



ANNO DECIMO NONO

## ELIZABETHAE II REGINAE

A.D. 1970

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### No. 44 of 1970

An Act to amend the Citrus Industry Organization Act,  
1965-1969.

[Assented to 10th December, 1970.]

BE IT ENACTED by the Governor of the State of South  
Australia, with the advice and consent of the Parliament thereof,  
as follows:

1. (1) This Act may be cited as the "Citrus Industry Organization Act Amendment Act, 1970". Short title.

(2) The Citrus Industry Organization Act, 1965-1969, as amended  
by this Act, may be cited as the "Citrus Industry Organization Act,  
1965-1970".

(3) The Citrus Industry Organization Act, 1965-1969, is hereinafter  
referred to as "the principal Act".

2. This Act shall come into operation on a day to be fixed by  
proclamation. Commence-  
ment.

3. Section 5 of the principal Act is amended—

(a) by striking out the definition of "representative member"  
and inserting in lieu thereof the following definition:—

Amendment of  
principal Act,  
s. 5—  
Interpretation.

“representative member” means a member appointed as a representative of growers under paragraph (b) of subsection (1) of section 9 of this Act;

and

(b) by striking out the definitions of “the prescribed day”, “zone”, “Zone 1”, “Zone 2”, “Zone 3”, “Zone 4” and “Zone 5”.

Amendment of  
principal Act,  
s. 9—  
Constitution  
of Committee.

4. Section 9 of the principal Act is amended—

(a) by striking out subsections (1), (1a) and (1b) and inserting in lieu thereof the following subsection:—

(1) Upon the commencement of the Citrus Industry Organization Act Amendment Act, 1970, the members of the Committee then in office shall vacate their respective offices and the Committee shall thereafter consist of five members appointed by the Governor of whom—

(a) one shall be a person appointed by the Governor to be chairman of the Committee;

(b) two shall be persons such as will, in the opinion of the Governor, fairly represent the interests of growers, or who have been duly elected by registered growers in accordance with this Act;

and

(c) two shall be persons who, in the opinion of the Governor, have extensive knowledge of and experience in marketing;

(b) by striking out from subsection (2a) the passage “subsections (1), (1a) and (2) of this section” and inserting in lieu thereof the passage “subsections (1) and (2) of this section”;

(c) by striking out from subsection (3) the passage “subsections (3a) and (3b)” and inserting in lieu thereof the passage “subsection (3b)”;

and

(d) by striking out subsection (3a).

Repeal of  
s. 10 of  
principal Act.

5. Section 10 of the principal Act is repealed.

6. Section 11 of the principal Act is amended—

Amendment of  
principal Act,  
s. 11—  
Election of  
representative  
members.

(a) by striking out subsection (1) and inserting in lieu thereof the following subsections:—

(1) The representative members appointed first after the commencement of the Citrus Industry Organization Act Amendment Act, 1970, shall each, subject to this Act, hold office for a term of two years.

(1a) Subject to this section, representative members (other than those appointed first after the commencement of the Citrus Industry Organization Act Amendment Act, 1970) shall be elected by registered growers, entitled to vote as provided by this Act, after nomination in writing signed by not less than twenty registered growers and furnished to the Returning Officer for the State not less than twenty-eight days before the election.

(1b) The Returning Officer for the State shall submit the names of all nominees in respect of any election to the Governor and, if in the opinion of the Governor, any nominee has commercial interests that may derogate from his impartiality as a representative of the whole body of registered growers, the nomination shall be cancelled.;

(b) by striking out subsections (4) and (4a) and inserting in lieu thereof the following subsection:—

(4) For the purposes of an election under this section a registered grower shall, except as otherwise provided by this Act, be entitled to one vote at the election.;

and

(c) by striking out subsection (6) and inserting in lieu thereof the following subsection:—

(6) Where the number of growers nominated in respect of vacancies in the offices of representative members does not exceed the number of vacancies to be filled, a grower duly nominated under this Act whose nomination has not been cancelled may be appointed as if elected under this section.

7. Section 13 of the principal Act is amended—

Amendment of  
principal Act,  
s. 13—  
Register of  
growers.

(a) by striking out from subsection (1) the passage “in a separate and distinct part of the register, in relation to each zone” and the passage “in that zone” wherever it occurs in that subsection;

and

(b) by striking out subsection (2).

Amendment of  
principal Act,  
s. 14—  
Terms of office  
of members.

**8. Section 14 of the principal Act is amended—**

(a) by striking out subsections (1) and (2) and inserting in lieu thereof the following subsection:—

(1) Except as otherwise provided in this Act, a representative member shall, unless his office becomes vacant earlier, hold office for a term of three years;

and

(b) by striking out from subsection (3) the passage “who takes office on or after the prescribed day”.

Amendment of  
principal Act,  
s. 15—  
Casual  
vacancies.

**9. Section 15 of the principal Act is amended by inserting after paragraph (d) the following paragraph:—**

(da) he acquires, being a representative member, commercial interests that may, in the opinion of the Governor, derogate from his impartiality as a representative of the whole body of registered growers;

Amendment of  
principal Act,  
s. 17—  
Meetings of  
Committee.

**10. Section 17 of the principal Act is amended by striking out from subsection (5) the word “Four” and inserting in lieu thereof the word “Three”.**

Enactment of  
s. 23a of  
principal Act—

**11. The following section is enacted and inserted in the principal Act immediately after section 23 thereof:—**

Power to  
borrow.

23a. (1) The Committee may, for the purposes of carrying out its duties and functions under this Act, borrow moneys from any person upon such security (if any), by way of mortgage or charge over any of the assets of the Committee, as the Committee may think fit to grant.

(2) The Treasurer may upon such terms and conditions as he thinks fit guarantee the repayment of any moneys borrowed by the Committee under this section.

In the name and on behalf of Her Majesty, I hereby assent  
to this Bill.

J. W. HARRISON, Governor.