



ANNO DECIMO SEXTO

ELIZABETHAE II REGINAE

A.D. 1967

No. 63 of 1967

An Act to amend the Citrus Industry Organization Act,
1965.

[Assented to 16th November, 1967]

BE IT ENACTED by the Governor of the State of South
Australia, with the advice and consent of the Parliament
thereof, as follows :

Short titles.

1. (1) This Act may be cited as the "Citrus Industry
Organization Act Amendment Act, 1967".

(2) The Citrus Industry Organization Act, 1965, as amended
by this Act, may be cited as the "Citrus Industry Organization
Act, 1965-1967".

(3) The Citrus Industry Organization Act, 1965, is hereinafter
referred to as "the principal Act".

**Commence-
ment.**

2. This Act shall come into operation on a day to be fixed
by proclamation.

Incorporation.

3. This Act is incorporated with the principal Act and that
Act and this Act shall be read as one Act.

**Amendment of
principal Act,
s. 5—
Interpretation.**

4. Section 5 of the principal Act is amended—

(a) by inserting after the word "fruit" in paragraph (a)
of the definition of "grower" the passage "or is a
party to a partnership or share-farming agreement
under which at least fifty trees are grown for the
production and sale of citrus fruit";

- (b) by inserting after the word "sale" in paragraph (b) of the definition of "grower" the passage "or is a party to a partnership or share-farming agreement under which the business of producing citrus fruit for sale is carried on";
- (c) by striking out the definition of "licensee" and inserting in lieu thereof the following definitions :—
"licence" means a licence that has been granted and issued by the Committee and is in force :
"licensee" means the holder of a licence ; ;
- (d) by striking out from the definition of "marketing" the word "means" and inserting in lieu thereof the passage "includes each step taken in relation to";
- (e) by inserting after the definition of "member" the following definition :—
"partnership" means partnership within the meaning of The Partnership Act, 1891-1935 ; ;
- (f) by inserting after the definition of "product" the following definitions :—
"quality", in relation to any citrus fruit, includes the grade, state, plight and condition of such citrus fruit and any other matter which might reasonably influence the mind of a person who purchases or intends to purchase citrus fruit :
"register of growers" means register of growers kept under section 13 of this Act :
"registered grower" means a person whose name at the relevant time was or is included in the register of growers pursuant to section 13 of this Act ; ;
- (g) by striking out from the definition of "representative member" the passage "referred to in paragraph (a) of subsection (2) of section 9 of this Act" and inserting in lieu thereof the passage "who is a registered grower referred to in paragraph (a) of subsection (1) or in paragraph (a), (b), (c), (d), or (e) of subsection (1a) of section 9 of this Act";
- (h) by striking out the definition of "sale" and inserting in lieu thereof the following definitions :—
"sell" includes barter, offer for sale, receive for

sale, have in possession for sale, expose for sale, send forward or deliver for sale and cause, suffer or allow to be sold, offered or exposed for sale; and "sale" and "sold" have corresponding meanings ; ;

and

(i) by inserting after the definition of "the Committee" the following definitions :—

"the prescribed day" means the day declared by proclamation to be the prescribed day for the purposes of Division I of Part II of this Act :

"zone" means a portion of the State defined in this section as Zone 1, Zone 2, Zone 3, Zone 4 or Zone 5 :

"Zone 1" means that portion of the State which comprises the municipality of Renmark and the district council district of Paringa :

"Zone 2" means that portion of the State which comprises the district council districts of Berri and Barmera and the Hundred of Katarapko, County of Hamley and the Hundred of Parcoola, County of Young :

"Zone 3" means that portion of the State which comprises the district council district of Loxton :

"Zone 4" means that portion of the State which comprises the district council districts of Waikerie, Morgan and Truro :

"Zone 5" means that portion of the State which lies outside Zone 1, Zone 2, Zone 3 and Zone 4.

Amendment of
principal Act,
s. 6—
Application of
this Act.

5. Section 6 of the principal Act is amended by inserting after the word "Act" the passage " , except section 22 of this Act, the powers conferred on the Committee by that section and any order made by the Committee pursuant to any of those powers,".

6. Subsection (1) of section 7 of the principal Act is amended by inserting in each case after the passage "citrus fruit" where it twice occurs the passage "or any product thereof".

Amendment of principal Act, s. 7—
Act to apply subject to Commonwealth Constitution.

7. Section 9 of the principal Act is amended by striking out subsections (1), (2) and (3) and inserting in lieu thereof the following subsections:—

Amendment of principal Act, s. 9—
Members of Committee.

(1) Until the prescribed day the Committee shall consist of seven members from time to time appointed under this Act by the Governor, being—

(a) four registered growers who are or were either selected by the Minister after being nominated in accordance with section 10 of this Act or elected by registered growers after nomination in accordance with section 11 of this Act ;

(b) two persons who, in the opinion of the Governor, have extensive knowledge of and experience in industry and commerce ;

and

(c) one other person who has also been appointed by the Governor as Chairman of the Committee.

(1a) On and after the prescribed day, the Committee shall consist of eight members from time to time appointed under this Act by the Governor, being—

(a) one registered grower who has been elected in accordance with section 11 of this Act by registered growers whose names appear in that part of the register of growers which relates to Zone 1 ;

(b) one registered grower who has been elected in accordance with section 11 of this Act by registered growers whose names appear in that part of the register of growers which relates to Zone 2 ;

(c) one registered grower who has been elected in accordance with section 11 of this Act by registered growers whose names appear in that part of the register of growers which relates to Zone 3 ;

(d) one registered grower who has been elected in accordance with section 11 of this Act by registered growers whose names appear in that part of the register of growers which relates to Zone 4 ;

(e) one registered grower who has been elected in accordance with section 11 of this Act by registered growers whose names appear in that part of the register of growers which relates to Zone 5 ;

(f) two persons who, in the opinion of the Governor, have extensive knowledge of and experience in industry and commerce ;

and

(g) one other person who, in the opinion of the Governor, is fit and proper to be the Chairman and is appointed by the Governor as the Chairman.

(1b) On the prescribed day the persons who, immediately before that day, were holding office as members shall vacate their respective offices as such and the persons first appointed as members pursuant to subsection (1a) of this section shall thereupon take office as members.

(2) Where a vacancy occurs in the office of a member, other than a representative member, a member shall not be appointed to the vacant office unless the Minister has consulted with the representative members then in office.

(2a) If a casual vacancy occurs in the office of a member, the Governor may, subject to subsections (1), (1a) and (2) of this section and to section 11 of this Act, appoint a suitable person to the vacant office.

(3) Subject to subsections (3a) and (3b) of this section a person shall not be eligible for nomination or election under section 11 of this Act with a view to his appointment as a representative member, who is to take office on or after the prescribed day and shall not be appointed as a representative member to take office on or after that day unless he is a registered grower who grows at least three hundred trees for the production and sale of citrus fruit, or he is a registered grower who is a party to a partnership or share-farming agreement under which at least three hundred trees are grown for the production and sale of citrus fruit, or he is a registered grower whose name is included in the register of growers pursuant to section 12 of this Act as the nominee of a body corporate which grows at least three hundred trees for the production and sale of citrus fruit.

(3a) A person shall not be eligible for nomination or election under section 11 of this Act with a view to his appointment, and shall not be appointed, as a representative member who is a registered grower referred to in paragraph (a), (b), (c), (d) or (e) of subsection (1a) of this section unless his name appears in that part of the register of growers referred to in that paragraph.

(3b) Except as in this subsection provided, not more than one party to any partnership or share-farming agreement under which trees are grown for the production and sale of citrus fruit shall at the same time be eligible to be nominated for election as, or to be appointed, a representative member who is to take office on or after the prescribed day; but, where the name of a person who grows at least three hundred trees is included in the register of growers both as a grower in his own right or as the nominee of a body corporate which grows at least three hundred trees for the production and sale of citrus fruit and as a party to a partnership or share-farming agreement under which at least three hundred trees are grown for the production and sale of citrus fruit, he shall be eligible to be nominated for election as and to be a representative member during the same or a part of the same period as any other party to that partnership or share-farming agreement is a representative member.

8. Section 11 of the principal Act is amended—

- (a) by striking out the word “Representative” being the first word in subsection (1) and inserting in lieu thereof the passage “Subject to this section, representative”;
- (b) by striking out from subsection (1) the word “growers” firstly occurring and inserting in lieu thereof the passage “registered growers entitled to vote”;
- (c) by striking out subsections (3) and (4) and inserting in lieu thereof the following subsections :—

(3) Subject to this Act, each election shall be held and conducted by the Returning Officer for the State—

(a) by post;

and

(b) in such manner as the Returning Officer deems proper.

(3a) The Governor may, on the recommendation of the Returning Officer for the State or the Committee, make regulations prescribing or providing for any matters necessary or convenient to be prescribed or provided for in relation to elections of representative members.

(4) As soon as practicable after the commencement of the Citrus Industry Organization Act Amendment Act, 1967, and the register of growers

Amendment of
principal Act,
s. 11—

Election of
representative
members.

referred to in section 13 of this Act has been revised to the extent necessary to enable effect to be given to this subsection, the Committee shall by notice published in a daily newspaper circulating generally throughout the State call for nominations in respect of each zone which shall be signed by not less, in each case, than twenty registered growers whose names appear in that part of the register of growers which relates to such zone and the Returning Officer for the State shall, after the receipt of the nominations, hold and conduct the first elections for the purpose of electing the registered growers for the purposes of paragraphs (a), (b), (c), (d) and (e) of subsection (1a) of section 9 of this Act.

(4a) For the purposes of any election under this section by registered growers whose names appear in that part of the register of growers which relates to any zone, each registered grower whose name appears in that part of the register of growers shall, except as otherwise provided by this Act, be entitled to one vote at the election.

(4b) Not more than one party to any partnership or share-farming agreement under which trees are grown for the production and sale of citrus fruit shall be entitled, as a registered grower in his capacity of a party to that agreement, to vote at any election under this Act; but, where the name of a person is shown in the register of growers in any two or more of the following capacities, namely, in his capacity of the nominee of the parties to a partnership or share-farming agreement under subsection (4c) of this section, of a grower in his own right or of the nominee of a body corporate under section 12 of this Act, that person shall be entitled to one vote under this section in each of those capacities.

(4c) For the purposes of this section, the party to a partnership or share-farming agreement who is the nominee of the parties to the agreement and is entitled to vote at any election under this Act shall be the party to the agreement who is nominated by notice in writing given to the Committee and signed by all the parties to the agreement but, if no such party to the agreement is so nominated, shall be the party to the agreement whose name as such party appears first in the register of growers.

(4d) Any such nomination may, by notice in writing given to the Committee and signed by the parties to the agreement be revoked and thereupon the party previously nominated shall, for the purposes of this Act, cease to be the nominee of the parties to the agreement and to be eligible to vote at any election by virtue of such nomination. ;

and

(d) by striking out subsection (6) and inserting in lieu thereof the following subsection :—

(6) Where—

(a) the number of growers eligible for nomination and nominated as provided by subsection (1) of this section is less than or equal to the number of growers required to be elected for the purposes of this section ;

or

(b) only one grower who is eligible for nomination is duly nominated in respect of any zone,

no election shall be held and the growers or the grower, as the case may be, so nominated may be appointed as if elected under this section.

9. Section 12 of the principal Act is repealed and re-enacted as follows :—

12. (1) For the purposes of this Division and sections 34 and 36 of this Act a grower that is a body corporate may as occasion requires, by notice in writing given to the Committee, nominate a person whose name shall be included in the register of growers as the nominee of the body corporate.

(2) A person so nominated shall, until his nomination is revoked pursuant to this section, be deemed to be a grower for the purposes of this Division and sections 34 and 36 of this Act and, by virtue thereof, to be eligible, in place of the body corporate, for nomination, election or appointment as a representative member and entitled to exercise and enjoy such rights under this Act as the body corporate would have been entitled to if it were a grower who is a natural person.

Repeal and re-enactment of s. 12 of principal Act—

Grower companies.

(3) Any such nomination may, by notice in writing given to the Committee, be revoked by the body corporate and thereupon the person nominated shall cease to be the nominee of the body corporate for the purposes of this Act and his name as such nominee shall be removed from the register of growers.

Repeal and
re-enactment
of s. 13 of
principal Act—

10. Section 13 of the principal Act is repealed and re-enacted as follows :—

Register of
growers.

13. (1) For the purposes of this Act, the Committee shall keep or cause to be kept a register of growers showing in a separate and distinct part of the register, in relation to each zone, the names and addresses of growers each of whom grows at least fifty trees in that zone for the production and sale of citrus fruit or is a party to a partnership or share-farming agreement under which at least fifty trees are grown in that zone for the production and sale of citrus fruit and such other particulars as the Committee thinks fit.

(2) Where a grower grows in two or more zones at least fifty trees for the production and sale of citrus fruit or is a party to a partnership or share-farming agreement under which at least fifty trees are grown in two or more zones for the production and sale of citrus fruit, his name and address shall be shown in such part of the register relating to such one of those zones as the Committee may decide.

(3) There shall be shown in the register of growers in such manner as the Committee thinks fit—

(a) in relation to each name of a grower included therein by virtue of his being a party to a partnership or share-farming agreement, the name and prescribed particulars of the person who for the time being is the nominee of the parties to that agreement for the purposes of this Act ;

and

(b) in relation to each body corporate whose name is included therein as a grower, the name and prescribed particulars of the person who for the time being is the nominee of the body corporate for the purposes of this Act.

(4) The Committee shall as occasion requires revise the register in accordance with the regulations so that, as far as practicable, the information shown therein is up to date.

11. Section 14 of the principal Act is repealed and re-enacted as follows :—

Repeal and re-enactment of s. 14 of principal Act—

14. (1) Subject to this section each representative member who takes office on or after the prescribed day shall, unless his office becomes vacant earlier, hold office for a period of three years.

Terms of office of members.

(2) Notwithstanding subsection (1) of this section, two of the five representative members, who take office on the prescribed day and who shall be determined by lot, shall, unless their respective offices become vacant earlier, each hold office for a period of two years.

(3) A member who takes office on or after the prescribed day, other than a representative member, shall, unless his office becomes vacant earlier, hold office for such period as is specified in the instrument of his appointment.

(4) A member who fills a casual vacancy shall be appointed for the balance only of the term of office of the member in whose place he was appointed.

(5) A member whose term of office has expired before his successor is appointed shall, unless his office becomes vacant earlier, remain in office until his successor is appointed.

(6) Subject to this Act, a retiring member is eligible for re-appointment as a member.

12. Section 15 of the principal Act is amended by striking out from paragraph (e) the passage “twenty shillings in the pound” and inserting in lieu thereof the passage “one hundred cents in the dollar”.

Amendment of principal Act, s. 15—
Casual vacancies.

13. Section 20 of the principal Act is amended—

(a) by striking out from paragraph (b) of subsection (4) the passage “twenty shillings in the pound” and inserting in lieu thereof the passage “one hundred cents in the dollar” ;

and

(b) by striking out from subsection (7) the passage “Two hundred pounds” and inserting in lieu thereof the passage “Four hundred dollars”.

Amendment of principal Act, s. 20—
Power to grant licences.

14. Subsection (1) of section 21 of the principal Act is amended—

(a) by striking out paragraphs (a) and (b) and inserting in lieu thereof the following paragraphs :—

Amendment of principal Act, s. 21—
General powers of Committee.

- (a) undertake, arrange, regulate or control the marketing of citrus fruit or any product thereof ;
- (b) without limiting the generality of any of the other powers conferred by this subsection, undertake, arrange, regulate or control the harvesting, shipping, transporting, storing, handling, packing, buying, delivering and selling of citrus fruit or any product thereof, the processing of citrus fruit into any product derived therefrom and any matters or things connected with or incidental to all or any of the matters undertaken, arranged, regulated or controlled pursuant to this subsection ; ;

and

- (b) by inserting in paragraphs (c), (f) and (i) after the passage "citrus fruit" wherever it occurs in those paragraphs the passage "or any product thereof".

Amendment of
principal Act,
s. 22—
Power
to issue
marketing
orders.

15. Section 22 of the principal Act is amended—

- (a) by striking out paragraph (b) of subsection (1) thereof and inserting in lieu thereof the following paragraphs :—

(b) prohibit, either absolutely or except as specified in the order, any person or persons of any class specified in the order from delivering citrus fruit to, or taking delivery of citrus fruit from or from selling citrus fruit to, or buying citrus fruit from, any person or from any class of persons other than the Committee or the class of persons nominated by the Committee in the order ;

(b1) prohibit, either absolutely or except as specified in the order, the harvesting of citrus fruit grown by growers ; ;

- (b) by striking out from paragraph (c) of subsection (1) the passage "or (b)" and inserting in lieu thereof the passage " , (b) or (b1) " ;

- (c) by inserting in each case after the word "prices" wherever it occurs in paragraph (d) of subsection (1) the passage "or the minimum prices" ;

and

- (d) by striking out from subsection (4) the passage "Two hundred pounds" and inserting in lieu thereof the passage "Four hundred dollars".

16. Section 23 of the principal Act is amended by striking out from subsection (1) and from subsection (2) where it occurs once in each of those subsections the passage "two shillings" and inserting in lieu thereof in each case the passage "twenty cents".

Amendment of principal Act, s. 23—
Powers to impose charges.

17. Section 24 of the principal Act is amended—

Amendment of principal Act, s. 24—
Power to require returns.

(a) by inserting in subsection (1) after the passage "such information" the passage "or returns";

and

(b) by striking out from subsection (3) the passage "One hundred pounds" and inserting in lieu thereof the passage "Two hundred dollars".

18. Section 26 of the principal Act is repealed.

Repeal of s. 26 of principal Act—
Duties of licensees.

19. Section 27 of the principal Act is repealed and re-enacted as follows :—

Repeal and re-enactment of s. 27 of principal Act—

27. (1) For the purposes of this Act, an inspector may do all or any of the following things :—

Powers of inspectors to enter upon lands, etc.

(a) at any reasonable time enter any land on which trees are grown for the production and sale of citrus fruit, or enter any premises used for the purpose of storing, handling, packing, buying, delivering or selling citrus fruit or any product thereof or processing citrus fruit into any product derived therefrom, and may—

(i) inspect and take stock of such trees, citrus fruit or products ;

(ii) inspect any accounts, books or documents relating to such trees, citrus fruit or products kept on such land or in such premises ;

and

(iii) make copies of or take extracts from any such accounts, books or documents and retain those copies and extracts ;

- (b) enter any vehicle by which citrus fruit or products of citrus fruit are being conveyed on any street or road or enter any place in or adjacent to a street or road where citrus fruit or products of citrus fruit are being sold, and may—
- (i) inspect and take stock of such citrus fruit or products ;
 - (ii) inspect any accounts, books or documents relating to such citrus fruit or products ;
- and
- (iii) make copies of or take extracts from any such accounts, books or documents and retain those copies and extracts ;
- (c) open any package or other container containing any citrus fruit or products of citrus fruit found in or on any land, premises, vehicle or place referred to in paragraph (a) or (b) of this subsection but, if the owner or person for the time being in charge of such citrus fruit or products is present, only if such owner or person, when requested to do so by the inspector, fails or refuses to open such package or other container ;
- (d) take samples of any citrus fruit or products found in or on any land, premises, vehicle, place, package or other container referred to in paragraph (a), (b) or (c) of this subsection ;
- (e) detain for such time as is necessary to complete his inspection any citrus fruit or products of citrus fruit if he has reasonable grounds for suspecting that, with respect thereto, there is or has been a contravention of or failure to comply with any provision of this Act or any order made under this Act ;
- (f) if any package or other container containing any citrus fruit or products of citrus fruit or any ticket or label on any accumulation, collection or display of citrus fruit or products of citrus fruit is falsely marked or contravenes or does not comply with any provision of this Act or any order made under this Act, efface the false mark, or by such means as are at his disposal, prominently indicate that such package, container, accumulation, collection or display is falsely marked, or destroy the ticket or label ;

(g) where there is or has been any contravention of or failure to comply with any provision of this Act or any order made under this Act with respect to any citrus fruit or products of citrus fruit, direct the owner or the person for the time being in charge thereof to take all such measures and do all such acts, matters and things as are necessary to ensure that such provision is not contravened or is complied with, as the case may be.

(2) Where any citrus fruit or products of citrus fruit are detained by an inspector pursuant to paragraph (e) of subsection (1) of this section, the inspector shall give to the owner or to the person at the time of such detention in charge of such citrus fruit or products forthwith or as soon as he ascertains the address of such owner or person notice orally or by telegram or letter that such citrus fruit or products are being detained and of the place where they are being detained.

(3) Where an inspector has exercised any power pursuant to paragraph (f) of subsection (1) of this section, he shall give to the owner or person for the time being in charge of the citrus fruit or products concerned forthwith or as soon as he ascertains the address of such owner or person notice orally or by telegram or letter of the action he has taken in the exercise of such power.

(4) The occupier of land or premises referred to in paragraph (a) or of any place referred to in paragraph (b) of subsection (1) of this section shall at the request of any inspector, provide the inspector with all reasonable facilities and assistance within his power for the effective exercise of the inspector's powers under that subsection.

Penalty : One hundred dollars.

(5) The driver of any vehicle referred to in paragraph (b) of subsection (1) of this section shall, whenever requested by any inspector so to do—

(a) stop the vehicle ;

and

(b) allow the inspector to exercise, and provide the inspector with all reasonable facilities and assistance within his power for the effective exercise of, the inspector's powers under that subsection.

Penalty : Two hundred dollars.

(6) A person who is not an inspector shall not, without lawful excuse—

(a) alter, deface or obliterate, either wholly or partially ;

or

(b) cause to be altered, defaced or obliterated, either wholly or partially,

any mark in relation to any citrus fruit or any product of citrus fruit.

Penalty : One hundred dollars.

(7) A person shall not disobey or fail to comply with any direction lawfully given to him by an inspector pursuant to paragraph (g) of subsection (1) of this section.

Penalty : One hundred dollars.

(8) A person shall not obstruct, interfere with or hinder an inspector who is acting in the exercise of his powers under this section.

Penalty : One hundred dollars.

(9) In this section—

“inspector” means a member of the Committee, a member of the police force or any person for the time being authorized by the Committee to carry out the duties of an inspector for the purposes of this section pursuant to an instrument in writing.

Amendment of
principal Act,
s. 28—

Registration of
brands and
trade marks.

20. Section 28 of the principal Act is amended by striking out from subsection (4) the passage “One hundred pounds” and inserting in lieu thereof the passage “Two hundred dollars”.

Amendment of
principal Act,
s. 30—

Offences in
connection
with the
marketing
of citrus fruit.

21. Section 30 of the principal Act is amended—

(a) by striking out subsection (1) and inserting in lieu thereof the following subsections :—

(1) A person, who is not the holder of a licence authorizing him to do so, shall not, unless authorized in writing by the Committee—

(a) pack citrus fruit for sale by wholesale ;

(b) sell citrus fruit by wholesale or offer citrus fruit for sale by wholesale ;

or

(c) treat citrus fruit by any special process for the purpose of marketing any product thereof that is derived from such treatment.

Penalty : Four hundred dollars.

- (1a) The Governor may, on the recommendation of the Committee, make regulations prohibiting any person, who is not the holder of a licence authorizing him to do so from doing any specific act or thing (not being an act or thing referred to in subsection (1) of this section) constituting or included in the marketing of citrus fruit or any product thereof, unless he is authorized in writing by the Committee to do such act or thing, and prescribing a penalty not exceeding four hundred dollars for a contravention of any such regulation. ;
- (b) by striking out from subsection (2) the passage "One hundred pounds" and inserting in lieu thereof the passage "Two hundred dollars";
- and
- (c) by striking out from subsection (3) the passage "included in the marketing of" and inserting in lieu thereof the passage "in relation to".

22. Section 34 of the principal Act is amended—

- (a) by inserting after the passage "to be registered," in paragraph (a) of subsection (1) the passage "and to furnish the Committee from time to time with such information and such returns as may be prescribed, and prescribing";
- (b) by inserting therein after paragraph (j) of subsection (1) the following paragraph :—
- (j1) the measures to be taken by any licensee or person who grows or has citrus fruit for sale for preventing deterioration, decay, contamination or infection in citrus fruit in his charge or custody ; ;
- (c) by striking out from paragraph (m) of subsection (1) the word "such" lastly occurring therein and inserting in lieu thereof the word "any";
- (d) by striking out from paragraph (m) of subsection (1) the passage "the transport of";
- (e) by inserting therein after paragraph (p) of subsection (1) the following paragraph :—
- (q) the terms and conditions under which citrus fruit may be bought by the Committee. ;
- (f) by inserting therein after subsection (1) the following subsection :—

Amendment of
principal Act,
s. 34—
Regulations.

(1a) The Governor may under this section make different regulations to apply in different localities and different regulations to apply at different periods of each year and any regulations under this section may be otherwise limited or may discriminate in their operation according to time, place or circumstance. ;

and

(g) by striking out from subsection (2) the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".

Amendment of
principal Act,
s. 36—

Polls on
continuation
of this Act.

23. Section 36 of the principal Act is amended—

(a) by striking out from subsection (1) and from subsection (3) the word "Assistant" where it occurs once in each of those subsections ;

(b) by striking out subsection (4) and inserting in lieu thereof the following subsections :—

(4) Subject to this Act, a poll under this section shall be held and conducted by the Returning Officer for the State—

(a) by post :

and

(b) in such manner as the Returning Officer deems proper.

(4a) The Governor may, on the recommendation of the Returning Officer for the State or the Committee, make regulations prescribing and providing for any matters necessary or convenient to be prescribed or provided for in relation to polls to be held under this section.

(4b) A person shall have the same rights of voting at any poll under this section as he would have if the poll were an election held and conducted under section 11 of this Act for the election of a representative member. ;

and

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(c) by inserting after the passage "register of growers," in subsection (5) the passage "and who are entitled to vote at the poll,".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. M. Napier. Governor's Deputy.

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