

1993—No. 560

CATTLE COMPENSATION ACT 1951—REGULATION

(Cattle Compensation (Advisory Council) Regulation 1993)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Cattle Compensation Act 1951, has been pleased to make the Regulation set forth hereunder.

I. R. CAUSLEY
Minister for Agriculture and Fisheries.

Citation

1. This Regulation may be cited as the Cattle Compensation (Advisory Council) Regulation 1993.

Commencement

2. This Regulation commences on 1st December 1993.

Definitions

3. In this Regulation:

“**Advisory Council**” means the Cattle Compensation Advisory Council established under section 16I of the Act by the Minister;

“**member**” means a member of the Advisory Council;

“**the Act**” means the Cattle Compensation Act 1951.

Constitution of the Advisory Council

4. The Advisory Council is to comprise the following part-time members appointed by the Minister:

- (a) the Director-General of the Department of Agriculture, who is to be the Chairperson;

- (b) one person nominated by the Director-General of the Department of Agriculture to represent the Department;
- (c) two persons nominated by the NSW Farmers' Association;
- (d) one person nominated by the Cattlemen's Union;
- (e) one person nominated by the NSW Dairy Farmers' Association.

Terms of office

5. Subject to this Regulation, a member holds office for such period, not exceeding 5 years, as may be specified in the instrument of appointment of the member, but is eligible (if otherwise qualified) for re-appointment.

Filling of vacancy in office of member

6. If the office of any member becomes vacant, a person is, subject to this Regulation, to be appointed to fill the vacancy.

Casual vacancies

7. (1) A member vacates office if the member:

- (a) dies; or
- (b) absents himself or herself from 2 consecutive meetings of the Advisory Council of which reasonable notice has been given to the member personally or in the ordinary course of post, except on leave granted by the Minister or unless, before the expiration of 2 weeks after the last of those meetings, the member is excused by the Minister for being absent from those meetings; or
- (c) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit; or
- (d) becomes a mentally incapacitated person; or
- (e) is convicted in New South Wales of an offence that is punishable by penal servitude or imprisonment for 12 months or more or is convicted elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence so punishable; or
- (f) ceases to have any qualification necessary for his or her appointment as a member; or
- (g) resigns the office by instrument in writing addressed to the Minister; or

(h) is removed from office by the Minister under subclause (2) or (3).

(2) The Minister may remove a member from office.

(3) Without affecting the generality of subclause (2), the Minister may remove from office a member who contravenes the provisions of clause 8.

Meetings

8. (1) The Advisory Council is to meet at least twice each year.

(2) The Advisory Council is to conduct at least one meeting each year the main objective of which is to determine how the Advisory Council is to advise the Minister in relation to the allocation of the Cattle Compensation Fund to different research projects and other purposes (that is, payments made under section 12 (6) of the Act).

(3) The Advisory Council is to conduct at least one further meeting each year the main objective of which is to review the research projects and other purposes to which the Fund has been allocated.

General procedure

9. The procedure for the calling of meetings of the Advisory Council and for the conduct of business at those meetings is, subject to this Regulation, as determined by the Advisory Council.

Quorum

10. The quorum for a meeting of the Advisory Council is 4 members.

Presiding member

11. (1) The Chairperson is to preside at a meeting of the Advisory Council.

(2) The Chairperson has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

Voting

12. A decision supported by a majority of the votes cast at a meeting of the Advisory Council at which a quorum is present is the decision of the Advisory Council.

Minutes

13. The Advisory Council is to cause full and accurate minutes to be kept of the proceedings of each meeting of the Advisory Council.

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EXPLANATORY NOTE

The Cattle Compensation Act 1951 was amended by the Cattle Compensation (Amendment) Act 1993. The amending Act inserted section 16I, which provides for the establishment by the Minister for Agriculture and Fisheries of a Cattle Compensation Advisory Council.

The object of this Regulation is:

- (a) to specify the number of members and qualifications of members of the Advisory Council; and
- (b) to make provision relating to the term of office of members of the Advisory Council; and
- (c) to make provisions relating to the procedure of the Advisory Council (including the calling of meetings, the quorum and voting at meetings and the keeping of minutes).

This Regulation is made under section 16I (2) of the Cattle Compensation Act 1951, which empowers the Governor to make regulations making machinery provisions for or with respect to certain matters, including the constitution, membership and procedure of the Advisory Council.

This Regulation contains only matters of a machinery nature.
