



ANNO DECIMO QUARTO

**GEORGII VI REGIS.**

A.D. 1950.

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**No. 27 of 1950.**

**An Act to amend the Metropolitan Milk Supply Act,  
1946-1948.**

[Assented to 16th November, 1950.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. (1) This Act may be cited as the "Metropolitan Milk Supply Act Amendment Act, 1950".

(2) The Metropolitan Milk Supply Act, 1946-1948, as amended by this Act, may be cited as the "Metropolitan Milk Supply Act, 1946-1950".

(3) The Metropolitan Milk Supply Act, 1946-1948, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Repeal of s. 43 of the principal Act and enactment of new ss. 43 and 43a—  
Quotas for milk and cream.

3. Section 43 of the principal Act is repealed and the following sections are enacted and substituted in lieu thereof :—

43. (1) The Minister, on the recommendation of the board, shall from time to time make declarations declaring the percentage of any milk or cream specified therein which any person on whom the declaration is binding may during any period mentioned therein sell, either on his own behalf or as agent for another person, for consumption as milk or cream.

(2) A declaration under this section shall be binding on—  
(a) any persons individually named therein ;

- (b) any persons belonging to any class of persons indicated therein.
- (3) The milk or cream specified in a declaration under this section may, according to the tenor of the declaration, be all milk or cream which during any period specified in the declaration is—
- (a) purchased or treated by any person on whom the declaration is binding ;
  - (b) in the possession or control of any such person ;
  - (c) on the premises of any such person.
- (4) Every declaration made under this section—
- (a) shall be published in the *Gazette* ;
  - (b) may declare different percentages for different periods ;
  - (c) may be revoked or altered by the Minister on the recommendation of the board by another declaration so published.
- (5) A declaration under this section shall not apply to any milk which is sold by retail by the producer thereof and produced within the Metropolitan area in the course of a business carried on by him as a retail milk vendor.
- (6) If any person sells milk or cream in contravention of a declaration made under this section he shall be guilty of an offence.
- (7) No person other than the board or a person authorised by the board shall take proceedings for breach of this section.
- (8) In any proceedings for an offence against this section if it is proved that any milk or cream was sold, that milk or cream shall be deemed to have been sold for consumption as milk or cream unless the seller (whether he sold on his own behalf or as agent) proves that it was used for some purpose other than consumption as milk or cream.
- 43a. (1) For the purposes of this Act "whole milk" shall mean milk containing substantially the whole of the fats and solids contained in it at the time when it was taken from the cow.
- (2) The allegation in any complaint for an offence against this Act that any milk or substance was whole milk shall be *prima facie* evidence of the fact so alleged.

Meaning of  
"whole milk".

In the name and on behalf of His Majesty, I hereby assent to this Bill.

C. W. M. NORRIE, Governor.