

Queensland



Competition Policy Reform (Queensland) Act 1996

**COMPETITION POLICY
REFORM
(QUEENSLAND—DAIRY
PRODUCE EXEMPTIONS)
REGULATION 1997**

**Reprinted as in force on 28 July 1997
(includes amendments up to SL No. 122 of 1997)**

Reprint No. 1A

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Information about this reprint

This regulation is reprinted as at 28 July 1997. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced.**

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EXEMPTIONS) REGULATION 1997**

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COMPETITION POLICY REFORM (QUEENSLAND—DAIRY PRODUCE EXEMPTIONS) REGULATION 1997

[as amended by all amendments that commenced on or before 28 July 1997]

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Competition Policy Reform (Queensland—Dairy Produce Exemptions) Regulation 1997*.

PART 2—EXEMPTIONS

Dairy Industry Act 1993, s 40—specific authorisation

2.(1) The non-competitive conditions subject to which the Queensland Dairy Authority has granted or grants licences under the *Dairy Industry Act 1993* are specifically authorised for the Trade Practices Act, section 51(1)(b)¹ or the Competition Code of this jurisdiction, section 51.²

¹ Trade Practices Act, section 51 (Exceptions)

² Competition Code of this jurisdiction, section 51 states that in deciding whether a person has contravened the Competition Code, Part IV, certain things must be disregarded. Section 51 of the Code provides that the following must be disregarded—

(a)

(b) anything done in a State, if the thing is specified in, and specifically authorised by:

(i) an Act passed by the Parliament of that State; or

(ii) regulations made under such an Act.

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(2) In this section—

“**dairy**” means buildings and structures (together with associated land) used for the production of milk.

“**dairy produce**” means—

- (a) milk; or
- (b) a product consisting substantially of milk or milk solids and classified by regulation under the *Dairy Industry Act 1993* as a form of dairy produce.

“**milk**” means the milk of a bovine animal or of any other animal prescribed by regulation under the *Dairy Industry Act 1993* for the purposes of the definition of milk under that Act.

“**non-competitive condition**” means—

- (a) for a producer’s licence, a condition—
 - (i) prohibiting the transfer of dairy produce between dairies; or
 - (ii) specifying or restricting the source of acquisition of dairy produce obtained or sold by the holder of the licence; or
 - (iii) specifying or restricting the persons or places to whom or to which dairy produce may be supplied by the holder of the licence; or
- (b) for a processor’s licence, a condition—
 - (i) specifying or restricting the source of acquisition of dairy produce obtained or sold by the holder of the licence; or
 - (ii) specifying or restricting the persons or places to whom or to which dairy produce may be supplied by the holder of the licence; or
 - (iii) specifying or restricting the type of dairy produce that may be produced by the holder of the licence; or
- (c) for a carrier’s licence, a condition—
 - (i) specifying or restricting the source of acquisition of dairy produce obtained by the holder of the licence; or
 - (ii) specifying or restricting the persons or places to whom or to

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which dairy produce may be supplied by the holder of the licence; or

- (d) for a vendor's licence, a condition—
 - (i) specifying or restricting the source of acquisition of dairy produce sold by the holder of the licence; or
 - (ii) specifying or restricting the persons or places to whom or to which dairy produce may be supplied by the holder of the licence.

PART 4—EXPIRY

Expiry

5. This regulation expires on 31 December 1998.

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 28 July 1997. Future amendments of the Competition Policy Reform (Queensland—Dairy Produce Exemptions) Regulation 1997 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

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4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes an arabic letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	3 March 1997

5 List of legislation

Competition Policy Reform (Queensland—Dairy Produce Exemptions) Regulation 1997 SL No. 1
 notfd gaz 24 January 1997 pp 284–5
 commenced on date of notification
Note— This regulation exp 31 December 1998 (see s 5)
 as amended by—

Competition Policy Reform (Queensland—Dairy Produce Exemptions) Amendment Regulation (No. 1) 1997 SL No. 122
 notfd gaz 23 May 1997 pp 357–8
 commenced on date of notification

6 List of annotations

Dairy Industry Act 1993, s 40—specific authorisation
 s 2 def “non-competitive condition” amd 1997 No. 122 s 3

**PART 3—AMENDMENT OF COMPETITION POLICY REFORM
 (QUEENSLAND—EXEMPTIONS) REGULATION 1996**
 pt 3 (ss 3–4) om R1 (see RA s 40)