if he ceases to be a member of the State Board.

Removal of members from office and resignation.

“ 5B.—(1.) The Governor-General may remove the Chairman from office for incapacity, incompetence or misbehaviour.

“ (2.) The Governor-General may remove a member of the Board, other than the Chairman, from office on the recommendation of the Board or, in the case of a member representing a State Board, on the recommendation of the Minister of State administering the State Act by or under which the State Board is established.

“ (3.) A member of the Board may resign from office by notice of resignation given to the Governor-General.”.

Deputies of Members of the Board.

6. Section seven of the Principal Act is amended by omitting sub-section (2.) and inserting in its stead the following sub-section :—

“ (2.) Where the member who is absent represents a State Board, the deputy of that member shall be appointed from amongst the members of the State Board on the nomination of the State Board.”.

Executive Committee of Board.

7. Section ten of the Principal Act is amended—

(a) by omitting sub-sections (1.) and (2.) and inserting in their stead the following sub-sections :—

“ (1.) There shall be an Executive Committee of the Board, which shall consist of—

- (a) the Chairman ;
- (b) two members of the Board representing State Boards, not being members representing the same State Board ; and
- (c) the member of the Board representing employees engaged in the handling, grading and processing of eggs.

“ (2.) A member of the Executive Committee referred to in paragraph (b) of the last preceding sub-section shall—

- (a) be elected by the Board ; and
- (b) hold office until the expiration of a period of twelve months after the date of his election or until he ceases to be a member of the Board, whichever first occurs.” ; and

(b) by omitting sub-section (8.).

8. Section eleven of the Principal Act is amended by adding at the end thereof the following sub-sections :—

Overseas
representation.

“(3.) With the approval of the Minister, the Board may, in relation to a particular place and a particular matter or class of matters, by writing under its seal, delegate to a person appointed under this section as a representative of the Board overseas all or any of the powers and functions of the Board under this Act and the regulations (except this power of delegation) so that the delegated powers and functions may be exercised by the representative with respect to the place and the matter or class of matters specified in the instrument of delegation.

“(4.) A delegation under this section is revocable at will and does not prevent the exercise of a power or function by the Board.”.

9. Section thirteen of the Principal Act is amended—

Powers of
Board.

(a) by omitting from paragraph (d) the word “ and ” ;

(b) by omitting paragraph (e) and inserting in its stead the following paragraphs :—

“(e) subject to any direction of the Minister—

(i) to purchase eggs intended for export ;

(ii) to sell eggs so purchased ; and

(iii) to manage and control all matters connected with the handling, storage, protection, treatment, transfer and shipment of eggs so purchased ; and

“(f) subject to any direction of the Minister, to borrow money upon the security of eggs owned by the Board.” ; and

(c) by adding at the end thereof the following sub-section :—

“(2.) Where the Board has purchased, or agreed to purchase, eggs, the Board shall not make, and the vendor is not entitled to receive, before the Board has sold the eggs, a payment in respect of the purchase of the eggs by the Board that is in excess of an amount determined by the Board in accordance with a rate approved by the Minister.”.

10. After section thirteen of the Principal Act the following section is inserted :—

“13A.—(1.) The power of the Board under the last preceding section to purchase eggs intended for export includes a power for the Board to make an arrangement with a State Board for the purchase by the Board from the State Board of eggs the export of which to a country specified in the arrangement is, at any time during a period so specified, desired by the State Board.

Arrangements
between the
Board and
State Boards.

“(2.) Subject to sub-section (4.) of this section, where an arrangement is made between the Board and a State Board under the last preceding sub-section, the State Board shall not export eggs during the period specified in the arrangement to the country so specified without the approval of the Board.

Penalty : Five hundred pounds.

“(3.) Where the Board has made an arrangement with a State Board under sub-section (1.) of this section, the Board—

- (a) shall, except in the case of eggs that the Board considers it will be unable to dispose of in the country specified in the arrangement, purchase from the State Board, in accordance with the arrangement, all eggs, being eggs owned by the State Board, which the State Board, during the period specified in the arrangement, informs the Board are eggs the export of which to the country specified in the arrangement is desired by the State Board; and
- (b) shall export those eggs to, and, on such terms as the Board thinks fit, sell those eggs in, that country or such other country as the State Board approves.

“(4.) Where the Board refuses to purchase eggs to which an arrangement under sub-section (1.) of this section applies, sub-section (2.) of this section does not apply to or in relation to the export of those eggs by the State Board with which the arrangement was made.

“(5.) An arrangement under sub-section (1.) of this section may provide—

- (a) that the purchase price to be paid by the Board to the State Board with which the arrangement is made for eggs purchased by the Board under the arrangement shall be such amount as is determined by the Board in accordance with the arrangement; and
- (b) that the principle upon which the amount shall be determined shall be—

- (i) a pooling of the proceeds of the sale by the Board of those eggs and the proceeds of the sale of other eggs of a similar weight made by the Board by virtue of another arrangement under sub-section (1.) of this section made between the Board and another State Board; and

- (ii) the division, after the Board has deducted from the pool the expenses incurred by the Board in connexion with the sales, of the balance of the pool among the State Boards with which the arrangements have been made on the basis of the quantity of eggs purchased from each State Board and sold by the Board, with proper allowances for necessary adjustments in particular cases.

“(6.) Where, at a meeting of the Board—

- (a) the Board agrees to a resolution that an arrangement under sub-section (1.) of this section be made between the Board and a State Board ;
- (b) the terms of the proposed arrangement are specified in the resolution ; and
- (c) the member representing the State Board votes in favour of the resolution or, if there are two members representing the State Board, both those members vote in favour of the resolution,

the arrangement shall be deemed to have been made unless the State Board has, before the meeting, advised the Board, in writing, that the State Board does not desire to enter into an arrangement under this section with the Board.

“(7.) A member of the Board representing a State Board with which an arrangement under sub-section (1.) of this section is not in force is not entitled—

- (a) to vote on a question before the Board which relates to a matter arising directly out of an arrangement under sub-section (1.) of this section made with another State Board ; or
- (b) without the approval of the member or members representing that other State Board—to be present at a meeting of the Board at a time when such a matter is being considered by the Board.

“(8.) At any time during a meeting of the Board when a member of the Board is not entitled to be present by virtue of the last preceding sub-section, a majority of the members who are entitled to be present shall, notwithstanding sub-section (3.) of section nine of this Act, form a quorum.”.

11. Section fourteen of the Principal Act is amended by adding at the end thereof the following sub-section :—

*Control of
export of eggs.*

“(4.) This Act does not authorize the making of regulations prohibiting, or authorizing the Board to prohibit, the export from the Commonwealth, except by the Board, of eggs, either generally or to a particular place.”.

12. Section fifteen of the Principal Act is amended by adding at the end thereof the following sub-section :—

*Contracts
relating to
shipment and
insurance of
eggs.*

“(4.) This section does not apply to or in relation to eggs owned by the Board.”.

Finance.

13. Section seventeen of the Principal Act is amended by omitting from sub-section (2.) the words " to the Commonwealth for use by the Board on behalf of the Commonwealth " and inserting in their stead the words " to the Board for use by the Board ".

**Application
of moneys
paid into
accounts or
Fund.**

14. Section nineteen of the Principal Act is amended by omitting from paragraph (d) the words " to the Commonwealth ".
