
Egg Industry (Amendment) Ordinance 1982

No. 23 of 1982

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 4 June 1982.

ZELMAN COWEN
Governor-General

By His Excellency's Command,

MICHAEL HODGMAN
Minister of State for the Capital Territory

An Ordinance to amend the *Egg Industry Ordinance 1975*

Short title

1. This Ordinance may be cited as the *Egg Industry (Amendment) Ordinance 1982*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Egg Industry Ordinance 1975*.²

Interpretation

3. Section 3 of the Principal Ordinance is amended—

- (a) by inserting "of the genus *gallus*" after "fowl" in the definition of "hen" in sub-section (1); and
- (b) by inserting "of the genus *gallus*" after "fowl" in the definition of "pullet" in sub-section (1).

4. Section 7 of the Principal Ordinance is repealed and the following section substituted:

Powers of inspectors

"7. (1) An inspector may, at any reasonable hour of the day, on any day other than a Saturday, Sunday or a public holiday, enter and inspect any land or premises used for the production of eggs for commercial purposes or any land or premises that he has reasonable grounds for believing is or are being so used, and—

- (a) search for, and count, any hens or pullets on the land or premises;

- (b) require a person on the land or premises to produce to him any records, books or documents in the custody or control of the person or to which the person has access, being records, books or documents relating to the production of eggs on the land or premises;
- (c) inspect, and take copies of, any such records, books or documents and for that purpose, retain such records, books or documents for a period not exceeding 7 days; and
- (d) do any other act reasonably required for the purpose of ascertaining whether hens or pullets are kept in accordance with this Ordinance on the land or premises.

“(2) An inspector who enters upon land or premises in pursuance of this section is not authorized to remain on the land or premises, if, on request by the occupier of the land or premises or the person for the time being in charge of the premises, the inspector does not produce the certificate issued to him under sub-section 6 (2).

“(3) A person is not required to comply with a requirement made by an inspector under paragraph (1) (b), if, on request by that person, the inspector does not produce the certificate issued to him under sub-section 6 (2).

“(4) A person who without reasonable excuse refuses or fails to comply with a requirement made under paragraph (1) (b) is guilty of an offence.

Penalty: \$500.

“(5) A person who without reasonable excuse obstructs or delays an inspector acting in pursuance of this section is guilty of an offence.

Penalty: \$500.

“(6) Nothing in this section authorizes an inspector to enter a dwelling-house.”.

Hens not to be kept except in accordance with licence

5. Section 8 of the Principal Ordinance is amended by inserting in sub-section (1) “for the production of eggs for commercial purposes” after “hens”.

Egg Industry Officer may demand information

6. Section 24 of the Principal Ordinance is amended by omitting from sub-section (5) “\$200” and substituting “\$500”.

7. After section 25 of the Principal Ordinance the following sections are inserted:

Offences

“25A. A person shall not, in any information he furnishes to the Egg Industry Officer or an inspector in accordance with this Ordinance, knowingly make a false or misleading statement.

Penalty: \$1,000.

Disclosure of information by Egg Industry Officer

“25B. The Egg Industry Officer may communicate to—

- (a) The Council of Egg Marketing Authorities of Australia; or
- (b) a person or body appointed or established under a law of the Commonwealth or of any State or Territory relating to the promotion or regulation of the egg or poultry industry,

any information obtained by him in the performance of his functions under this Ordinance.”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 11 June 1982.
2. Ordinance No. 44, 1975 as amended by No. 43, 1979.