

1978-79

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

CANNED FRUITS (SALES PROMOTION) AMENDMENT BILL 1959

EXPLANATORY MEMORANDUM

(Circulated by the Minister for Primary Industry,  
the Hon. P.J. Nixon, M.P.)

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The purpose of this Bill is to make certain changes in the Canned Fruit (Sales Promotion) Act 1959, which result from the introduction of the Canned Fruits Marketing Bill 1979. This Bill also amends those Sections of the Act to accord with current legislative practices.

Short title, etc

Clause 1 provides for the Act to be cited as the Canned Fruit (Sales Promotion) Amendment Act 1979.

Commencement

Sub-section 5(1A) of the Acts Interpretation Act 1901 provides that every Act shall come into operation on the 28th day after the day on which the Act receives the Royal Assent, unless the contrary intention appears, as with this Bill. Clause 2 proposes that sections 3, 4, 5, and 8 of the Act shall come into operation on 1 January 1980. These sections relate to the Australian Canned Fruits Corporation.

Constitution of Committee

Clause 3 provides that the representatives of the Australian Canned Fruits Board on the Committee be deemed as members representing the Australian Canned Fruits Corporation.

Executive Sub-committee

Clause 4 provides that the Australian Canned Fruits Board member of the Executive Sub-committee of the Canned Fruit Sales Promotion Committee will, be deemed to represent the Australian Canned Fruits Corporation.

Powers

Section 14 of the Principal Act refers to the powers of the Committee. Clause 5 deems that any connection by the Committee with the Australian Canned Fruits Board in carrying out its powers will be deemed to be with the Australian Canned Fruits Corporation.

Payments out of Consolidated Revenue Fund

Clause 6 omits sub-section (2) of Section 17 of the Principal Act which provides that the Committee must pay into an account of the Committee amounts collected by virtue of the Canning Fruit Charge Act 1959. This sub-section is deleted in view of the amendment of certain Sections under the succeeding clause.

Application to Committee of Division 3  
of Part XI of Audit Act  
Application of Moneys of Committee  
Liability to Taxation

Clause 7 repeals Sections 18, 19, 20 and 21 of the Principal Act and replaces them with Sections 18, 19 and 20. Currently Section 18 of the Principal Act refers to bank accounts; Section 19 application of moneys; Section 20 keeping of proper accounts and Section 21 relates to audit provisions. The amendments proposed by this Bill relate to current legislative procedural practices concerning matters of audit, application of moneys and liability to taxation by statutory authorities. However, the Committee will base its accounts on calendar years and not financial years.

Continuation of certain appointments

Clause 8 provides that those members and the deputies of those members who presently represent the Australian Canned Fruits Board will maintain continuity of office by representing, in future, the Australian Canned Fruits Corporation.

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