

FRUIT CASES.

11° Elizabeth II., No. LXXXVIII.

No. 88 of 1962.

AN ACT to amend the Fruit Cases Act, 1919-1961.

[Assented to 11th December, 1962.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia in this present Parliament assembled, and by the authority of the same, as follows:—

Short title
and citation.

1. (1) This Act may be cited as the *Fruit Cases Act Amendment Act, 1962.*

(2) In this Act the Fruit Cases Act, 1919-1961, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the *Fruit Cases Act, 1919-1962.*

2. The principal Act is amended by adding after section nine the following section—

S. 9A
added.

9A. (1) In this section unless the context requires otherwise—

Registration
of direct
buyers of
apples.

“direct buyer” means—

- (a) a person who during the period of two years immediately prior to the commencement of the Fruit Cases Act Amendment Act, 1962, purchased direct from a grower or growers an annual average quantity of not less than one hundred bushels of apples for the purpose of selling the same either wholesale or retail; or
- (b) a person who after the commencement of that Act purchases direct from a grower or growers an aggregate quantity of apples of not less than one hundred bushels during any period of twelve months commencing on the first day of January, for the purpose of selling the same either wholesale or retail;

“grower” means a person by whom or on whose behalf apples are actually grown or produced for sale, and includes a person who carries on the business of processing apples and a person who operates a packing shed for apples;

“prescribed grades” means when used in relation to apples the grades of apples prescribed by regulations made under the Agricultural Products Act, 1929.

(2) (a) Every direct buyer who is a person referred to in paragraph (a) of the interpretation “direct buyer” in subsection (1) of this section shall on or before the thirty-first day of January, one thousand

nine hundred and sixty-three, make application as prescribed and in accordance with the prescribed conditions to be registered in the prescribed manner as a direct buyer for the purposes of this section.

(b) Every direct buyer who is a person referred to in paragraph (b) of the interpretation "direct buyer" in subsection (1) of this section shall, within fourteen days after having become a direct buyer within the meaning of that paragraph, make application as prescribed and in accordance with the prescribed conditions to be registered in the prescribed manner as a direct buyer for the purposes of this section.

(c) Upon making application pursuant to paragraph (a) or (b) of this subsection, the direct buyer shall be and continue to be registered as a direct buyer for the purposes of this Act until the thirty-first day of December next following the date of registration, and registration pursuant to this subsection may from time to time be renewed for a further term of one year.

(3) Every person who purchases apples direct from a grower or growers for the purpose of selling the same either wholesale or retail shall keep or cause to be kept a record containing the following particulars as to each purchase of apples—

- (a) the name and address of each grower from whom the apples were purchased;
- (b) the date or dates when purchased;
- (c) the prescribed grades of the apples purchased and the quantity of each prescribed grade so purchased;
- (d) such other particulars (if any) as may be prescribed.

(4) Every person referred to in subsection (3) of this section shall, upon demand by an inspector, produce to that inspector the records required to be kept by him under this section, and shall permit that inspector to take copies thereof or extracts therefrom.

(5) A direct buyer who fails or neglects to make application to be registered in accordance with the provisions of and within the time specified by this section commits an offence against this Act.

(6) This section shall remain in force until the thirty-first day of December, one thousand nine hundred and sixty-three and no longer. .
