



ANNO SEXTO

## GEORGII VI REGIS.

A.D. 1942.

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## No. 31 of 1942.

An Act to amend the Dairy Industry Act, 1928-1937.

[Assented to 26th November, 1942.]

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 "Dairy Industry Act Amendment Act, 1942". Short titles.

(2) The Dairy Industry Act, 1928-1937, as amended by this Act, may be cited as the "Dairy Industry Act, 1928-1942".

(3) The Dairy Industry Act, 1928-1937, is hereinafter called "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. Section 4 of the principal Act is amended by inserting after the definition of "milk" therein the following words :— Amendment of s. 4 of principal Act— Interpretation of "milk depot".

"milk depot" means any premises where on any day more than fifty gallons of milk is pasteurized or chilled, but does not include a dairy farm where milk is pasteurized or chilled if no milk is purchased by the proprietor of such dairy farm :

4. Section 7 of the principal Act is amended by inserting the words "milk depot" after the word "factory" wherever occurring in subsections (1), (2), and (10) thereof, and by inserting the words "or milk depot" after the word "creamery" in subsection (4) thereof. Amendment of s. 7 of the principal Act— Licensing.

Amendment of  
s. 8 of the  
principal Act—  
Cancellation  
of licences.

**5.** Subsection (1) of section 8 of the principal Act is amended by inserting after the word "factory" wherever occurring therein the words "milk depot".

Amendment of  
s. 11 of  
principal Act—  
Powers of  
inspection.

**6.** Paragraphs (b) and (d) of section 11 of the principal Act are amended by inserting after the word "factory" wherever occurring therein the words "milk depot".

Amendment of  
s. 12 of  
principal Act—  
Power to  
require  
premises to be  
cleaned.

**7.** Section 12 of the principal Act is amended by inserting after the word "factory" wherever occurring therein the words "milk depot".

Amendment of  
s. 19 of the  
principal Act—  
Mode of  
computing pay-  
ment for milk  
and cream.

**8.** Subsections (1) and (3) of section 19 of the principal Act are repealed and the following subsections are enacted and inserted in lieu thereof:—

(1) Every owner of a factory or milk depot and every wholesale distributor of milk to whom any milk or cream is sold or supplied by the producer of the milk, shall pay the seller or supplier for that milk or cream according to the weight of butterfat contained therein as estimated by what is known as the Babcock test or by any other test prescribed by regulation.

(3) Every owner of a factory or milk depot and every wholesale distributor of milk to whom any milk or cream is sold or supplied by the producer of the milk shall test and weigh that milk or cream in accordance with the regulations. The seller or supplier of the milk or cream or any person authorized in writing by him or any inspector may be present and inspect the testing and weighing of the milk or cream and may examine and check any records of such testing and weighing.

(4) A person who prevents any person from exercising a right of inspection or examination or checking given by subsection (3) of this section or who obstructs any person in the exercise of any such right shall be guilty of an offence.

Amendment of  
s. 21 of  
principal Act—  
Grading of  
milk.

**9.** Section 21 of the principal Act is amended by inserting after the word "cream" in the third and fifth lines thereof the words "and milk".

Amendment of  
s. 24 of  
principal Act—  
Qualification  
of testers and  
graders.

**10.** Section 24 of the principal Act is amended—

(a) by striking out in the third line thereof the words "supplied to a factory" and by inserting in lieu thereof the words "for the purpose of complying with any requirement of this Act":

(b) by striking out the word "factory" in the eleventh line thereof and inserting in lieu thereof the word "person".

11. Subsection (2) of section 26 of the principal Act is amended by inserting after the word "factory" in the third line thereof the words "milk depot".

Amendment of s. 26 of the principal Act—  
Onus of proof.

12. Subsection (1) of section 27 of the principal Act is amended by inserting after the word "factory" in the first line thereof the words "milk depot".

Amendment of s. 27 of the principal Act—  
Exemption of employer from penalty in certain cases.

13. Subsection (1) of section 28 is amended by inserting after the word "factories" in the second line of paragraph (2) thereof the words "milk depots".

Amendment of s. 28 of the principal Act—  
Regulations.

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

J. M. NAPIER, Deputy Governor.