

NORTHERN TERRITORY OF AUSTRALIA

GRAIN MARKETING AMENDMENT ACT 1990

No. 28 of 1990

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NORTHERN TERRITORY OF AUSTRALIA

No. 28 of 1990

AN ACT

to amend the *Grain Marketing Act*

[Assented to 7 June 1990]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Grain Marketing Amendment Act 1990*.

2. COMMENCEMENT

This Act shall come into operation on 1 July 1990.

3. PRINCIPAL ACT

The *Grain Marketing Act* is in this Act referred to as the Principal Act.

4. INTERPRETATION

Section 3(1) of the Principal Act is amended -

- (a) by omitting the definition of "Authority"; and
- (b) by inserting in the definition of "member" after "Board" the words "and includes the Chairman".

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5. COMPOSITION OF BOARD

Section 5 of the Principal Act is amended -

- (a) by omitting subsection (1)(a) and substituting the following:

"(a) a Chairman appointed in writing by the Minister;

(aa) 2 members appointed in writing by the Minister; and"; and

- (b) by inserting after subsection (1) the following:

"(1A) The Chairman, and each member appointed pursuant to subsection (1)(aa), holds office for such term not exceeding 3 years as the Minister determines in the instrument of appointment, and is eligible to be re-appointed.

"(1B) The members appointed pursuant to subsection (1)(aa) shall be deemed to be a statutory body within the meaning of and for the purposes of the *Remuneration (Statutory Bodies) Act*."

6. REPEAL OF SECTION 7

Section 7 of the Principal Act is repealed.

7. ELIGIBLE VOTERS

Section 10 of the Principal Act is amended by omitting subsection (2).

8. OCCASION FOR ELECTIONS

Section 11 of the Principal Act is amended -

- (a) by omitting from subsection (1) -

(i) paragraph (a); and

(ii) the words "in the case of subsequent elections of grower members -" from paragraph (b);

- (b) by omitting from subsection (2) "in each calendar year" and substituting "in every second calendar year after the year in which an election was last held"; and

- (c) by omitting from subsection (3) all the words before and including "that year," and substituting "Where a grower member resigns from office or indicates an intention to resign from office, or ceases to be an eligible voter during his term of office".

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9. BOARD MAY REQUIRE GROWERS AND HOLDERS TO FURNISH RETURNS

Section 35(1) of the Principal Act is amended by inserting after "held" the words "or proposed to be grown or held".

10. BOARD TO PAY TERRITORY TAXES

Section 42 of the Principal Act is amended by inserting after "*Companies Act*" the words "or the *Companies (Northern Territory) Code*".

11. TRANSITIONAL

(1) For the purpose of holding the first election of grower members of the Board after the commencement of this Act, the Minister shall make a declaration under section 11 of the Principal Act during the calendar year commencing with 1 January 1991.

(2) A grower member of the Board in office as at the commencement of this Act shall, unless the member sooner resigns or otherwise leaves office, continue in office until the result is declared of the ballot for the election held pursuant to the declaration referred to in subsection (1).

(3) The Chairman and members of the Board who, at the commencement of this Act, hold office by virtue of their membership of the Agricultural Development and Marketing Authority established by the *Agricultural Development and Marketing Act* shall, at that commencement, be deemed to be appointed by the Minister to their respective offices pursuant to section 5 of the Principal Act (as amended by section 5 of this Act) for a period of 2 years.
