

LEGISLATIVE ASSEMBLY

Read 1° 25 May 1983

(*Brought in by Mr Spyker and Mr Simpson*)

A BILL

To make temporary Provision for the Regulation of
the Prices at which Beer may be sold by Breweries and
for other purposes.

BE IT ENACTED by the Queen's Most Excellent Majesty by
and with the advice and consent of the Legislative Council and
the Legislative Assembly of Victoria in this present Parliament
assembled and by the authority of the same as follows (that is to
say):

1. (1) This Act may be cited as the *Beer Prices Regulation* Short title.
(*Temporary Provisions*) Act 1983.

(2) This Act shall be read and construed as one with the *Fuel Prices
Regulation Act* 1981.

10 (3) This Act shall come into operation on a day to be fixed by Commencement.
proclamation of the Governor in Council published in the *Government
Gazette*.

2. In this Act "Commissioner" means the Prices Commissioner Interpretation
appointed under the *Fuel Prices Regulation Act* 1981.

15 3. (1) The Commissioner may, with respect to any beer, from time Determination of
maximum prices,
rates, &c.
to time by order published in the *Government Gazette* fix and declare
the maximum price at which any such beer may be sold generally or in
any part of the State by a brewery specified in the order.

(2) Notwithstanding sub-section (1), the Commissioner shall, before causing an order referred to in sub-section (1) to be published in the *Government Gazette*, serve a copy of the proposed order on the Minister and shall not cause the proposed order to be so published—

- (a) unless the Minister has within fourteen days of receipt of the proposed order informed the Commissioner that he does not propose to give him a direction under paragraph (b); or 5
- (b) if the Minister, in the public interest, has within fourteen days of receipt of the proposed order directed the Commissioner not to publish the proposed order. 10

(3) In particular, but without limiting the generality of sub-section (1), the Commissioner, in the exercise of his powers under that sub-section, may fix and declare—

- (a) different maximum prices according to differences in quality or description or in the quantity sold or in respect of different forms, modes, conditions, terms or locations of trade, commerce, sale or supply; 15
- (b) different maximum prices for different parts of the State; and 20
- (c) maximum prices according to or upon any principle or condition prescribed by the Commissioner.

(4) An order under this section may contain such incidental and supplementary provisions as are necessary or expedient for the purposes of the order. 25

(5) The Commissioner may at any time by order published in the *Government Gazette* amend, vary or revoke any order made under this section.

(6) Every order made under this section shall take effect upon the date specified in the order or, if no date is so specified, upon the date of the publication of the *Government Gazette* containing the order. 30

Offence for
brewery to sell
beer at price
higher than
maximum price.

4. (1) A person shall not sell or offer for sale any beer at a greater price than the maximum price fixed by or under this Act for the sale of that beer by that person.

(2) For the purposes of this section a person shall be deemed to offer beer for sale if he notifies the price or rate proposed by him for a sale of the beer by the publication of a price list, by exposing the beer for sale in association with a mark indicating price, by furnishing a quotation or otherwise howsoever. 35

5. So long as this Act is in force, the *Fuel Prices Regulation Act* 1981 shall have effect as if— Modification of
No. 9702.

(a) In section 1 after sub-section (1) there were inserted the following sub-section:

5 “(1A) This Act and the *Beer Prices Regulation (Temporary Provisions) Act* 1983 shall be read and construed as one and may be cited together as the *Prices Regulation Acts*.”;

10 (b) In section 2 in the interpretations of “Authorized officer” and “Prescribed” for the words “this Act” there were substituted the words “the *Prices Regulation Acts*”;

15 (c) In sections 4 (1) (where twice occurring), 4 (3) (where twice occurring), 4 (4) (b), 29 (1) (where twice occurring), 29 (2), 29 (3) and 30 (where twice occurring) for the words “this Act” there were substituted the words “the *Prices Regulation Acts*”; and

(d) In section 5 (1) after the word “fuel” there were inserted the words “or beer”.

20 6. (1) This Act, unless sooner repealed, shall cease to be in force on 30 June 1984 or on such earlier date as is specified in a resolution passed by each House of the Parliament. Cessation of
operation of Act.

25 (2) For the purposes of section 7 (2) of the *Acts Interpretation Act* 1958, when this Act ceases to be in force by virtue of sub-section (1), it shall thereupon be deemed to have been repealed by an Act other than this Act.

