

“ 17A—(1) A person—

Right of  
appeal.

I Whose application for registration has been refused on any ground other than that he has not passed the prescribed examination: or

II Against whom an order has been made under section sixteen,

may appeal to the Supreme Court.

(2) An appeal under this section shall be subject to the Rules of Court under the *Supreme Court Civil Procedure Act 1932* and therein the Court may make such order, including an order as to costs, as it thinks just.

(3) The Board shall comply with an order of the Supreme Court under this section.”.

---

## POTATO MARKETING BOARD.

---

No. 10 of 1956.

AN ACT to amend the *Potato Marketing Board Act 1952*.

[16 May 1956.]

WHEREAS the Potato Marketing Board of Tasmania is Preamble. incorporated by the *Potato Marketing Board Act 1952*:

And whereas by that Act it is provided, among other things, that the members of the Board shall be elected by the growers in the several divisions or parts of the State that are specified in the schedule to that Act:

And whereas it is provided by that Act that a candidate for election as a member of the Board must be a registered grower at the time of his nomination but no provision is made by that Act disqualifying a person from continuing as a member if he ceases to be a grower:

And whereas no provision is made by that Act disqualifying from membership of the Board persons who are engaged in a business connected with the buying, selling, shipping,

or consigning of potatoes and it is therefore possible that the membership of the Board may cease to be predominately composed of growers:

And whereas with a view to seeking wider markets for potatoes grown in this State the Board has purchased land at Blackwattle Bay, Sydney, in the State of New South Wales whereon it proposes to erect and equip buildings suitable for the packaging of potatoes for sale to consumers if sufficient finance can be obtained by the Board for that purpose:

And whereas it is expedient, for the purpose of ensuring that the Board is composed of persons who are growers of potatoes and not traders therein, that provision be made disqualifying from membership of the Board persons who cease to be growers after their election thereto and persons who are engaged in any business connected with the buying, selling, shipping, or consigning of potatoes:

And whereas it is expedient to extend the borrowing powers of the Board in order to enable it to finance the erection and equipment of the buildings proposed to be erected on the land purchased by the Board at Blackwattle Bay, Sydney, in the State of New South Wales, and to authorize the State to guarantee the repayment of moneys borrowed by the Board:

BE it therefore enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title  
and citation.

**1**—(1) This Act may be cited as the *Potato Marketing Board Act 1956*.

(2) The *Potato Marketing Board Act 1952* is in this Act referred to as the Principal Act.

Vacancies on  
the Board.

**2** Section eight of the Principal Act is amended by omitting sub-paragraph (ii) of paragraph (b) of subsection (1) and substituting therefor the following sub-paragraph:—

“(ii) becomes disqualified under the provisions of section eight A;”.

**3** After section eight of the Principal Act the following section is inserted:—

Disqualifica-  
tion.

“8A. A person who—

- (a) is not a grower or ceases to be a grower; or
- (b) is or becomes engaged in any capacity in the conduct of a business (other than a business carried on by the Board or by an agent on behalf of the Board) involving the buying, selling, shipping, or consigning of potatoes,

is disqualified from being nominated for election, or being elected, or continuing, as a member of the Board.”.

**4** Section twenty-one of the Principal Act is repealed and the following section is substituted therefor:—

“21.—(1) The Board may borrow such sums of money as it may require for carrying out its objects and functions, but so that the maximum sum so borrowed does not, at any time, exceed such sum as the Minister may determine in that behalf. Borrowing powers of the Board.

(2) Any moneys that are borrowed by the Board may be borrowed upon overdraft of the Board's bank account or by mortgage of its real estate, and the Treasurer may, on behalf of the State, guarantee the repayment of any moneys so borrowed by the Board and the payment of the interest payable in respect thereof, but so that the amount of the principal moneys that may be so guaranteed does not exceed the sum of thirty thousand pounds.

(3) If the Board makes default in the repayment, to any person who is entitled to receive it, of any moneys borrowed by it, or the payment to that person of any interest payable thereon (being a repayment or payment in respect of which a guarantee has been given by the Treasurer under this section), the Treasurer shall, upon demand by that person and without any authority other than this subsection, pay to that person out of the Consolidated Revenue the amount in respect of which default has been made.

(4) The Board shall, upon demand therefor being made on it by the Treasurer, pay to the Treasurer an amount equal to the amount paid by the Treasurer under the guarantee, together with interest thereon at such rate as the Treasurer may determine, calculated from the day of payment by the Treasurer until the day on which the total amount so payable by the Board to the Treasurer is paid to him.

(5) All moneys received by the Treasurer from the Board under subsection (4) of this section shall be paid by him into the Consolidated Revenue.”.

**5** Section twenty-two of the Principal Act is amended— Objects and functions of the Board.

(a) by inserting in subsection (1), after the word “processing,” the word “transporting,”;

(b) by inserting in paragraph (d) of subsection (2), after the word “processing,” the word “transporting,”; and

(c) by inserting after that subsection the following subsection:—

“(2A) For the purpose of carrying out its objects and functions, the Board may apply any moneys at its disposal in or in connection with the purchase of shares in any company that is engaged, or the formation of a company to engage, in the processing, transporting, or marketing of potatoes.”.