

Wool Industry

No. 50 of 1970

An Act to amend the *Wool Industry Act 1962–1967*.

[Assented to 24 June 1970]

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

Short title
and citation.

1.—(1.) This Act may be cited as the *Wool Industry Act 1970*.

(2.) The *Wool Industry Act 1962–1967** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Wool Industry Act 1962–1970*.

Commence-
ment.

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

Parts.

3. Section 3 of the Principal Act is amended by omitting the word and figures “Sections 62–73” and inserting in their stead the word and figures “Sections 62–69”.

* Act No. 99, 1962, as amended by No. 24, 1964; No. 93, 1966; and No. 32, 1967.

4. Section 10 of the Principal Act is amended—

The Chairman.

- (a) by omitting from sub-section (1.) the words “ upon the nomination of ” and inserting in their stead the words “ after consultation by the Minister with ”; and
- (b) by omitting sub-section (2.).

5. Section 13 of the Principal Act is amended—

Members referred to in section 9 (1.) (d).

- (a) by omitting sub-sections (2.) and (3.) and inserting in their stead the following sub-section:—
- “ (2.) The members to whom this section applies shall be appointed after consultation by the Minister with the Australian Wool Industry Conference.”; and
- (b) by omitting sub-section (6.).

6. Section 23 of the Principal Act is amended—

Meetings of the Board.

- (a) by omitting from sub-section (9.) the words “ does not have a deliberative vote but ” and inserting in their stead the words “ has a deliberative vote and ”; and
- (b) by omitting sub-section (11.) and inserting in its stead the following sub-section:—
- “ (11.) Where, at a meeting of the Board at which a person is to be appointed as Deputy Chairman or to act as Chairman, there is more than one candidate for appointment, the Board shall hold an election for the purpose of determining which of the candidates is to be appointed, and voting at the election shall be by secret ballot.”.

7. Section 24 of the Principal Act is amended—

Functions and powers of the Board.

- (a) by omitting from paragraph (b) of sub-section (1.) the word “ and ” (last occurring);
- (b) by inserting after paragraph (b) of sub-section (1.) the following paragraph:—
- “ (ba) to provide, or encourage the provision of, wool-selling centres; and ”;
- (c) by omitting from paragraph (b) of sub-section (2.) the word “ and ” (last occurring);
- (d) by adding at the end of sub-section (2.) the following word and paragraph:—
- “ and (d) for the purposes of the function referred to in paragraph (ba) of the last preceding sub-section—
- (i) acquire by agreement, and dispose of, property or rights in or in respect of any land or building;
 - (ii) erect buildings, demolish and remove buildings and effect improvements to buildings;

- (iii) grant to wool brokers or other persons leases, licences or other rights in respect of any land, building or equipment; and
 - (iv) lend moneys to persons requiring financial assistance for the purpose of providing a wool-selling centre.”; and
- (e) by adding at the end thereof the following sub-section:—
- “ (3.) In this section, ‘ wool-selling centre ’ means premises to be used by a number of persons for all or any of the following purposes:—
- (a) the auctioning of, and other trading in, wool;
 - (b) the handling and storage of wool;
 - (c) the classing of wool;
 - (d) the sampling and testing of wool;
 - (e) the showing of wool to buyers;
 - (f) the packing and dumping of wool;
 - (g) purposes that are incidental or related to the foregoing purposes,
- and includes equipment for use in or in connexion with the use of such premises.”.

Committees.

8.—(1.) Section 25 of the Principal Act is amended by omitting sub-sections (1.) and (2.) and inserting in their stead the following sub-section:—

“ (1.) The Board may establish such committees as the Board thinks fit to assist the Board in carrying out any functions of the Board, and may abolish any such committee.”.

(2.) A committee established under sub-section (2.) of section 25 of the Principal Act and subsisting immediately before the commencement of this Act shall be deemed to have been established under section 25 of the Principal Act as amended by this Act.

Delegation.

9. Section 26 of the Principal Act is amended—

- (a) by omitting from sub-section (1.) the words “ Subject to sub-section (4.) of this section, the ” and inserting in their stead the word “ The ”; and
- (b) by omitting sub-section (4.).

Borrowing.

10. Section 33 of the Principal Act is amended—

- (a) by omitting from paragraph (b) of sub-section (1.) the words “ with the approval of the Treasurer ” and inserting in their stead the words “ with the approval of the Minister given with the concurrence of the Treasurer ”;
- (b) by inserting after sub-section (1.) the following sub-section:—

“ (1A.) The Board may, with the approval of the Minister given with the concurrence of the Treasurer—

(a) borrow moneys for the purposes of the function of the Board referred to in paragraph (ba) of sub-section (1.) of section twenty-four of this Act and for the purposes of its powers and duties under Part V.; and

(b) give security over any of its assets for the purposes of any such borrowing.”;

and

(c) by omitting from sub-section (2.) the words “ the last preceding sub-section ” and inserting in their stead the words “ this section ”.

11. Section 62 of the Principal Act is amended by omitting from sub-section (1.) the definition of “ wool research advisory committee ”. Interpretation.

12. Section 66 of the Principal Act is repealed and the following section inserted in its stead:—

“ 66.—(1.) It is a function of the Board to make recommendations to the Minister with respect to expenditure, for a purpose referred to in paragraph (a) of sub-section (1.) of the next succeeding section, of moneys standing to the credit of the Fund, other than expenditure in relation to which the next succeeding sub-section applies. Functions of Board in relation to research expenditure.

“ (2.) In relation to expenditure by the Commonwealth Scientific and Industrial Research Organization or the Bureau of Agricultural Economics out of the moneys standing to the credit of the Fund, it is a function of the Board to furnish to the Minister advice required by him to assist him in considering proposals for such expenditure in relation to the needs of the wool industry.”.

13. Section 67 is amended—

(a) by omitting paragraphs (b) and (c) of sub-section (1.) and inserting in their stead the following paragraphs:— Application of the Fund.

“ (b) in the reimbursement of expenses incurred by the Board in or in connexion with the performance by the Board of a function of the Board referred to in the last preceding section; and

(c) in payment of remuneration and allowances payable under this Act to, and in the reimbursement of expenses incurred by, members of committees established by the Board for the purposes of its functions under the last preceding section.”; and

(b) by omitting sub-section (2.) and inserting in its stead the following sub-section:—

“ (2.) The Minister shall not exercise his power to approve the expenditure, in respect of research to be carried out by the Commonwealth Scientific and Industrial Research Organization, of moneys standing to the credit of the Fund except after consultation with the Minister administering the *Science and Industry Research Act 1949–1968.*”.

Delegation
of power of
Minister
to approve
expenditure
from Fund.

14. Section 67A of the Principal Act is amended by omitting sub-section (2.).

Repeal.

15. Sections 70 to 73 (inclusive) of the Principal Act are repealed.

Payments
to the Board
and to the Fund.

16. Section 82A of the Principal Act is amended by omitting from sub-section (2.) the words " after taking into account any recommendations made by " and inserting in their stead the words " after consultation with ".

Additional
payments
to the Board
and to the Fund.

17. Section 82B of the Principal Act is amended—

(a) by omitting from sub-section (3.) the words " in each year commencing on a first day of July " and inserting in their stead the words " in any one of the three years referred to in the last two preceding sub-sections "; and

(b) by adding at the end thereof the following sub-sections:—

" (4.) Subject to the succeeding provisions of this section, where an amount is payable to the Board or to the Fund under the last preceding section by reason of an amount having been received by the Commissioner of Taxation in respect of tax imposed during the period of three years commencing on the first day of July, One thousand nine hundred and seventy, by any Wool Tax Act, there is payable to the Board or to the Fund, as the case may be, an amount determined by the Minister.

" (5.) Subject to the next succeeding sub-section, the amounts determined by the Minister under the last preceding sub-section shall be such amounts as he thinks necessary—

(a) to provide to the Board the moneys required, in addition to moneys received by the Board under the last preceding section and other income of the Board, to meet the expenditure of the Board, in accordance with this Act, during the period of three years referred to in the last preceding sub-section; and

(b) to provide to the Fund the moneys required, in addition to moneys received by the Fund under the last preceding section or otherwise, to meet the expenditure of the Fund, in accordance with this Act, during the period of three years referred to in the last preceding sub-section.

" (6.) The total of the amounts paid to the Board and to the Fund under sub-section (4.) of this section shall not exceed Eighty-one million dollars."

Saving.

18. Notwithstanding the amendments made by sections 4 and 5 of this Act, the persons who, immediately before the commencement of this Act, held office under the Principal Act as the Chairman of the Australian Wool Board and as the members of that Board referred to in paragraph (d) of sub-section (1.) of section 9 of that Act continue in those offices under the Principal Act as amended by this Act.