

VICTORIA.



ANNO DECIMO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 6771.

An Act to establish a Commercial Fisheries Council and for other purposes.

[26th April, 1961.]

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 *Fisheries (Commercial Council) Act 1961*. Short title.
- (2) In this Act the *Fisheries Act 1958* is called the Principal Act. Principal Act. No. 6252 as amended by Nos. 6505, 6508.
2. The Principal Act is hereby amended as follows:—
- (a) In section one after "Part I.—Preliminary ss. 3-6" there shall be inserted the expression "Part IA.—Commercial Fisheries Council. ss. 6A-6D";

Amendment of No. 6252 s. 1 Division into Parts.

(b) At

No. 6252.
New sections
6A, 6B, 6C, 6D.

(b) At the end of Part I. there shall be inserted the following Part :—

“ PART IA.—COMMERCIAL FISHERIES COUNCIL.

Commercial
Fisheries
Council.

6A. For the purposes of this Act there shall be a Council to be called the Commercial Fisheries Council.

Membership
of Council.

6B. (1) The Council shall be appointed by the Minister and shall consist of—

- (a) a person representing the interests of professional fishermen selected after consultation with such body or bodies as the Minister thinks represents such interests ;
- (b) one person representing the interests of wholesale and retail traders of fish selected after consultation with such body or bodies as the Minister thinks represents such interests ; and
- (c) two officers of the Fisheries and Wildlife Branch of whom one shall be appointed by the Minister as chairman of the Council—

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

Term of
appointment.

(2) Members of the Council shall be appointed for such term not exceeding three years as the Minister determines but upon the expiration of the term for which any member is appointed he shall be eligible for re-appointment if then qualified.

Quorum.

(3) A quorum of the Council shall consist of not less than three members and subject to there being a quorum the Council may act notwithstanding any vacancy in its membership.

Chairman.

(4) At any meeting of the Council the Chairman or in his absence a member elected by the members present to be Chairman of the meeting shall preside.

Decision of
Council.

(5) The decision upon any matter of the majority of the members at any meeting shall be the decision of the Council on that matter and in the event of an equality of votes on any matter the Chairman of the meeting shall have a second or casting vote.

Proceedings.

(6) Subject to this Act the Council may regulate its own proceedings in such manner as it thinks fit.

(7) The members of the Council shall not as such be subject to the *Public Service Act* 1958.

Fees.

(8) Members of the Council who are not officers of the public service shall be paid such fees and travelling allowances as are prescribed.

6C. (1) The

6c. (1) The functions of the Council shall be—

Functions of
the Council.

- (a) to advise the Minister on all matters concerning the development and management of commercial fisheries and on all matters concerning the welfare of the fishing industry, and
- (b) to report on any matter of a like or allied nature referred to it by the Minister or the Director.

6d. (1) The Governor in Council may make regulations for or with respect to— Regulations.

- (a) the convening of meetings of the Council and the conduct of such meetings ;
- (b) fees and allowances to be paid to members of the Council ; and
- (c) generally for carrying out the provisions of this Part.

(2) All such regulations shall be published in the *Government Gazette* and shall be laid before both Houses of Parliament within fourteen days after the same have been made if Parliament is then sitting and if Parliament is not then sitting then within fourteen days after the next meeting of Parliament and a copy of such regulations shall be posted to each Member of Parliament.'
