

# DAIRY PRODUCE EXPORT CONTROL.

**No. 18 of 1938.**

An Act to amend the *Dairy Produce Export Control Act 1924-1937*.

[Assented to 5th July, 1938.]

[Date of commencement, 2nd August, 1938.]

**B**E it enacted by the King'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 *Dairy Produce Export Control Act 1938*.

(2.) The *Dairy Produce Export Control Act 1924-1937*\* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Dairy Produce Export Control Act 1924-1938*.

Australian  
Dairy Produce  
Board.

2.—(1.) Section four of the Principal Act is amended—

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

“(b) one member who shall be appointed by the Governor-General upon the nomination of the Australian Council of The Australian Institute of Dairy Factory Managers and Secretaries;”;

(b) by omitting from sub-section (5.) the letter “(b),”;

(c) by omitting from sub-section (5A.) the letter “(b),” ; and

\* Act No. 38, 1924, as amended by No. 45, 1934 ; No. 70, 1935 ; No. 26, 1936 ; and No. 20, 1937.

(d) by omitting sub-sections (6.) and (7.) and inserting in their stead the following sub-sections:—

“(6.) The member of the Board appointed in pursuance of paragraph (b) of sub-section (2.) of this section and each elected member of the Board shall hold office for a period of three years commencing on the first day of May following his appointment or election and shall be eligible for re-appointment or re-election :

Provided that any such member may be removed from office by the Governor-General on the recommendation of the Board.

“(7.) On the death, resignation or removal from office of a member of the Board, the Governor-General may—

(a) in the case of the member of the Board appointed in pursuance of paragraph (b) of sub-section (2.) of this section—on the nomination of the Australian Council referred to in that paragraph ; and

(b) in the case of an elected member of the Board—on the recommendation of the Board,

appoint a person to hold the vacant office and any person so appointed (other than the Government representative) shall hold office for the residue of the term of the member whose office became vacant.

“(7A.) The nomination of a member of the Board in pursuance of paragraph (b) of sub-section (2.) of this section shall be in writing and shall be forwarded to the Minister so as to be received by him on or before a date fixed by the Minister in that behalf by notice in the *Gazette*. If no such nomination is received by the Minister on or before the date so fixed, the Governor-General may appoint such person to be a member of the Board as he thinks fit.”.

(2.) Notwithstanding anything contained in this section, the member of the Australian Dairy Produce Board last elected in pursuance of paragraph (b) of sub-section (2.) of section four of the Principal Act shall, subject to that Act, continue to hold office for the remainder of the term for which he was elected.

3. Section seven of the Principal Act is amended by inserting after sub-section (1.) the following sub-section:—

Deputies of  
Members.

“(1A.) Where the member who is ill or absent is the member appointed in pursuance of paragraph (b) of sub-section (2.) of section four of this Act, the person appointed to be the deputy of that member shall be appointed upon the nomination of the Australian Council referred to in that paragraph.”.

4. Section twenty-nine of the Principal Act is amended by omitting from sub-section (1.) the words “in the month of July” and inserting in their stead the words “not later than the thirtieth day of September”.

Annual report.