

1998
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Urban Services)

Milk Authority (Amendment) Bill 1998

A BILL

FOR

An Act to amend the *Milk Authority Act 1971*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1. Short title

This Act may be cited as the *Milk Authority (Amendment) Act 1998*.

5 **2. Commencement**

This Act commences on the day on which it is notified in the *Gazette*.

3. Principal Act

In this Act, "Principal Act" means the *Milk Authority Act 1971*.¹

4. Fixing of prices

10 Section 16A of the Principal Act is amended by adding at the end the following subsections:

“(3) For the purposes of the *Trade Practices Act 1974* of the Commonwealth, the fixing and declaration of prices under subsection (1) is authorised by this Act.

“(4) Subsection (3) expires on 31 December 1998.”.

5 **5. Powers of Minister in relation to maximum prices**

Section 16B of the Principal Act is amended by adding at the end the following subsections:

10 “(6) For the purposes of the *Trade Practices Act 1974* of the Commonwealth, all acts and things done under subsections (1) to (5) (inclusive) are authorised by this Act.

“(7) Subsection (6) expires on 31 December 1998.”.

6. Powers of Authority

Section 17 of the Principal Act is amended by inserting after subsection (1A) the following subsections:

15 “(1B) For the purposes of the *Trade Practices Act 1974* of the Commonwealth, all acts and things done under subsections (1) and (1A) are authorised by this Act.

20 “(1C) Without limiting subsection (1B), for the purposes of the *Trade Practices Act 1974* of the Commonwealth, the contracts, arrangements or understandings specified in the Schedule are authorised by this Act.

“(1D) Without limiting subsection (1B), for the purposes of the *Trade Practices Act 1974* of the Commonwealth, each of the deeds specified in the Schedule shall be taken to have been authorised by this Act on and from the time at which the deed was entered into.

25 “(1E) Without limiting subsection (1B), for the purposes of the *Trade Practices Act 1974* of the Commonwealth, clause A of Vendor’s Licences shall be taken to have been authorised by this Act in respect of each licence containing that clause granted before the commencement of the *Milk Authority (Amendment) Act 1998*.

30 “(1F) Subsections (1B), (1C) and (1D) expire on 31 December 1998.”.

7. Insertion

After section 41 of the Principal Act the following section is inserted in Part III:

“41A. Authorisation of licences and permits

35 “(1) For the purposes of the *Trade Practices Act 1974* of the Commonwealth, licences and permits and all acts and things done under licences and permits, are authorised by this Act.

“(2) This section expires on 31 December 1998.”.

8. Insertion

After section 47 of the Principal Act the following section is inserted in Part IV:

5 “48. **Authorisation of licences and permits**

“(1) For the purposes of the *Trade Practices Act 1974* of the Commonwealth—

(a) zones and developing or developed areas; and

10 (b) the sale or delivery of milk within zones and developing or developed areas;

are authorised by this Act.

“(2) This section expires on 31 December 1998.”.

9. Addition

15 The Principal Act is amended by adding at the end the following Schedule:

SCHEDULE

*Subsections 17 (1C),
(1D) and (1E)*

**AUTHORISED CONTRACTS, ARRANGEMENTS AND
UNDERSTANDINGS**

20 Deed dated 18 December 1989 between the Milk Authority of the Australian Capital Territory and Australian Co-operative Foods Limited relating to milk processing

Deed of Arrangement dated 19 October 1992 between the Milk Authority of the Australian Capital Territory and Bega Co-operative Society Limited

25 Deed dated 28 May 1996 between the Milk Authority of the Australian Capital Territory and Bega Co-operative Society Limited relating to wholesale milk distribution

Deed dated 20 March 1997 between the Milk Authority of the Australian Capital Territory and Australian Co-operative Foods Limited relating to the amendment of the deed dated 18 December 1989

Clause A of Vendor’s Licences which provides—

30 “Not carry fresh milk products other than fresh milk products that have been packaged for or on behalf of the Milk Authority of the Australian Capital Territory”.

This Schedule expires on 31 December 1998.

NOTE

Principal Act

- 1 Reprinted as at 1 January 1996 See also Act No 26, 1996, Nos. 41 and 96, 1997

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