

## APPLE AND PEAR ORGANIZATION.

### No. 79 of 1960.

#### An Act to amend the *Apple and Pear Organization Act 1938-1953.*

[Assented to 12th December, 1960.]

**B**E 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 *Apple and Pear Organization Act 1960.*

(2.) The *Apple and Pear Organization Act 1938-1953\** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Apple and Pear Organization Act 1938-1960.*

Commence-  
ment.

2. This Act shall come into operation on the first day of January, One thousand nine hundred and sixty-one.

Australian  
Apple and Pear  
Board.

3. Section four of the Principal Act is amended—

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

“(b) two members to represent the growers of apples and pears in the southern portion of the State of Tasmania;

“(ba) one member to represent the growers of apples and pears in the northern portion of the State of Tasmania;”;

(b) by inserting after sub-section (4.) the following sub-section:—

“(4A.) The members representing growers in the State of Tasmania shall be growers and shall be appointed upon the nomination of the State Fruit Board of the State of Tasmania.”; and

(c) by inserting in sub-section (5.), after the word “State” (first occurring), the words “(other than the State of Tasmania)”.

Executive  
Committee of  
Board.

4. Section nine of the Principal Act is amended—

(a) by omitting from sub-section (1.) the words “, subject to sub-section (2.) of this section,”; and

(b) by omitting sub-section (2.)

\* Act No. 58, 1938, as amended by No. 44, 1947; No. 27, 1948; and No. 35, 1953.

5. Section sixteen of the Principal Act is repealed.

Reference in  
existing  
contracts to  
Australian  
Apple and  
Pear Council.

6. Section nineteen of the Principal Act is amended by omitting paragraph (d).

Application of  
moneys in  
Fund.

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 Section twenty of the Principal Act is repealed and the following section inserted in its stead:—

“20.—(1.) The Board shall open and maintain an account or accounts with the Reserve Bank of Australia or with such other bank or banks as the Treasurer approves.

Bank accounts,  
investment of  
moneys, &c.

“(2.) The Board shall pay all moneys received by it into an account referred to in the last preceding sub-section.

“(3.) Moneys in the Fund not immediately required for the purposes specified in the last preceding section may be invested on fixed deposit with the Reserve Bank of Australia or with any other bank approved by the Treasurer or in securities of or guaranteed by the Government of the Commonwealth or a State.”.

8. Section twenty-five of the Principal Act is amended by omitting sub-section (2.) and inserting in its stead the following sub-section:—

Annual  
report.

“(2.) The Minister shall cause a copy of the report of the Board to be laid before each House of the Parliament within six sitting days of that House after the receipt of the report by the Minister.”.

9. Notwithstanding sub-section (8.) of section four of the Principal Act as amended by this Act—

Transitional  
provisions.

(a) the period of office of the members of the Australian Apple and Pear Board referred to in paragraph (b) of sub-section (2.) of section four of the Principal Act who held office immediately before the commencement of this Act shall be deemed to have expired upon the commencement of this Act; and

(b) the two members of the Board first appointed for the purposes of paragraph (b), and the member of the Board first appointed for the purposes of paragraph (ba), of sub-section (2.) of section four of the Principal Act as amended by this Act shall hold office, subject to sub-section (13.) of that section, until and including the thirtieth day of June, One thousand nine hundred and sixty-four.