

SOUTH AUSTRALIA

GARDEN PRODUCE (REGULATION OF DELIVERY) ACT, 1967

SUMMARY OF PROVISIONS

1. Short title and commencement
2. Interpretation
3. Restrictions and delivery of garden produce
4. Prescribed area
5. Prescribed time
6. Summary proceedings
7. Regulations

GARDEN PRODUCE (REGULATION OF DELIVERY) ACT, 1967

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Garden Produce (Regulation of Delivery) Act, 1967, No. 6 of 1967
[Assented to 30 March 1967]¹

¹ Came into operation 23 November 1967: *Gaz.* 23 November 1967, p. 2268.

An Act for the control of the times of delivery of fruit, vegetables and other garden produce to purchasers thereof by wholesale.

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title and commencement

1. This Act may be cited as the *Garden Produce (Regulation of Delivery) Act, 1967*, and shall come into operation on a day to be fixed by proclamation.

Interpretation

2. In this Act, unless the contrary intention appears—

"prescribed area" means an area that, by virtue of section 4 of this Act and the regulations, is for the time being a prescribed area for the purposes of this Act:

"the Minister" means the person for the time being holding or acting in the office of the Minister of Agriculture:

"the prescribed time", in relation to any day, means the time that by virtue of section 5 of this Act is for the time being the prescribed time for that day.

Restrictions and delivery of garden produce

3. Notwithstanding any provision contained in any other Act or in any regulation or by-law made under any Act, a person shall not on any day at any place within a prescribed area deliver, at any time before the prescribed time (if any) for that day, any fruit, vegetables or other garden produce to any person who has purchased or agreed to purchase the same by wholesale or to any agent of such a person.

Penalty: One hundred dollars.

Prescribed area

4. (1) The Governor may, from time to time, by regulation constitute any area defined therein (being an area that lies within a radius of twenty-five miles from the General Post Office at Adelaide) as a prescribed area with effect from a day specified in the regulation, being a day not earlier than seven days after such regulation takes effect and on and after the day so specified in the regulation the area so constituted shall, subject to subsection (2) of this section, be a prescribed area for the purposes of this Act.

(2) The Governor may, from time to time, by regulation, provide that with effect from a day specified in the regulation of any prescribed area or any part of any prescribed area shall cease to be a prescribed area or part thereof and on and after that day that prescribed area or part shall cease to be a prescribed area or part of a prescribed area, as the case may be, for the purposes of this Act.

Prescribed time

5. (1) The Minister shall, as occasion requires, by a notice signed by him and published in the *Gazette* and in a daily newspaper generally circulating throughout the State declare that, with effect from a day specified in the notice, being a day not earlier than seven days after that notice is published in the *Gazette* nor earlier than seven days after that notice is published in the daily newspaper, any time specified in the notice shall for the purposes of this Act be the prescribed time for any days referred to in the notice and on and after the day so specified the time so declared shall, subject to subsection (3) of this section, be the prescribed time for those days.

(2) The Minister may, under subsection (1) of this section, declare different times to be the prescribed times for different days of the week.

(3) The Minister may, from time to time, by a notice signed by him and published in the *Gazette* and in a daily newspaper generally circulating throughout the State declare that, with effect from a day specified in such notice, being a day not earlier than seven days after that notice is published in the *Gazette* nor earlier than seven days after that notice is published in the daily newspaper, the prescribed time for any day as previously declared shall cease to be the prescribed time for that day and that some other time specified therein shall be the prescribed time for that day and on and after the day so specified the prescribed time previously declared shall cease to be the prescribed time for that day and the other time declared shall become the prescribed time for that day.

Summary proceedings

6. (1) All proceedings in respect of offences against this Act shall be disposed of summarily.

(2) A person shall not institute any proceedings in respect of any offence against this Act except with the written consent of the Minister.

Regulations

7. (1) The Governor may make regulations for the purposes of section 4 of this Act and for giving better effect to the objects of this Act.

(2) Any such regulation may prescribe a penalty not exceeding one hundred dollars for the breach of any regulation.