

# DAIRY PRODUCE EXPORT CONTROL.

No. 79 of 1963.

An Act to amend the *Dairy Produce Export Control Act 1924-1962*.

[Assented to 31st October, 1963.]

[Date of commencement, 28th November, 1963.]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Dairy Produce Export Control Act 1963*. Short title and citation.

(2.) The *Dairy Produce Export Control Act 1924-1962*\* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Dairy Produce Export Control Act 1924-1963*.

2. Each section inserted in the Principal Act by a section of this Act shall come into operation on the date on which this Act comes into operation. Commencement of inserted sections.

3. Section three of the Principal Act is amended by inserting after the definition of "the Board" the following definitions:— Definitions.

“ ‘the Chairman’ means the Chairman of the Board;

‘the Deputy Chairman’ means the Deputy Chairman of the Board;”.

\* Act No. 38, 1924, as amended by No. 45, 1934; No. 70, 1935; No. 26, 1936; No. 20, 1937; No. 18, 1938; No. 24, 1942; No. 53, 1947; No. 37, 1953; No. 17, 1954; No. 74, 1958; and No. 49, 1962.

Australian  
Dairy Produce  
Board.

4.—(1.) Section four of the Principal Act is amended—

(a) by omitting paragraphs (e) and (f) of sub-section (2.) and inserting in their stead the following word and paragraph:—

“ and; (e) one member to represent the Commonwealth Government.”;

(b) by omitting sub-section (9.) ;

(c) by omitting from sub-sections (11.), (12.) and (13.) the word and letter “ or (f) ”;

(d) by omitting from sub-sections (11.) and (12.) the words “ either of those paragraphs ” and inserting in their stead the words “ that paragraph ”; and

(e) by omitting from sub-section (14.) the letters and word “ (b), (c) or (f) ” and inserting in their stead the letters and word “ (b) or (c) ”.

(2.) Nothing in this section affects the appointment of a member of the Australian Dairy Produce Board holding office immediately before the commencement of this section.

5. After section four of the Principal Act the following section is inserted:—

Deputy  
Chairman  
of the Board.

“ 5.—(1.) The Minister shall appoint a member, other than the Chairman, to be the Deputy Chairman of the Board.

“ (2.) The person appointed as Deputy Chairman ceases to hold that office if—

(a) the Minister terminates his appointment as the Deputy Chairman; or

(b) he ceases to be a member, whether by virtue of the expiration of the period of his appointment or otherwise.

“ (3.) A member who has ceased to hold office as the Deputy Chairman is eligible for re-appointment as the Deputy Chairman.”.

Deputies of  
members.

6. Section seven of the Principal Act is amended by inserting after sub-section (1.) the following sub-section:—

“ (1A.) Where a person is appointed under the last preceding sub-section as the deputy of the member who is the Chairman or the Deputy Chairman, the powers of the member conferred on the deputy by that sub-section do not include the powers that the member has by virtue of being the Chairman or the Deputy Chairman, as the case may be.”.

7. Section nine of the Principal Act is repealed and the following section inserted in its stead:—

Chairman  
to preside  
at meetings  
of Board.

“ 9.—(1.) The Chairman shall preside at all meetings of the Board at which he is present.

“(2.) In the absence of the Chairman from a meeting of the Board, the Deputy Chairman, if he is present, shall preside.

“(3.) In the event of the absence of both the Chairman and the Deputy Chairman from a meeting of the Board, the members present shall elect one of their number to preside at that meeting.”

8. Section ten of the Principal Act is amended by inserting after sub-section (2.) the following sub-section:— Meetings  
of the Board.

“(2A.) The Deputy Chairman may, at any time when the Chairman is on leave of absence granted under this Act or is outside Australia or the office of Chairman is vacant, call a special meeting of the Board.”

9. Section eleven of the Principal Act is amended—

(a) by omitting sub-sections (3.) and (4.) and inserting in their stead the following sub-sections:— Executive  
Committee  
of Board.

“(3.) The Chairman may, at any time, convene a meeting of the Executive Committee.

“(4.) The Deputy Chairman may, at any time when the Chairman is on leave of absence granted under this Act or is outside Australia or the office of Chairman is vacant, convene a meeting of the Executive Committee.

“(4A.) In the event of the absence of the Chairman from a meeting of the Executive Committee, the Deputy Chairman, if not already a member of the Executive Committee, is entitled to attend the meeting, and, when so attending, shall be deemed to be a member of the Executive Committee.

“(4B.) At a meeting of the Executive Committee—

(a) three members form a quorum; and

(b) the Chairman or, in his absence, the Deputy Chairman or, in the absence of the Chairman and the Deputy Chairman, a member elected by the members present to act as chairman of the Executive Committee shall preside.”; and

(b) by omitting from sub-section (5.) the word “Chairman” and inserting in its stead the words “member presiding”.

10. After section eleven of the Principal Act the following section is inserted:—

“11A. The Board may grant leave of absence to a member upon such terms and conditions as to remuneration or otherwise as the Board determines.” Leave of  
absence.