

AUSTRALIAN CAPITAL TERRITORY
MILK AUTHORITY ORDINANCE 1971

EXPLANATORY MEMORANDUM

The objective of the Milk Authority Ordinance 1971 is to give effect to the recommendations of the Joint Committee on the Australian Capital Territory through the establishment of an independent Milk Authority for the Australian Capital Territory.

The Milk Authority will regulate and control the supply, sale and distribution of milk in the Territory. It will have wide powers to do all things necessary to carry out its functions under this legislation. The more important powers of the Authority will be -

- . to hold public inquiries into any facet of the industry on the direction of the Minister for the Interior, including the determination of whether a wholesaler's licence should be granted;
- . to issue wholesalers, vendors, retailers and vending machine licences;
- . to determine geographical areas within which vendors will be permitted to operate.

The Authority will be comprised of three persons appointed by the Minister. One of the members will be an elected member of the Australian Capital Territory Advisory Council nominated by the Council.

Persons aggrieved by the service provided by vendors will be able to complain to the Secretary of the Authority who will endeavour to negotiate a settlement. Serious complaints will be considered by the Authority and the Authority will have power to give directions to licensees.

The Ordinance will provide for revocation of licences by the Authority on specified grounds, for example, where the licence has been obtained through misrepresentation; where the licensee has been convicted of an offence against this Ordinance or the Dairy Regulations or where the Authority is not satisfied that the licensee has the sole use and control of the business to which the licence relates. The licence may be revoked only after an inquiry has been held.

Licences will not be transferable unless the holder has died; the Authority is satisfied on medical evidence that a transfer is desirable or that exceptional circumstances warrant the transfer of a licence.

Appeals will lie to the Courts against the decisions or directions of the Authority.

The Minister will be empowered to make regulations under this Ordinance, however he will only be able to prescribe by way of regulations the permitted packaging for milk or milk products, or the maximum price of milk after a public inquiry has been held by the Authority.