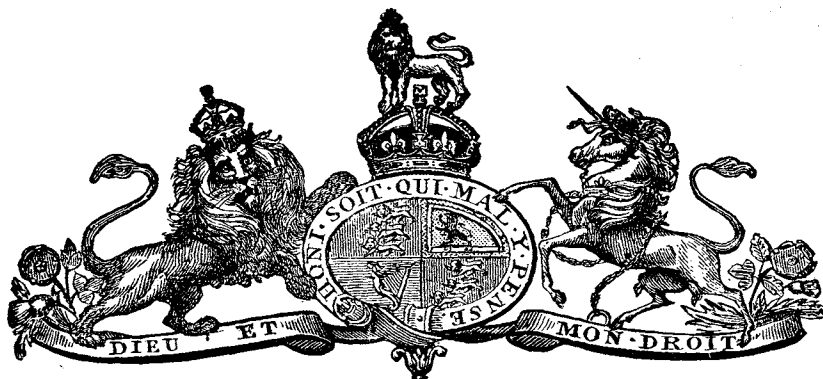


## TASMANIA.



1934.

ANNO VICESIMO QUINTO  
 GEORGII V. REGIS.

No. 79.

## ANALYSIS.

1. Short title.
2. Amendment of 24 Geo. V. No. 56.
  - Section 2.
  - New section 8.
  - New section 9.
  - Section 11.
  - Section 13.
  - Section 16.
  - Section 17.

AN ACT to amend the *Dairy Products Act*  
 1933. [13 December, 1934.]

A.D.  
 1934.

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 This Act may be cited as the *Dairy Products Act* 1934.

Short title.

*Dairy Products.*

A.D.1934.

Amend-  
ment of 24  
Geo. V. No.  
No. 56.

Section 2.

**2** The Principal Act is hereby amended—

## I. As to section two—

(a) By inserting after the word “manufactured” in the definition of “Quota” the words “, during the period for which the quota is in force,”; and

(b) By inserting at the beginning of the section the figure “(1)”, and by adding at the end of the section the following new subsection (2):—

“(2) For the purposes of this Act, any person who has registered a brand under the provisions of section fourteen of the *Dairy Products Act* 1932, in respect of whose brand the certificate of registration is still in force, shall be deemed to be and to have acted as a manufacturer; and, in any proceedings in respect of any contravention of this Act, a certificate under the hand of the Director of Agriculture that the defendant has so registered a brand and that the certificate of registration is still in force shall be evidence of those facts.” :

New section  
8.

## II. By repealing section eight and substituting therefor the following new section eight:—

“**8**—(1) The Minister, after consultation with the Board, may determine a quota for the purposes of this Act.

“(2) Every such quota shall be determined for a period to be specified in such determination.

“(3) Every such quota shall take effect on and from the date specified in the Minister’s determination and shall continue in force until the expiration of the period specified in such determination or until another quota is subsequently determined.

“(4) Every such quota shall be promulgated by public notice in such newspapers as the Minister may think fit and shall be published in the Gazette.

“(5) The production of the Gazette containing a copy of the determination of any such quota shall be sufficient evidence that such quota was validly determined.” :

New section  
9.

## III. By repealing section nine and substituting therefor the following new section nine:—

“**9**—(1) No manufacturer shall, in the course of his intra-state trade or commerce within this State, during any period for which any quota is in force, sell, in excess of that quota, any dairy products manufactured by him during that period, or sell any dairy products manufactured by him during any other period.

Penalty: Five hundred pounds.

*Dairy Products.*A.D.1934.

“(2) In any proceedings in respect of any contravention of subsection (1) of this section, the allegations set forth in the complaint shall be deemed proved in the absence of proof by the defendant to the contrary.

“(3) No person shall be convicted under this section if he proves to the satisfaction of the court before which he is charged—

i. That he has paid, in respect of the matter in relation to which he is so charged, a contribution to the funds of the body mentioned in section ten, the amount of which has been determined by that body : or

ii. That, in respect of the period in relation to which he is so charged, he has exported from this State a quantity of dairy products sufficient, when added to his quota, to equal the total quantity manufactured by him in such period.”:

IV. By deleting the words “carry on business as a manufacturer, tinner, agent, processor, or dealer” in subsection (5) of section eleven, and substituting therefor the words “act as a manufacturer, agent, or dealer, or carry on business as a tinner or processor”:

V. By expunging subsections (1) and (2) of section thirteen and substituting therefor the following new subsections (1), (2), and (2A):—

“(1) The Board by public notice in any newspaper may require all persons who are registered or required to be registered under section eleven, within such time as is specified in such notice, to furnish to it a return containing such information and particulars relating to dairy products as are prescribed or as may be required by the Board.

“(2) The Board by written notice served by post on any person may require such person, within such time as is specified in such notice, to furnish to it a return containing such information and particulars relating to dairy products as are prescribed or as may be required by the Board.

“(2A) In any proceedings in respect of any contravention of this section, the allegations set forth in the complaint shall be deemed to be proved in the absence of proof by the defendant to the contrary.”:

VI. By substituting the words “person registered or required to be registered under the provisions of section eleven” for the word “manufacturer” in subsection (2) of section sixteen :

VII. By expunging subsection (3) of section seventeen. Section 17.

