



**APPLE AND PEAR MARKETING AMENDMENT ACT
(No. 2) 1980**

No. 71 of 1980

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AN ACT to amend the Apple and Pear Marketing Act 1977 for the purpose of making further provision with respect to the powers of the Apple and Pear Marketing Authority to borrow money and for other purposes.

[Royal Assent 26 November 1980]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Apple and Pear Marketing Amendment Act (No. 2) 1980*. Short title.

Principal Act.

2—In this Act, the *Apple and Pear Marketing Act 1977** is referred to as the Principal Act.

Amendment of section 16 of Principal Act (Power of Authority to borrow by way of overdraft: Guarantees by Treasurer).

3—Section 16 of the Principal Act is amended by inserting the following subsection after subsection (1):—

(2) Notwithstanding subsection (1), the amount of \$5 000 000 referred to in that subsection shall, for the period commencing on and from the date of commencement of the *Apple and Pear Marketing Amendment Act (No. 2) 1980* until 1st January 1985, be deemed to be \$20 000 000, and that subsection shall be construed accordingly.

Insertion in Principal Act of new section 18A.

4—After section 18 of the Principal Act, the following section is inserted in Division IV of Part II:—

Reserve fund.

18A—The Authority, in its discretion, may set aside out of money at its disposal in any financial year such sums as it thinks desirable as a reserve fund—

- (a) for the purpose of defraying contingent expenditure under this Act or the *Apple and Pear Industry Act 1934*;
- (b) for the purpose of making good any deficiency or loss which it may incur in any financial year; or
- (c) for such other purposes of this Act or the *Apple and Pear Industry Act 1934* as the Authority may determine.

Savings.

5—Where, immediately before the commencement of this Act, any money was set aside under section 18A of the *Apple and Pear Industry Act 1934* as a reserve fund, that money shall, on that commencement, be deemed to be money set aside as a reserve fund under section 18A of the Principal Act (as inserted by section 4) for the purposes referred to in section 18A of the Principal Act.

Repeal of section 18A of *Apple and Pear Industry Act 1934*.

6—Section 18A of the *Apple and Pear Industry Act 1934* is repealed.

* No. 7 of 1977. For this Act, as amended to 1st September 1977, see the continuing Reprint of Statutes, Volume 1. Subsequently amended by No. 109 of 1977 and No. 22 of 1980.