

Honey Industry Amendment Act 1980

No. 145 of 1980

An Act to amend the *Honey Industry Act 1962*

[Assented to 19 September 1980]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title, &c.

1. (1) This Act may be cited as the *Honey Industry Amendment Act 1980*.

(2) The *Honey Industry Act 1962*¹ is in this Act referred to as the Principal Act.

Commencement

2. (1) Subject to sub-section (2), this Act shall come into operation on the day on which it receives the Royal Assent.

(2) Sections 6 and 7 shall come into operation on a date to be fixed by Proclamation.

Termination of office of member or deputy of member

3. Section 11 of the Principal Act is amended by omitting sub-section (3) and substituting the following sub-section:

“(3) If a member or the deputy of a member fails, without reasonable excuse, to comply with his obligations under section 11A, the Minister shall terminate his appointment.”.

4. After section 11 of the Principal Act the following sections are inserted:

Disclosure of interest by member, &c.

“11A. (1) A member, or the deputy of a member, who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the Board or the Executive Committee shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Board or of the Committee, as the case requires.

“(2) A disclosure under sub-section (1) shall be recorded in the minutes of the meeting of the Board or of the Executive Committee, as the case requires.

Resignation of member or deputy of member

“11B. (1) A member may resign his office by writing signed by him and delivered to the Minister.

“(2) A person may resign his office as deputy of a member by writing signed by him and delivered to the member.

“(3) A member shall, as soon as practicable after the resignation of his deputy, give notice of the resignation to the Minister.”.

5. (1) Section 14 of the Principal Act is repealed and the following section substituted:

Remuneration, &c.

“14. (1) A member and a deputy of a member shall be paid such remuneration as is determined by the Remuneration Tribunal.

“(2) A member and a deputy of a member shall be paid such allowances as are prescribed.

“(3) Sub-sections (1) and (2) have effect subject to the *Remuneration Tribunals Act 1973*.

“(4) If a member or a deputy of a member is also a member of, or a candidate for election to, the Parliament of the Commonwealth or of a State, he shall not be paid remuneration or allowances under sub-section (1) or (2) but shall, subject to the approval of the Minister, be reimbursed such expenses as he reasonably incurs by reason of his attendance at meetings of the Board or of the Committee or of his engagement (whether in Australia or overseas), with the approval of the Board, on business of the Board.

“(5) A person invited by the Board or by the Committee to attend a meeting of the Board or of the Committee, as the case may be, may be paid in respect of that attendance such fees and allowances as are prescribed.”.

(2) Regulations in force at the commencement of this section for the purposes of section 14 of the Principal Act continue in force as if made for the purposes of section 14 of the Principal Act as amended by this Act.

Functions

6. Section 16 of the Principal Act is amended by omitting paragraph (a) and substituting the following paragraph:

“(a) to make recommendations to the Minister with respect to—

- (i) the rate to be prescribed from time to time for the purposes of paragraph 7 (1) (a) of the *Honey Export Charge Act 1973*;
- (ii) the rate to be prescribed from time to time for the purposes of paragraph 5 (1) (a) of the *Honey Levy Act (No. 1) 1962*; and
- (iii) the rate to be prescribed from time to time for the purposes of paragraph 5 (1) (a) of the *Honey Levy Act (No. 2) 1962*.”.

Moneys payable to Board out of Consolidated Revenue Fund

7. (1) Section 23 of the Principal Act is amended by omitting paragraphs (a) and (b) and substituting the following paragraphs:

- “(a) so much of the amounts from time to time received by the Commonwealth as charge under the *Honey Export Charge Act 1973* as is so received by virtue of paragraph 7 (1) (a) of that Act;
- (b) so much of the amounts from time to time received by the Commonwealth as levy under the *Honey Levy Act (No. 1) 1962* as is so received by virtue of paragraph 5 (1) (a) of that Act;
- (c) so much of the amounts from time to time received by the Commonwealth as levy under the *Honey Levy Act (No. 2) 1962* as is so received by virtue of paragraph 5 (1) (a) of that Act;
- (d) so much of the amounts from time to time received by the Commonwealth in discharge of the liability (other than a liability in respect of a penalty under sub-section 8 (1) of the *Honey Levy Collection Act 1962*) of a person under sub-section 7 (1) of that Act in respect of amounts payable by virtue of paragraph 5 (1) (a) of the *Honey Levy Act (No. 1) 1962* or of paragraph 5 (1) (a) of the *Honey Levy Act (No. 2) 1962*;
- (e) so much of the amounts (if any) received by the Commonwealth as penalties under section 6 of the *Honey Export Charge Collection Act 1973* as relates to amounts referred to in paragraph (a) of this section; and
- (f) so much of the amounts (if any) received by the Commonwealth and payable by way of penalty under section 8 of the *Honey Levy Collection Act 1962* as relates to amounts referred to in paragraph (b), (c) or (d) of this section.”

(2) Notwithstanding the amendment made by sub-section (1), the provisions of section 23 of the Principal Act continue to apply to—

- (a) amounts of charge received by the Commonwealth on or after the date of commencement of this section under the *Honey Export Charge Collection Act 1973*, including amounts payable by way of penalty under section 6 of that Act, in respect of honey on which charge was imposed by the *Honey Export Charge Act 1973* before that date; and
- (b) amounts of levy received by the Commonwealth on or after that date under the *Honey Levy Collection Act 1962*, including amounts payable by way of penalty under section 8 of that Act, in respect of honey on which levy was imposed by the *Honey Levy Act (No. 1) 1962* or the *Honey Levy Act (No. 2) 1962* before that date.

Formal Amendments

8. The Principal Act is amended as set out in the Schedule.

SCHEDULE

FORMAL AMENDMENTS

Provision amended	Omit—	Substitute—
Sub-section 4 (2)	the last preceding sub-section	sub-section (1)
Sub-section 5 (1) (definition of "poll")	sub-section (6) of section 7 of this Act	sub-section 7 (6)
Sub-section 5 (1) (definition of "the Committee")	section twelve of this Act	section 12
Paragraph 7 (1) (g)	four	4
Sub-section 7 (3)	one person	1 person
	one such member	1 such member
	one State	1 State
Sub-section 7 (4)	more than one	more than 1
	the last preceding sub-section	sub-section (3)
	specify one	specify 1
Sub-section 7 (8)	sub-section (10) of this section	sub-section (10)
	three	3
	the first day of July	1 July
Sub-section 7 (9)	the next succeeding sub-section	sub-section (10)
	three	3
Paragraph 7A (2) (a)	two hundred	200
Paragraph 7A (3) (b)	two hundred	200
Sub-section 7A (4)	two hundred	200
Sub-section 8 (2)	one	1
Sub-section 9 (2)	three	3
Sub-section 9 (5)	one	1
Sub-section 9 (6)	six	6
Sub-section 11 (2A)	two hundred	200
Paragraph 12 (1) (b)	three	3
	of whom at least one	of whom at least 1
	and at least one	and at least 1
Sub-section 12 (2)	one	1
Paragraph 12 (6) (a)	three	3
Sub-section 12 (9)	sub-section (1) of this section	sub-section (1)
Sub-section 13 (2)	the last preceding sub-section	sub-section (1)
Sub-section 17 (1)	the next succeeding sub-section	sub-section (2)
Sub-section 17 (2)	paragraphs (d) and (e) of the last preceding sub-section	paragraphs (1) (d) and (e)
Sub-section 18 (2)	the last preceding sub-section	sub-section (1)
Sub-section 18 (3)	sub-section (1) of this section	sub-section (1)
Sub-section 18 (4)	sub-section (1) of this section	sub-section (1)
	the last preceding sub-section	sub-section (3)
Sub-section 18 (5)	sub-section (1) of this section	sub-section (1)
Sub-section 20 (3)	Public Service of the Commonwealth	Australian Public Service
Paragraph 20 (3) (b)	Public Service of the Commonwealth	Australian Public Service
Sub-section 22 (2)	paragraph (c) of the last preceding sub-section	paragraph (1) (c)
Sub-section 22 (4)	1901-1960	1901
Sub-section 25 (1)	the next succeeding sub-section	sub-section (2)
Sub-section 25 (2)	the last preceding sub-section	sub-section (1)
Sub-section 29 (2)	Two hundred dollars	\$200
Sub-section 30 (1)	thirtieth day of June	30 June
Sub-section 30 (3)	fifteen	15
Section 31	1901-1960	1901
	1905-1950	1905
Section 32	One hundred dollars	\$100

NOTE

1. No. 105, 1962, as amended. For previous amendments, see No. 71, 1965; No. 93, 1966 (as amended by No. 3, 1967); No. 11, 1972; No. 185, 1973; No. 216, 1973 (as amended by No. 20, 1974); and No. 36, 1978.