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GEORGII VI. REGIS.

No. 5.

ANALYSIS.

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AN ACT to provide for the Establishment of Industries for the Manufacture, Processing, and Preservation of Articles of Food for the utilisation of certain by-products and waste products, and for matters incidental thereto. [22 April, 1943.]

A.D.
1943.

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 *Rural Industries Act* 1943. Short title.

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Rural Industries.

A.D. 1943. **2** In this Act, unless the contrary intention appears, "the Board" means the Rural Industries Board constituted under this Act.

Constitution of the Board.

3—(1) There shall be constituted for the purposes of this Act a Board, to be called the Rural Industries Board, which shall consist of three persons appointed by the Governor.

(2) One of such members shall be appointed as chairman of the Board.

(3) Any officer of the Public Service may be appointed as a member of the Board, and may hold office as a member thereof in conjunction with his office as such officer.

(4) The members of the Board, as such, shall not be subject to the provisions of the *Public Service Act 1923*.

(5) The chairman and members of the Board shall be paid such fees and allowances as the Governor may determine.

Incorporation of the Board.

4—(1) The Board shall be a body corporate, having perpetual succession and a common seal.

(2) The seal of the Board shall not be affixed to any document except in accordance with a resolution of the Board, and shall be authenticated by the signatures of the chairman and the secretary, but if the chairman is absent any member of the Board may sign on his behalf.

(3) The chairman shall be the executive officer of the Board.

Proceedings of the Board.

5—(1) The chairman, if present, shall preside at all meetings of the Board, and shall have a deliberative vote.

(2) Any two members of the Board shall form a quorum for the transaction of the business of any meeting of which due notice has been given, personally or by post, to all the members, and the Board may function, notwithstanding any vacancy in its membership, if a quorum remains.

(3) Where the voting on any question is equal, the decision shall be postponed until the next meeting of the Board, and notice of the question and of the fact that the voting thereon was equal shall be given in the notice calling such meeting.

(4) If, at such next meeting, the voting on such question is again equal the chairman shall have a second or casting vote.

(5) Subject to this section, the Board may regulate its own procedure.

Power of Board to co-opt an advisory member.

6—(1) The Board, with the approval of the Minister, may co-opt a person residing in the district in which any factories or works of the Board are situated to act with the Board in an advisory capacity.

(2) Such person shall sit with the Board whenever summoned for that purpose, and shall deliberate with and advise the Board on any matters before it, but shall not vote at any meeting of the Board.

(3) Such person shall be paid such fees as the Governor may determine.

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7—(1) The Board may appoint a secretary to the Board, and such and so many other officers as it thinks necessary for the purposes of this Act, upon such terms and conditions as the Board may determine. A.D. 1943.
Appointment
of officers.

(2) An officer of the Public Service may hold office under this Act in conjunction with his office as such officer, and shall be subject to the directions of the Board.

8 The Board, with the approval of the Minister, shall have power to— Powers of
the Board.

- I. Establish, acquire by mutual agreement, take over, manage, and carry on any factory or works used, or capable of being used, for the manufacture, processing, or preservation of articles of food (not being dairy produce as defined in the *Dairy Produce Act 1932*) or for the processing of the by-products of any rural and horticultural industry or the utilisation of waste rural and horticultural products or to make arrangements with any person, company, or firm for the establishment, management, or carrying on by such person, company, or firm of any such factory or works:
- II. Purchase or acquire by mutual agreement any raw materials used, or capable of being used, for, or in connection with, the manufacture, processing, or preservation of articles of food, and such stock, plant, machinery, or utensils as it thinks necessary for any of such purposes as aforesaid:
- III. Sell and dispose of any products of any such factory or works as aforesaid, or any raw materials, in such manner and upon such terms, if any, as the Board may determine:
- IV. Encourage and promote the formation of co-operative organisations or companies of producers, and the amalgamation of existing organisations or companies on a co-operative basis, with a view to ensuring economy in the manufacturing and marketing of the products of any such factory or works as aforesaid:
- V. Represent the Government or any instrumentality of the State on the governing body of any organisation of producers which may be assisted by the State under this Act:
- VI. Acquire by mutual agreement such freehold or leasehold property as may be required by it for the purposes of this Act, and at any time sell or dispose of any such property which is in excess of such requirements or has become unnecessary:
- VII. Sell any factory or works established or acquired by it, or any part thereof, or any stock, plant, or machinery, either as a going concern or otherwise:

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- VIII. Initiate and carry out researches and investigations in connection with any primary industry or any products thereof; and to do such acts and things as the Board thinks necessary for the encouragement and promotion of primary industries generally:
- IX. Take such steps as it thinks necessary to ensure the orderly marketing of any articles of food manufactured, processed, or preserved as provided by this Act, or any products derived from the utilisation of such by-products and waste products as aforesaid:
- X. Engage and employ such managers, servants, and workmen, upon and subject to the terms and conditions of the relevant award of the Commonwealth Court of Conciliation and Arbitration or determination of a wages board constituted under the *Wages Boards Act 1920*, or, where no such award or determination is applicable, upon such terms and conditions, as it thinks fit:
- XI. Generally, do all such acts and things as may be necessary for carrying on the manufacture, processing, or preservation of articles of food or for the utilisation of such by-products and waste products as aforesaid, and for giving effect to the purposes of this Act.

Power of
Board to
borrow
£50,000.

9—(1) The Board, with the approval of the Treasurer, may borrow any sums of money, not exceeding in the whole the sum of fifty thousand pounds for the purposes of this Act.

(2) The Governor may guarantee the repayment of any sum borrowed by the Board under this Act, and the payment of any interest payable by the Board in respect thereof.

(3) The Treasurer may raise, borrow, and receive any sum of money not exceeding in the whole the sum of fifty thousand pounds for the purposes of this Act, and may advance any moneys so borrowed to the Board on such terms and conditions as the Governor may approve.

Accounts to
be prepared
yearly.

10 As soon as practicable after the close of each financial year, the Board shall cause to be prepared—

- I. A trading account:
- II. A profit and loss account: and
- III. A balance-sheet—

in such form, and containing such particulars as may be prescribed.

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11 The accounts of the Board shall be audited by the Auditor-General at such times as the Governor may direct, and the Auditor-General shall certify as to the correctness or otherwise of such accounts. A.D. 1943.
Audit of
accounts.

12 The Board, after deducting from its gross receipts such costs and working expenses as may be prescribed, may, unless the Governor otherwise directs, retain all profits arising from the activities of the Board under this Act, and use the same for the purposes of this Act. Application
of profits.

13—(1) As soon as practicable after the close of each financial year, the Board shall submit to the Minister a report of its operations during the financial year then last past. Board to
report.

(2) The Minister shall cause a copy of such report to be laid on the table of each House of Parliament within the first fourteen sitting days after the same is received by him.

14 The Governor may make regulations for the purposes of this Act. Regulations.

