

AIR NAVIGATION.

No. 93 of 1936.

An Act to amend the *Air Navigation Act 1920*.

[Assented to 7th December, 1936.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title and citation.

1.—(1). This Act may be cited as the *Air Navigation Act 1936*.

(2.) The *Air Navigation Act 1920**, as amended by this Act, may be cited as the *Air Navigation Act 1920-1936*.

Regulations for control of air navigation.

2. Section four of the *Air Navigation Act 1920* is amended by omitting the words “in the Commonwealth and the Territories” and inserting in their stead the words—

“— (a) in relation to trade and commerce with other countries and among the States; and

(b) within any Territory of the Commonwealth.”.

* Act No. 50, 1920.

WINE OVERSEAS MARKETING.

No. 94 of 1936.

An Act to amend the *Wine Overseas Marketing Act 1929-1934* and for other purposes.

[Assented to 7th December, 1936.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title and citation.

1.—(1.) This Act may be cited as the *Wine Overseas Marketing Act 1936*.

(2.) The *Wine Overseas Marketing Act 1929-1934** is in this Act referred to as the Principal Act.

* Act No. 8, 1929, as amended by No. 48, 1930 and No. 45, 1934.

(3.) The Principal Act, as amended by this Act, may be cited as the *Wine Overseas Marketing Act 1929-1936*.

2. Notwithstanding anything contained in section two of the Principal Act, any sections inserted in that Act by this Act shall commence on the date on which this Act receives the Royal assent, and any sections of the Principal Act which are amended by this Act shall have effect as so amended, on and from that date.

Commencement.

3. Section four of the Principal Act is amended—

Definitions.

- (a) by omitting from the definition of "winery" the word "ten" and inserting in its stead the word "twenty-five";
- (b) by omitting from the definition of "winery" the words "or election";
- (c) by omitting from the definition of "distillery" the word "ten" and inserting in its stead the word "twenty-five";
- (d) by omitting from the definition of "distillery" the words "or election"; and
- (e) by omitting from the definition of "the Board" the words "Wine Overseas Marketing Board" and inserting in their stead the words "Australian Wine Board".

4.—(1.) Section five of the Principal Act is repealed and the following section inserted in its stead:—

"5.—(1.) For the purposes of this Act, there shall be an Australian Wine Board.

Australian Wine Board.

"(2.) The Board shall consist of—

- (a) one member (in this Act referred to as 'the Government representative') to represent the Commonwealth Government;
- (b) two members to represent co-operative wineries and distilleries;
- (c) one member to represent proprietary and privately owned wineries and distilleries in the States of New South Wales and Queensland;
- (d) one member to represent proprietary and privately owned wineries and distilleries in the State of Victoria;
- (e) two members to represent proprietary and privately owned wineries and distilleries in the State of South Australia;
- (f) one member to represent proprietary and privately owned wineries and distilleries in the State of Western Australia; and
- (g) one member to represent grapegrowers supplying grapes to wineries and distilleries.

"(3.) The members of the Board shall, subject to the provisions of this section, be appointed by the Governor-General.

"(4.) The members appointed to represent co-operative wineries and distilleries shall be appointed upon the nomination of the Co-operative Winemakers' Associations.

“(5.) The member appointed to represent proprietary and privately owned wineries and distilleries in the States of New South Wales and Queensland shall be appointed upon the nomination of the associations (other than the Co-operative Winemakers’ Association) in those States affiliated with the Federal Viticultural Council of Australia.

“(6.) The member appointed to represent proprietary and privately owned wineries and distilleries in the State of Victoria shall be appointed upon the nomination of the associations in that State affiliated with the Federal Viticultural Council of Australia.

“(7.) The members appointed to represent proprietary and privately owned wineries and distilleries in the State of South Australia shall be appointed upon the nomination of the associations (other than the Co-operative Winemakers’ Association) in that State affiliated with the Federal Viticultural Council of Australia.

“(8.) The member appointed to represent proprietary and privately owned wineries and distilleries in the State of Western Australia shall be appointed upon the nomination of the associations in that State affiliated with the Federal Viticultural Council of Australia.

“(9.) The member appointed to represent grapegrowers supplying grapes to wineries and distilleries shall be appointed upon the nomination of the Federal Grapegrowers’ Council.

“(10.) The member appointed as the Government representative shall hold office during the pleasure of the Governor-General.

“(11.) Nominations of members of the Board by any association or body of persons shall be in writing and shall be forwarded to the Minister so as to be received by him on or before a date fixed by the Minister by notice in the *Gazette*.

“(12.) Where any member is required by this section to be appointed pursuant to a nomination by any association or body of persons, and no nomination is received by the Minister on or before the time fixed in accordance with the last preceding sub-section, the Governor-General may appoint such person as he thinks fit to represent the interests concerned.

“(13.) Members of the Board, other than the Government representative, shall hold office for a period of three years and shall be eligible for re-appointment.

“(14.) Members of the Board, other than the Government representative, may be removed from office by the Governor-General on the recommendation of the Board.

“(15.) On the death, resignation or removal from office of a member of the Board, other than the Government representative, the Governor-General may, on the recommendation of the Board, appoint a person to hold the vacant office for the residue of the term of the member whose place became vacant.

“(16.) The powers conferred on the Board by this Act shall not be affected by reason only of there being a vacancy in the membership thereof.”.

(2.) Notwithstanding anything contained in this section, the Australian Wine Board shall, until the members of the Board are appointed pursuant to section five of the Principal Act as amended by this Act, be constituted of the persons who, immediately prior to the commencement of this Act, were members of the Wine Overseas Marketing Board constituted by the section of the Principal Act repealed by this section :

Provided that—

- (a) the Government representative shall hold office during the pleasure of the Governor-General ;
- (b) any member, other than the Government representative, may be removed from office by the Governor-General on the recommendation of the Board ; and
- (c) on the death, resignation or removal from office of any member, the Governor-General may appoint a person to hold the vacant office for the residue of the term of that member, such appointment in the case of a member, other than the Government representative, to be on the recommendation of the Board.

5. Section six of the Principal Act is repealed.

Date of election
of members of
Board.

6. Section thirteen of the Principal Act is amended by adding at the end thereof the following sub-section :—

Appointment
of officers.

“(4.) If an officer of the Public Service of the Commonwealth is appointed as Secretary to the Board or as an officer of the Board stationed in London, his service as an officer of the Board shall for the purpose of determining his existing and accruing rights be taken into account as if it were service in the Public Service of the Commonwealth, and the *Officers' Rights Declaration Act* 1928-1933 shall apply to that officer in like manner as if this Act and section were specified in the Schedule to that Act.”.

7. Section twenty-nine of the Principal Act is amended by omitting from sub-section (1.) the word “July” and inserting in its stead the word “September”.

Annual report.