

VICTORIA.



ANNO DUODECIMO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 7004.

An Act to establish a Fruit and Vegetable Marketing
Advisory Committee and for other purposes.

[21st May, 1963.]

WHEREAS a wholesale fruit and vegetable market known as Preamble.
the Queen Victoria Market has been and is now being
conducted and managed by and on behalf of the City of Melbourne
(hereinafter referred to as "the said corporation") upon lands
granted to it pursuant to the provisions of the *Melbourne General
Market Lands Act 1917* upon trust for market purposes :

And whereas the council of the said corporation now proposes
to establish a wholesale fruit and vegetable market upon lands
acquired or to be acquired by it for that purpose in Footscray
Road, Melbourne, and to close the said Queen Victoria Market
for the wholesale marketing of fruit and vegetables :

And whereas it appears desirable in the public interest and in
the interests of traders in the proposed market and the growers of
fruit and vegetables and horticultural produce that the said
corporation should consult with and hear the representatives of
such traders and growers concerning the establishment of the
proposed market, the conduct and management thereof and the
fees and charges to be paid to the said corporation for the use
thereof and the conduct of business therein :

And

And whereas it is expedient that a committee should be appointed of such representatives and that the said committee should perform certain additional advisory and other functions :

Be it therefore 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. (1) This Act may be cited as the *Fruit and Vegetable Marketing Advisory Committee Act 1963*.

Commence-
ment.

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

Fruit and
Vegetable
Marketing
Advisory
Committee.

2. (1) For the purposes of this Act there shall be a Fruit and Vegetable Marketing Advisory Committee constituted as hereinafter provided.

(2) The Committee shall be appointed by the Minister and shall consist of—

- (a) a senior officer of the Department of Agriculture who shall be chairman of the Committee ;
- (b) one person representing the interests of wholesale fruit merchants selected after consultation with such body or bodies as the Minister thinks represents such interests ;
- (c) one person representing the interests of wholesale vegetable merchants selected after consultation with such body or bodies as the Minister thinks represents such interests ;
- (d) one person representing the interests of wholesale fruit and vegetable commission agents selected after consultation with such body or bodies as the Minister thinks represents such interests ;
- (e) one person representing the interests of fruitgrowers selected after consultation with such body or bodies as the Minister thinks represents such interests ;
- (f) one person representing the interests of vegetable and flower growers selected after consultation with such body or bodies as the Minister thinks represents such interests such person to be himself a grower of vegetables for sale ;

(g) one

- (g) one person representing the interests of retail fruiterers and greengrocers selected after consultation with such body or bodies as the Minister thinks represents such interests ;
- (h) one person representing the interests of buyers of fruit and vegetables other than retail fruiterers and greengrocers, selected after consultation with such body or bodies as the Minister thinks represents such interests ; and
- (i) one person representing the interests of fruit vegetable and flower growers resident beyond a radius of one hundred miles from the post office at the corner of Bourke and Elizabeth streets, Melbourne, such person to be himself a grower of fruit or vegetables for sale—

and the Minister may at any time remove any person so appointed and may subject to this Act appoint another person in his stead.

3. (1) Members of the Committee shall be appointed for such term not exceeding three years as the Minister determines and shall be eligible for re-appointment. Term of office.

(2) The members of the Committee shall not as such be subject to the provisions of the *Public Service Act* 1958.

(3) The person appointed pursuant to the provisions of paragraph (i) of sub-section (2) of the last preceding section shall be entitled to receive such travelling expenses and allowances as are determined by the Minister.

4. (1) The office of any member of the Committee shall become vacant— Vacancies.

- (a) at the expiration of his term of office ;
- (b) if he dies ;
- (c) if he is incapable of continuing a member ;
- (d) if he resigns in writing under his hand addressed to the Minister ;
- (e) if without leave granted by the Minister he fails to attend three successive meetings of the Committee ; or
- (f) if his appointment is terminated by the Minister.

(2) If the office of a member of the Committee becomes vacant otherwise than by the retirement of such member at the expiration of his term of office a qualified person shall be appointed in accordance with this Act to fill the extraordinary vacancy.

(3) Any person appointed to fill an extraordinary vacancy shall subject to this Act be entitled to hold office for the remainder of the term of office of the person in whose place he is appointed.

5. A quorum

Quorum.

5. A quorum of the Committee shall consist of not less than five members and subject to there being a quorum the Committee may act notwithstanding any vacancy in its membership.

Chairman.

6. At any meeting of the Committee, the Chairman or in his absence a member elected by the members present to be chairman of the meeting shall preside.

Decisions of
Committee.

7. The decision upon any matter of the majority of the members present at any meeting shall be the decision of the Committee upon that matter and in the event of an equality of votes upon any matter the chairman of the meeting shall have a second or casting vote.

Meetings.

8. The Committee shall hold not less than six meetings in each year and shall cause minutes to be kept of its proceedings.

Procedure.

9. Subject to this Act the Committee may regulate its own proceedings in such manner as it thinks fit.

Secretary.

10. (1) The Minister shall appoint some fit and proper person to be secretary to the Committee.

(2) The secretary shall keep minutes of all meetings of the Committee and shall keep such records and perform such other duties as the Committee directs.

(3) The secretary may attend but shall not vote at meetings of the Committee.

Functions of the
Committee.

11. The functions of the Committee shall be—

- (a) to advise the council of the City of Melbourne with respect to the establishment of the hereinbefore recited wholesale fruit and vegetable market in Footscray Road, Melbourne, as aforesaid and in particular, without limiting any of the foregoing, with respect to the design and construction thereof, the conduct management and control thereof, the hours of business to be observed therein, and the fees and charges to be paid to the City of Melbourne for the use thereof and the conduct of business therein ;
- (b) to advise the Minister for Local Government upon any rules regulations or by-laws proposed for the governance of the said market ; and
- (c) to report upon any matter referred to it by the Minister relating to the said market or to the marketing of fruit and vegetables and horticultural products generally.

12. Before

12. Before the construction of the said market is commenced by or on behalf of the City of Melbourne the council of the said city shall consult the Committee in relation thereto and shall give due consideration and weight to any recommendation of the Committee thereon.

Council to
consult
Committee &c.
before
commencing
construction
of market.

13. Notwithstanding anything to the contrary in any other Act the council of the City of Melbourne shall, before making any rule regulation or by-law for the governance of the said market, consult the Committee in relation thereto and give due consideration and weight to any recommendation of the Committee thereon.

Council to
consult
Committee
&c. before
making rules
&c. relating to
market.