



ANNO DECIMO TERTIO

## GEORGII VI REGIS.

A.D. 1949.

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### No. 37 of 1949.

An Act to regulate the use of fruit cases.

[Assented to 24th November, 1949.]

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

1. This Act may be cited as the "Fruit Cases Act, 1949". Short title.
  
2. In this Act, unless the context otherwise requires, or Interpretation  
some other meaning is clearly intended—
  - "fruit case" means a case commonly known by a name and conforming or approximately conforming with a measurement set out in the schedule hereto;
  - "metropolitan area" means the municipalities of Adelaide, Thebarton, Hindmarsh, Prospect, Walkerville, St. Peters, Kensington and Norwood, Payneham, Burnside, Unley, Mitcham, Marion, Brighton, Glenelg, West Torrens, Henley and Grange, Woodville, Port Adelaide, and Enfield.
  
3. (1) Subject to this Act, a person shall not within the Restriction on  
use of  
fruit cases.  
metropolitan area use a fruit case for the purpose of packing any commodities other than fresh fruit and vegetables.
  
- (2) A person who contravenes this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding twenty pounds.

Power of  
Minister to  
grant  
exemptions.

**4.** (1) The Minister may, by writing, grant exemptions from section 3 of this Act.

(2) Any such exemption shall be granted for such term and in respect of such cases and shall be subject to such conditions (if any) as are specified therein.

(3) A person who fails to observe or contravenes any condition of an exemption granted to him shall be guilty of an offence and liable to a fine not exceeding twenty pounds.

Regulations  
as to  
exemptions.

**5.** The Governor may by regulation prescribe any commodities other than fresh fruit and vegetables, which it shall be lawful to pack in fruit cases.

Any such regulations may contain provisions limiting their operation by reference to time, place or circumstances.

Proof of  
exemptions.

**6.** The onus of proving any exemption from section 3 of this Act (whether granted by the Minister or prescribed by regulation) or any facts alleged to give rise to any such exemption, shall lie upon the defendant.

Inspection.

**7.** (1) Any person authorized by the Minister of Agriculture to act as an inspector under this Act may enter and inspect any land, building or vehicle for the purpose of ascertaining whether this Act has been complied with.

(2) A person who hinders any person in the exercise of any power conferred on him by this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding twenty pounds.

Regulations.

**8.** The Governor may by regulation prescribe any matters necessary or convenient to be prescribed for securing the due administration of this Act and may by any regulation prescribe fines recoverable summarily and not exceeding ten pounds for breach of any regulation.

Duration of  
Act.

**9.** This Act shall remain in operation until the thirty-first day of December, nineteen hundred and fifty-two, and no longer.

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

C. W. M. NORRIE, Governor.

SCHEDULE.

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DESCRIPTION AND MEASUREMENT OF FRUIT CASES.

Name of Case.	Inside Measurement (Clear of All Divisions).		
	Length.	Depth.	Width.
Bushel case (dump) .....	In. 18	In. 14 $\frac{1}{2}$	In. 8 $\frac{3}{4}$
Half-bushel case (dump) .....	18	7 $\frac{1}{2}$	8 $\frac{3}{4}$
Canadian standard case .....	18	10 $\frac{1}{2}$	11 $\frac{1}{2}$
Tropical fruit case .....	24 $\frac{1}{2}$	12	12