

LEGISLATIVE ASSEMBLY

Read 1° 29 May 1985

(Brought in by Mr Jolly and Mr Crabb)

A BILL

To amend the *Dairy Industry Act* 1984, and for other purposes.

5 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):

Short title.

1. This Act may be cited as the *Dairy Industry (Amendment) Act* 1985.

Principal Act.

10 2. In this Act, the *Dairy Industry Act* 1984 is referred to as the Principal Act. No. 10171.

Commencement.

3. This Act shall come into operation on the day on which it receives the Royal Assent.

Amendment of interpretations in section 70.**4. In section 70 of the Principal Act—**

- (a) in the interpretation of “Applicant”, for the expression “issue, transfer or renewal” there shall be substituted the expression “issue or renewal”; and
- (b) in the interpretation of “Dairy farm licence”, for the expression “issued, transferred or renewed” there shall be substituted the expression “issued or renewed”.

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Dairy farm licence expires when licensee ceases business.

5. For paragraph (d) of section 72 (2) of the Principal Act there shall be substituted the following paragraph:

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“(d) remain in force until—

- (i) the licensee ceases to conduct the business of a dairy farm at the dairy farm in respect of which the licence was issued; or
- (ii) the expiry day specified in the licence, which shall be 30 November in the year determined by the Director-General under paragraph (c)—

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whichever first occurs, unless sooner cancelled or suspended under this Part.”.

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Provision for transfer replaced by provision for issue of licences.

6. For section 73 of the Principal Act there shall be substituted the following section:

Director-General to issue licences at Minister’s direction.

“73. (1) The Director-General shall issue or refuse to issue dairy farm licences only at the written direction, either general or specific, of the Minister.

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(2) The Minister may give directions concerning the issue of dairy farm licences at the Minister’s absolute discretion.”.

References to issue and transfer of licences amended.

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7. In section 74 of the Principal Act—

- (a) in sub-section (1), paragraphs (a) and (c) shall be repealed; and
- (b) in sub-section (4) paragraph (b) shall be repealed.

New section 74A.

8. After section 74 of the Principal Act there shall be inserted the following section:

Notice and return of licence where licensee ceases business.

- 5 “74A. Within 30 days after the day on which a person who conducts
business as a dairy farm and is a licensee in respect of that dairy farm
ceases to conduct the business, the licensee or a personal representative
of the licensee shall send to the Director-General—
- 10 (a) written notice that the licensee has ceased to conduct the
business; and
- (b) the licence which was issued to the licensee under section
72.”.

No appeal against refusal to issue or transfer licence.

- 15 9. In section 75 (1) of the Principal Act, paragraph (a) and paragraph
(c) shall be repealed.

