

1961/152



Reprint under section 7 of the Regulations Act 1936 of the Bobby Calf Marketing Regulations 1955 (S.R. 1955/211), as amended by the following amendment:

Amendment No. 1, S.R. 1958/61

**THE BOBBY CALF MARKETING REGULATIONS 1955
(REPRINT)**

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 21st day of December 1955

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Dairy Board Act 1953, and in respect of the revocation of regulations by regulation 43 of these regulations, pursuant to the Marketing Act 1936, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

The Dairy Board Act 1953 has been repealed and replaced by the Dairy Production and Marketing Board Act 1961.

REGULATIONS

1. (1) These regulations may be cited as the Bobby Calf Marketing Regulations 1955.

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. In these regulations, unless the context otherwise requires,—

“Abattoir” means an abattoir registered under the Meat Act 1939:

“Board” means [the New Zealand Dairy Production and Marketing Board established under the Dairy Production and Marketing Board Act 1961]:

“Bobby calf” means a calf which is sold or intended for sale for the purpose of being slaughtered for the production of boneless bobby veal; and includes any other calf that has a live weight of less than 100 lb and that is sold or intended for sale for the purpose of being slaughtered at a meat export slaughterhouse or an abattoir:

- “Central Executive” means any body recognised from time to time by the Minister as the Central Executive of Bobby Calf Committees:
- “Committee” means a Bobby Calf Committee established under these regulations:
- “Company” means the New Zealand Cooperative Rennet Company Limited:
- “Inspector” means an Inspector under the Meat Act 1939:
- “Meat export slaughterhouse” means a meat export slaughterhouse licensed under the Meat Act 1939:
- “Minister” means the Minister of Agriculture:
- “Pool area” means a Bobby Calf Marketing Pool Area established under these regulations:
- “Producer” means a person engaged in the business of raising or producing bobby calves who is either the occupier of a supplying dairy as defined by the Dairy Produce Regulations 1938* or the occupier of a dairy registered pursuant to the Dairy (Milk Supply) Regulations 1939†:
- “Purchase” includes a contract to purchase, agreement to purchase, and offer to purchase:
- “Sale” includes a contract for sale, agreement to sell, and offer for sale:
- “Sale” and “purchase” include barter and exchange, and “to sell” and “to purchase” have corresponding meanings:
- “Saleyard” means any place designed for the purpose where stock within the meaning of the Stock Act 1908 are assembled for sale:
- “Saleyard Committee” means a Saleyard Committee established under these regulations.

“Board”: The reference to the New Zealand Dairy Production and Marketing Board established under the Dairy Production and Marketing Board Act 1961 was substituted for a reference to the New Zealand Dairy Board established under the Dairy Board Act 1953 by s. 71 (2) of the Dairy Production and Marketing Board Act 1961.

PART I—ADMINISTRATION

Declaration of Pool Areas

3. (1) Upon being satisfied on such documentary evidence as he shall deem sufficient that not less than three-quarters of the producers in any area of land are in favour of the proposal, the Minister may, on the recommendation of the Board, by notice under his hand published in the *Gazette*, declare—

*S.R. 1938/91 (Reprinted with amendments Nos. 1 to 8: S.R. 1954/33)

Amendment No. 9: S.R. 1954/72
 Amendment No. 10: S.R. 1954/121
 Amendment No. 11: S.R. 1955/195
 Amendment No. 12: S.R. 1956/182
 Amendment No. 13: S.R. 1956/195
 Amendment No. 14: S.R. 1957/68
 Amendment No. 15: S.R. 1957/217
 Amendment No. 16: S.R. 1957/239
 Amendment No. 17: S.R. 1958/180
 Amendment No. 18: S.R. 1959/117
 Amendment No. 19: S.R. 1959/195

†S.R. 1939/162

- (a) That that area shall be a Bobby Calf Marketing Pool Area under a name to be set out in the notice:
 - (b) That that area (whether or not it is already included in a pool area) shall be part of any pool area:
 - (c) That that area (having been theretofore included in a pool area) shall no longer be included in the pool area:
 - (d) That that area shall no longer be a pool area.
- (2) Every notice given under subclause (1) of this regulation shall take effect on a day to be named therein, being not less than seven days after the date of publication thereof.

(3) Every pool area established under the Bobby Calf Marketing Regulations 1947* and in existence immediately before the commencement of these regulations shall continue to exist in all respects as if it had been established under these regulations.

Bobby Calf Committees

4. (1) For every pool area there shall be a committee to be known as "The [*Name of pool area*] Bobby Calf Committee", which shall consist of not less than five and not more than nine persons:

Provided that, in special circumstances, the Minister may, on the recommendation of the Board, authorise a greater number of members.

(2) Every Committee established under the Bobby Calf Marketing Regulations 1947* and in existence immediately before the commencement of these regulations shall continue to exist in all respects as if it had been established under these regulations.

5. (1) Every Committee first constituted after the commencement of these regulations shall consist of such persons as the Minister, on the recommendation of the Board, made after such consultation as it thinks expedient with representatives of producers in the pool area, appoints to be members.

(2) Every appointment by the Minister of a member of a Committee shall be made by notice under the hand of the Minister published in the *Gazette*, and shall take effect on the date of appointment, or on such later date as may be stated in the notice.

6. (1) The members of a Committee, other than the members appointed by the Minister under regulation 5 hereof, shall be elected as provided in these regulations at the annual meeting of producers within the pool area, and shall take office on the day on which they are elected.

(2) At the first annual meeting of producers in any pool area the whole of the Committee appointed by the Minister shall retire from office, and at the annual meeting in every subsequent year one-third of the members for the time being, or, if their number is not a multiple of three, then the number nearest one-third, shall retire from office.

(3) The members to retire in every year shall be those who have been longest in office since their last election, and as between persons who became members on the same day, those to retire shall be decided by lot.

(4) A retiring member (including a member first appointed by the Minister) shall be eligible for re-election.

7. (1) If any member of a Committee, whether appointed or elected,—
- (a) Dies; or
 - (b) Resigns his office by writing under his own hand delivered to the Chairman of the Committee; or
 - (c) Becomes subject to disqualification because of any incapacity which, if he were a Councillor of a County Council, would render him incapable of being a Councillor by virtue of [paragraphs (b) to (e) of section 39 of the Counties Act 1956]; or
 - (d) Is absent without leave from three consecutive meetings of the Committee,—

he shall thereupon cease to be a member, and the vacancy thereby created shall be deemed to be a casual vacancy.

(2) Every casual vacancy shall be filled by the appointment by the Committee of a producer to fill the vacancy; the member so appointed shall be subject to retirement at the same time as if he had become a member on the day on which the member in whose place he is appointed was appointed or last elected.

(3) Forthwith upon the appointment of any member pursuant to this regulation, the Committee shall notify the appointment to the Board, which shall cause notice thereof to be published in the *Gazette*.

In subclause (1) (c), s. 39 (b)–(e) of the Counties Act 1956, being the corresponding enactment in force at the date of this reprint, has been substituted for s. 62 (1) (c)–(f) of the repealed Counties Act 1920.

Annual Meeting

8. (1) For the purposes of the election of members of the Committee, an annual meeting of producers in any pool area shall be held at a place to be named by the Committee and at a time to be fixed by the Committee, being not earlier than the 31st day of January and not later than the 31st day of May in any year in the North Island and not earlier than the 31st day of March and not later than the 31st day of July in any year in the South Island:

Provided that where it appears more convenient for the majority of the producers, the annual meeting may be held on the day when the dairy company situate in that pool area holds its annual meeting of suppliers, or may, with the consent in writing of the Board, be held on a later date than that authorised by this subclause.

(2) Not less than seven days before the date of the meeting the Chairman of the Committee shall give public notice thereof by way of advertisement in one or more newspapers commonly circulating in the pool area or by way of placards in conspicuous places throughout the pool area.

(3) The notice shall specify the date, hour, and place of the meeting, and shall bear the name of the Chairman at the foot thereof.

9. The annual meeting and election of committee members shall be conducted according to the procedure set out in the First Schedule hereto.

10. Immediately after the result of the election of members of the Committee has been declared to the meeting, the Chairman shall, by writing under his hand, notify the result to the Board, which shall cause the same to be published in the *Gazette*.

Meetings of Committee

11. (1) At the first meeting of any committee appointed by the Minister and thereafter at the first meeting of a Committee following the annual meeting and election, the Committee shall elect one of its members to be Chairman until the next annual meeting is held.

(2) The Chairman shall preside at every meeting of the Committee at which he is present. In the absence of the Chairman from any meeting of the Committee the members present shall elect one of their number to be Chairman of that meeting.

(3) At any meeting of the Committee the Chairman shall have a deliberative vote, and, in the case of an equality of votes, shall also have a casting vote. All questions before the Committee shall be decided by a majority of the valid votes recorded thereon.

(4) At any meeting of the Committee a quorum shall consist of not less than three-fifths of the members of the Committee for the time being, or such greater number as the Committee may from time to time fix.

12. The powers of a Committee shall not be affected by any vacancy in the membership thereof, nor shall the proceedings of a Committee be invalidated by reason only of the subsequent discovery that some defect existed in the election of any member or that any producer acting as a member of a Committee was not validly a member thereof.

13. Subject to the foregoing provisions of these regulations, every Committee may make such arrangements as it thinks fit for the holding of Committee meetings, the procedure thereat, and generally for the conduct of its business and the exercise of its functions.

14. A Committee may from time to time appoint and discharge sub-committees consisting of two or more members of the Committee, and may delegate to a subcommittee or to any other person or persons any of the powers and functions of the Committee.

Officers of Committee

15. Every Committee shall appoint a fit person to act as Secretary of the Committee, and it shall be the duty of the Secretary to keep or have kept all necessary records and books of account and to perform all incidental clerical duties connected with the operations of the Committee. The Secretary shall be paid such remuneration as the Committee in its discretion decides.

Functions of Committees

16. (1) The functions of a Committee shall be to regulate and control, in such a manner as it thinks fit, the marketing of all bobby calves raised or produced within the pool area for which the Committee is established.

(2) The Committee of any pool area shall have power to receive and expend moneys derived from the sale of all or any part of the bobby calves sold by or on behalf of that Committee.

(3) The Central Executive shall, upon the request of the Minister, advise the Minister upon any question relating to the bobby calf industry.

17. Every Committee shall, in the exercise of its powers and functions, be deemed to be the agent of every producer for the collection and marketing of bobby calves raised or produced within the pool area for which the Committee is established, and the mutual rights, obligations, and liabilities of the Committee and the several producers shall be determined in accordance with the law governing the relations between principal and agent.

Accounts of Committee

18. Not later than the 31st day of March in any year every Committee shall lodge at the office of the Board a balance sheet in such form as the Board approves or directs, and duly audited and certified to be correct by a qualified auditor as defined by [section 165 of the Companies Act 1955], setting out the financial operations of the Committee during the period commencing on the preceding 1st day of January and ending on the 31st day of December or on such earlier date as any pool may cease operations in the year preceding that in which the balance sheet is required to be lodged.

Section 165 of the Companies Act 1955, being the corresponding enactment in force at the date of this reprint, has been substituted for s. 140 of the repealed Companies Act 1933.

19. In addition to the balance sheet required to be lodged by the Committee pursuant to regulation 18 hereof, every Committee shall at the same time deliver at the office of the Board such statistics or other information or statement relating to the operations of the Committee as the Board may from time to time require, and in such form as the Board approves or directs, and certified to be correct by the auditor.

Payments and Statistics

20. All payments for bobby calves delivered to a meat export slaughterhouse or an abattoir shall be remitted by post to the vendor.

21. All abattoirs and meat export slaughterhouses engaged in the processing of bobby calves, whether produced in a pool area or elsewhere, shall record all such operations and deliver to the office of the Board such certified statistics or other information as the Board may from time to time require, and in such form as the Board approves or directs.

PART II—DISPOSAL OF BOBBY CALVES

22. Every Committee shall in each year fix in respect of the pool area under its control a minimum live weight for all bobby calves collected at the farm gate so as to ensure that any such calves upon slaughter will yield a dressed weight of not less than 22 lb cold weight.

23. (1) Every Committee shall make all necessary arrangements for the collection and delivery of bobby calves from its pool area to an abattoir or a meat export slaughterhouse for their disposal in accordance with these regulations.

(2) Any bobby calves to which subclause (1) of this regulation does not apply (being bobby calves produced elsewhere than in a pool area) may be delivered by or on behalf of the owner to any abattoir or meat export slaughterhouse for disposal as aforesaid.

(3) For the purposes of these regulations, delivery on a railway siding used for the purposes of an abattoir or meat export slaughterhouse shall be deemed to be delivery at the abattoir or meat export slaughterhouse.

24. No producer carrying on business within any area of land declared to be a pool area for the purposes of these regulations shall sell, and no person shall purchase from any such producer, any bobby calf raised or produced in that area except through the agency of the Committee established for that area.

25. (1) Forthwith on the purchase (whether by public auction or otherwise) of any bobby calves, whether within a pool area or elsewhere, the purchaser shall prepare in duplicate a purchase note which shall contain the particulars prescribed by subclause (2) of this regulation, and shall forthwith deliver a copy of the note to the vendor, auctioneer, or other authorised agent of the vendor of the bobby calves comprised in the purchase.

(2) Every purchase note under this regulation shall contain the following particulars:

- (a) The number of bobby calves comprised in the purchase;
- (b) The name and address or other identification of the vendor of the bobby calves;
- (c) The price or prices at which the calves were purchased, if the purchase was a cash transaction; and
- (d) If the bobby calves were raised or produced in a pool area, the name of that pool area.

(3) The purchaser shall retain the duplicate copy of every purchase note for a period of six months after the date of the purchase of the bobby calves to which the purchase note relates, and the purchaser shall at any time during that period produce the duplicate purchase note for inspection on demand by any officer of the Board duly authorised in that behalf by the Board.

Inspection of Bobby Calves

26. (1) All bobby calves delivered to any abattoir or meat export slaughterhouse pursuant to these regulations shall be inspected by an Inspector in accordance with the provisions of section 47 of the Meat Act 1939.

(2) If on inspection under the said section the Inspector determines with respect to the carcass of any calf that it is not suitable for human consumption, these regulations shall have no further application to it, and its disposal shall be a matter of arrangement between the Committee or owner, as the case may be, and the controlling authority or licensee of the abattoir or meat export slaughterhouse.

PART III—ESTABLISHMENT AND FUNCTIONS OF SALEYARD COMMITTEES

27. (1) The Minister may, by notice in the *Gazette*, declare that any saleyard shall be a receiving depot for bobby calves.

(2) Any such notice may be at any time revoked by a similar notice.

(3) No bobby calf shall be sold in any saleyard to which a notice given under subclause (1) of this regulation for the time being relates except through the agency of the Saleyard Committee appointed for that saleyard.

28. (1) For every saleyard declared under regulation 27 hereof to be a receiving depot for bobby calves there shall be a Saleyard Committee which shall consist of not less than five persons who are producers (hereinafter referred to as producer members) and such other persons (hereinafter referred to as appointed members) as the Minister may, on the recommendation of the Board made after consultation with the producer members of the Saleyard Committee, appoint to be appointed members of the Committee.

(2) Every appointment by the Minister of a member of a Saleyard Committee shall be made by notice under the hand of the Minister published in the *Gazette*, and shall take effect on the date of appointment or on such later date as may be stated in the notice.

(3) Every Saleyard Committee first constituted after the commencement of these regulations shall consist wholly of members appointed by the Minister.

(4) Every Saleyard Committee established under the Bobby Calf Marketing Regulations 1947* and in existence immediately before the commencement of these regulations shall continue to exist in all respects as if it had been established under these regulations.

(5) The provisions of regulations 7, 10, 11, 12, 13, 14, and 15 hereof shall, with the necessary modifications, apply to a Saleyard Committee as if it were a Pool Committee.

29. (1) At the first annual meeting of a Saleyard Committee first constituted after the commencement of these regulations, and at the annual meeting of every Saleyard Committee in every subsequent year, two producer members shall retire from office.

(2) The producer members to retire in each year shall be those who have been longest in office since their appointment or election, but, as between persons who became members on the same day, those to retire shall be decided by lot.

(3) At each annual meeting the retiring producer members shall be replaced by persons elected in their stead and the provisions of clauses 6, 7, and 8 of the First Schedule hereto shall, with the necessary modifications, apply to the election of any such persons.

(4) Every appointed member shall retire on the date of the annual meeting of the Committee to which he was appointed.

(5) A retiring member shall be eligible for re-election or reappointment, as the case may be.

30. (1) The functions of a Saleyard Committee shall be to regulate and control the marketing and disposal of bobby calves at the saleyard in respect of which it has been appointed.

(2) The provisions of subclause (2) of regulation 16 and regulations 17, 18, 19, and 22 hereof shall, with the necessary modifications, apply to a Saleyard Committee as if it were a Pool Committee.

31. Every Saleyard Committee shall, in the exercise of its powers and functions, be deemed to be the agent of every producer for the marketing of bobby calves at the saleyard in respect of which the Committee is appointed, and the mutual rights, obligations, and liabilities of the Saleyard Committee and the several producers shall be determined in accordance with the law governing the relations between principal and agent.

32. Notwithstanding the provisions of regulation 3 hereof, no saleyard that has been declared under these regulations to be a receiving depot for bobby calves shall be deemed to be included in a pool area and no Pool Committee shall have authority with respect to the sale of bobby calves in any such saleyard.

33. Every Saleyard Committee shall make all necessary arrangements for the delivery of bobby calves from the saleyard to an abattoir or a meat export slaughterhouse for their disposal in accordance with these regulations.

34. Every Saleyard Committee shall hold an annual meeting during the month of March in each year. Every such meeting shall be advertised and shall be open to all persons in the district who, in the opinion of the Committee, are interested in the production of bobby calves.

35. Every Saleyard Committee may, with the approval of the Board, distribute any surplus funds accruing from its operations in any manner that will in its opinion promote the interests of producers in the district in which the saleyard for which the Committee is appointed is situated.

Miscellaneous

36. An officer of the Board authorised in that behalf by the Board may attend any annual meeting of producers or any meeting of a Committee, a Saleyard Committee, or any subcommittee of either of such Committees.

PART IV—DISPOSAL OF VELLS

Purchase of Vells by Board

37. (1) The Board shall purchase all vells derived from bobby calves slaughtered at any abattoir or meat export slaughterhouse, and it shall not be lawful for the controlling authority of any abattoir, or the licensee of any meat export slaughterhouse, to sell any such vells otherwise than to the Board, or to dispose of any such vells otherwise than in accordance with the direction of the Board.

(2) For all vells purchased by it under these regulations the Board shall pay to the controlling authority or the licensee, as the case may be, such price or prices as may be fixed by the Board, with the approval of the Minister, and announced each year not later than the 1st day of June in respect of the following year.

Disposal of Vells by Board

38. (1) All vells acquired by the Board under these regulations shall be disposed of—

- (a) By sale to the company of all vells required by it for the purposes of its business:
- (b) By sale of any surplus, after adequate provision has been made for satisfying the requirements of the company, in such manner and on such terms and conditions as the Board thinks fit.

(2) The company shall, as soon as practicable after the 1st day of April in each year, furnish to the Board an estimate of the number of vells required by it for the purposes of its business during the year commencing on the 1st day of June and ending on the 31st day of May next following that date. Any such estimate may be at any time amended by

the company; but unless reasonable notice of its amended requirements is given by the company to the Board, the Board may charge the company with the amount of any loss suffered by it by reason of the amended requirements and may recover the amount of any such loss as a debt due by the company to the Board.

(3) The price or prices to be charged for any vells sold to the company under these regulations shall be such price as may be mutually agreed upon or, in default of agreement, as may be fixed by the Board with the approval of the Minister.

Financial Provisions

39. (1) All expenses incurred by the Board in or in connection with the purchase or sale of vells under these regulations shall be paid out of the funds of the Board, and all moneys recovered by the Board from the sale of vells or otherwise howsoever in connection with these regulations shall be paid into a special account as provided in subclause (2) of this regulation.

(2) The Board shall keep in its books a special account of all moneys received by it for the purposes of these regulations (whether from the sale of vells or otherwise howsoever) and of all expenses and charges incurred by it in connection therewith (including a reasonable charge to be fixed by the Board, with the approval of the Minister, in respect of the cost of administration).

(3) The Board, with the prior approval of the Minister given in writing, may at any time dispose of the whole or any portion of any surplus for the time being standing to the credit of the special account kept pursuant to subclause (2) hereof for any purpose deemed to be for the promotion of the dairy industry in New Zealand.

PART V—PREVENTION OF CRUELTY TO BOBBY CALVES

40. (1) No person, whether as principal or agent, shall sell or offer for sale any bobby calf unless the calf has been properly and sufficiently fed daily from birth and has been so fed not earlier than four hours before the time of its actual removal from his premises in pursuance of a sale or a contract or intended contract of sale.

(2) For the purpose of this regulation the act of any person in placing any bobby calf at or adjacent to any entrance to his land or premises or other customary place (whether on his own land or premises or not) at which calves are exposed for sale shall be deemed to be an offer to sell that calf.

(3) No person, whether as principal or agent, shall purchase, drive, or convey any bobby calf which appears to be unfit by reason of weakness or immaturity to be driven or conveyed to the place at which it is intended to be slaughtered.

(4) Proceedings for any offence against this regulation may be instituted by any constable or any Inspector appointed under the Stock Act 1908, or under the Meat Act 1939, or by any person acting on behalf of any society established for the prevention of cruelty to animals.

41. [(1) Every vendor of bobby calves shall erect at each place where his calves are to be collected a pen or pens readily accessible from the roadside and so constructed as to provide adequate shelter from the weather for calves placed therein, and shall ensure that at no time shall

calves be placed in any such pen or pens in such numbers as to cause overcrowding of the calves. All calves to be collected for sale or for the purposes of sale shall be placed in a pen constructed in accordance with this subclause:

Provided that in any proceedings against any vendor of calves for failure to place any calf in a pen providing adequate shelter from the weather for the calf, contrary to the provisions of this regulation, it shall be sufficient defence if the vendor proves to the satisfaction of the Court that the failure of the vendor to comply with the requirements of this subclause as to the provision of adequate shelter was in all the circumstances excusable and did not cause unnecessary suffering to the calf.]

(2) A pen shall be deemed to be suitable for the purposes of this regulation if it has been approved as such by a Committee or by a person authorised in that behalf by a Committee.

(3) All bobby calves shall be transported in accordance with regulation 8 (3) of the Goods Service Vehicle (Constructional) Regulations 1936.*

Subclause (1) was substituted for the original subclause (1) by regulation 2 of S.R. 1958/61.

PART VI—GENERAL

Offences

42. (1) Every person commits an offence against these regulations who, without lawful excuse, acts in contravention of or fails to comply in any respect with any provision of these regulations or any direction, restriction, requirement, or condition given or imposed under these regulations.

(2) Every person who aids, abets, counsels, or procures or is in any way knowingly concerned with the commission of an offence against these regulations shall be deemed to have committed an offence against these regulations.

(3) Any offence against these regulations committed by an agent or servant in the course of his employment shall be deemed to have been also committed by his employer or principal.

(4) Any person who commits an offence against these regulations shall be liable on summary conviction to a fine not exceeding £50.

Revocations and Savings

43. (1) The regulations specified in the Second Schedule to these regulations are hereby revoked.

(2) Without limiting the provisions of the Acts Interpretation Act 1924 it is hereby declared that the revocation of any provision by these regulations shall not affect any document made or any thing whatsoever done under the provision so revoked or under any corresponding former provision, and every such document or thing, so far as it is subsisting or in force at the time of the revocation and could have been made or done under these regulations, shall continue and have effect as if it had been made or done under the corresponding provision of these regulations and as if that provision had been in force when the document was made or the thing was done.

SCHEDULES

FIRST SCHEDULE

Reg. 9

PROCEDURE AT ANNUAL MEETING OF PRODUCERS

Chairman

1. The Chairman of the outgoing Committee, if present, shall be the Chairman of the meeting of producers, and in his absence the outgoing Committee shall appoint another of their members to be Chairman of the meeting of producers.

Presence of Other Persons

2. The producers present may at any time, by resolution, decide whether any person, not being a producer, may be present at the meeting or may speak at the meeting.

Adjournment of Meeting

3. If within half an hour of the time fixed for the meeting the number of producers present is fewer than the number of members for the time being of the outgoing Committee, the meeting shall be adjourned, and shall be resumed at a time and place to be thereafter fixed by the Committee and notified as provided by these regulations.

Presentation of Annual Report and Accounts

4. (1) The Chairman shall first read to the meeting the annual report previously approved by the Committee, and then present, or call upon the Secretary or other person authorised by the Committee to present, the audited statement of accounts for the pool area.

(2) Questions relating to the financial operations of the Committee shall be answered by either the Chairman or the Secretary or by any other person authorised by either of them.

Size of New Committee

5. (1) Any producer may at any annual meeting give notice of motion that the number of members of the Committee to be elected at the next succeeding annual meeting shall be the number specified in the notice, and the said succeeding annual meeting may, by ordinary resolution, determine that the number of members so specified shall be the number for the next ensuing year.

(2) Whether or not any such notice of motion has been given, an annual meeting may, by unanimous resolution, determine the number of members of the Committee to be elected at that meeting.

(3) If no such notice of motion has been given or if the motion is not carried the number of members of the Committee (in the absence of a unanimous resolution as aforesaid) shall remain unchanged.

(4) At the first annual meeting of producers the number of members of the Committee for the ensuing year shall be determined by ordinary resolution.

FIRST SCHEDULE—*continued**Nomination of Candidates*

6. (1) The Chairman shall call for nominations for membership of the Committee.
- (2) The consent of every candidate to nomination shall be given.
- (3) Every candidate shall be proposed by one producer and seconded by another producer.
- (4) The proposal or seconding of a candidate and his consent to nomination may be given by word of mouth or in writing.
- (5) A member of the Committee shall not necessarily be a producer.
- (6) The decision of the Chairman as to the regularity of any nominations shall be final.

Election of Members

7. (1) If the number of candidates duly nominated is equal to or less than the number of members to be elected, the Chairman shall declare the candidates nominated to be elected.
- (2) If the number of candidates duly nominated is less than the number of members to be elected, any vacancies thereby arising shall be deemed to be casual vacancies, and the members elected shall at their first Committee meeting fill that vacancy or vacancies as provided by these regulations in respect of casual vacancies.
- (3) If the number of candidates duly nominated exceeds the number of members to be elected, the members of the Committee shall be decided by ballot.

Ballot

8. (1) For the purpose of a ballot the meeting shall, by resolution, appoint two persons present to act as scrutineers; any such persons need not necessarily be producers.
- (2) A count shall be taken of the total number of producers present at the meeting and entitled to vote.
- (3) A complete list of nominations shall be written on a blackboard or made available in such manner as shall enable the nominations to be clearly seen by persons present at the place of election, and underneath the list of nominations the number of members required for the Committee (already determined) shall be plainly stated.
- (4) The scrutineers shall deliver to each producer a blank sheet of paper on which each producer shall, without leaving the room, or place of election, write the names of the candidates for whom he desires to vote, being not more or less than the number to be elected. Each voting paper shall then be folded and handed back to the scrutineers.
- (5) A voting paper on which are written the names of more candidates than the number to be elected shall be invalid.
- (6) A voting paper on which are written the names of fewer candidates than the number to be elected shall be invalid.
- (7) Any name on a voting paper which, in the opinion of the scrutineers, is illegible shall be deemed not to form part of the voting paper.
- (8) A voting paper on which any one candidate's name is written more than once shall be invalid.

FIRST SCHEDULE—*continued*

(9) When all voting papers have been collected by the scrutineers a count shall be taken to ensure that the total number of voting papers collected does not exceed the total number of producers present. Any irregularities shall be reported to the Chairman, who may direct that a fresh ballot be taken.

(10) The scrutineers shall count the valid votes recorded and hand to the Chairman a statement signed by the scrutineers showing the number of votes given to each candidate.

(11) If two or more candidates receive the same number of votes and the addition of a vote would entitle one or more of such candidates to be elected the Chairman shall give a casting vote, or he may, at his discretion, call for a show of hands to determine which candidate or candidates shall be elected.

(12) The Chairman shall thereupon declare the result of the election.

Marketing Methods

9. Any resolution by the meeting relating to the method by which the producers wish bobby calves to be marketed shall take effect as a recommendation to the incoming Committee, but shall not be binding upon that Committee.

SECOND SCHEDULE

Reg. 43 (1)

REGULATIONS REVOKED

Title	Serial Number
The Bobby Calf Marketing Regulations 1947	1947/120
The Bobby Calf Marketing Regulations 1947, Amendment No. 3	1948/131
The Bobby Calf Marketing Regulations 1947, Amendment No. 4	1952/105
The Bobby Calf Marketing Regulations 1947, Amendment No. 5	1952/223

T. J. SHERRARD,
Clerk of the Executive Council.

Certified for the purposes of section 7 of the Regulations Act 1936, this 29th day of November 1961.

J. R. HANAN, *Attorney-General.*

Issued under the authority of the Regulations Act 1936.

Date of notification of principal regulations in *Gazette*: 21 December 1955.

These regulations are administered in the Department of Agriculture.