

Honey Industry

No. 71 of 1965

An Act to amend the *Honey Industry Act 1962*.

[Assented to 22 November, 1965]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Honey Industry Act 1965*. Short title and citation.

(2.) The *Honey Industry Act 1962*† is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Honey Industry Act 1962–1965*.

* Act No. 27, 1918, as amended by No. 31, 1919; No. 14, 1921; No. 14, 1922; No. 10, 1924; No. 20, 1925; No. 17, 1928; No. 2, 1929; No. 9, 1934; No. 19, 1940; No. 42, 1946; No. 17, 1948; Nos. 10 and 47, 1949; No. 106, 1952; No. 79, 1953; No. 26, 1961; and No. 31, 1962.

† Act No. 48, 1965.

‡ Act No. 105, 1962.

Commence-
ment.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

3. Section 18 of the Principal Act is repealed and the following section inserted in its stead:—

Special powers.

“ 18.—(1.) For the purpose of performing its functions, the Board may—

- (a) acquire honey by agreement with the owner of the honey and sell or otherwise dispose of, either in Australia or overseas, honey so acquired;
- (b) accept control of honey placed under its control for export from Australia; and
- (c) make an advance to the owner of honey on the security of the honey.

“ (2.) For the purpose of securing a loan to the Board, the Board may give security over honey acquired by the Board under the last preceding sub-section.

“ (3.) The Board has, with respect to honey of which it has accepted control under sub-section (1.) of this section, full authority to make such arrangements and give such directions as it thinks fit for or in relation to any of the following matters:—

- (a) the handling, storage and shipment of the honey;
- (b) the insurance against loss of the honey, either in Australia, in transit or overseas; and
- (c) the sale or other disposal of the honey, either before or after export from Australia.

“ (4.) The Board shall, in relation to honey of which it has accepted control under sub-section (1.) of this section, be deemed to be the agent of the owner of the honey, but without prejudice to the power of the Board to exercise, without the authority of the owner, the powers conferred by the last preceding sub-section.

“ (5.) For the purposes of securing a loan to the Board, or, at the request of the Board, to the owner of any honey of which the Board has accepted control under sub-section (1.) of this section, the Board has, by virtue of this Act and without further authority, full power, on behalf of the owner of the honey, to give security over the honey and to effect all mortgages and other instruments of insurance in the same manner in all respects as if the Board were the legal owner of the honey.”

4. After section 23 of the Principal Act the following section is inserted:—

“ 23A. With the concurrence of the Treasurer, the Minister may— Loans to be arranged by the Minister.

- (a) arrange with the Reserve Bank of Australia for the making by the bank of loans to the Board for the purpose of enabling the Board to acquire honey or to make advances to the owners of honey; and
- (b) guarantee to the bank the repayment, out of moneys made available by the Parliament, of any loan made by the bank in pursuance of the arrangement.”.

5. Section 30 of the Principal Act is repealed and the following section inserted in its stead:—

“ 30.—(1.) The Board shall, as soon as practicable after each thirtieth day of June occurring after the commencement of this section, prepare and furnish to the Minister a report on the operation of this Act during the year ended on that date, together with financial statements in respect of that year in such form as the Treasurer approves. Annual Report of Board.

“ (2.) Before furnishing the financial statements to the Minister, the Board shall submit them to the Auditor-General, who shall report to the Minister—

- (a) whether the statements are based on proper accounts and records;
- (b) whether the statements are in agreement with the accounts and records and show fairly the financial operations and state of the affairs of the Board;
- (c) whether the receipt, expenditure and investment of moneys, and the acquisition and disposal of assets, by the Board during the year have been in accordance with this Act; and
- (d) as to such other matters arising out of the statements as the Auditor-General considers should be reported to the Minister.

“ (3.) The Minister shall cause the report and financial statements of the Board, together with the report of the Auditor-General, to be laid before each House of the Parliament within fifteen sitting days of that House after their receipt by the Minister.”.