

EXPLANATORY STATEMENT

MILK AUTHORITY (AMENDMENT) ORDINANCE (NO.2) 1986

NO. 61 OF 1986

Sub-section 7(1) of the Milk Authority Ordinance 1971 (the "Principal Ordinance"), provides that the Authority shall consist of three members one of whom shall be a member of the Legislative Assembly nominated, as the occasion requires, by the Assembly.

Sub-section 11(3) of the Principal Ordinance provides that if the member of the Authority who is a member of the Legislative Assembly ceases to be a member of the Assembly the Minister shall remove him from office. On 30 June 1986 the terms of office of all members of the Assembly expired. The Minister has, pursuant to sub-section 11(3) of the Principal Ordinance, removed from office, the Member of the Authority who was a Member of the House of Assembly nominated by that House.

The Milk Authority (Amendment) Ordinance (No.2) 1986 (the "Amending Ordinance") provides for the appointment by the Minister of members to the Authority. The Amending Ordinance also provides for the contingency where there are no persons who hold office as members of the Assembly by allowing the appointment instead of persons who are not members of the Assembly. The Amending Ordinance also expands the Authority from three members to four consisting of an officer of the Department, a representative of consumers, a member of the House of Assembly, nominated by that House, and one other person.

Details of the Amending Ordinance are set out below:

Sections 1 and 2 deal with citation.

Section 3 deals with interpretation and omits from section 4 of the Principal Ordinance the definition of "Advisory Council".

Section 4 amends section 7 of the Principal Ordinance to provide for the Minister to appoint four members of the Authority instead of three, one of whom shall be appointed to represent the consumers of goods, and one who shall be a member of the House of Assembly nominated as the occasion requires by that House.

A new sub-section 7(5) provides that where the appointment of a member of the Authority is occasioned by reason that there were no House of Assembly members from whom to appoint, that member

holds office subject to the Ordinance until the first meeting of the House of Assembly held after the election of members of that House next following that member's appointment; or the expiration of a period of three years that commenced on the date of the member's appointment, whichever occurs first.

Section 5 amends section 11 of the Principal Ordinance by substituting a new sub-section 11(3) to provide that if a member of the Authority being a member of the House of Assembly nominated by that House ceases to be a member of that House the Minister shall remove the member of the Authority from office.

Section 6 amends section 13 of the Principal Ordinance by omitting references to the Legislative Assembly and substituting references to the House of Assembly.

Section 7 amends section 14 of the Principal Ordinance to provide that a quorum at a meeting of the Authority shall be constituted by three members; or if there is a vacancy in an office of a member of the Authority - two members.