

1991—No. 276

FARM PRODUCE ACT 1983—REGULATION

(Relating to the amounts of indemnities)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Farm Produce Act 1983, has been pleased to make the Regulation set forth hereunder.

IAN ARMSTRONG

Minister for Agriculture and Rural Affairs.

Commencement

1. This Regulation commences on 1 July 1991.

Amendment

2. The Farm Produce Regulation 1983 is amended by omitting clause 6A and by inserting instead the following clause:

Prescribed amounts of indemnities

6A. (1) For the purposes of section 11 of the Act, the prescribed amount, in respect of a farm produce seller who occupies an area at the Flemington Markets, Sydney, for the sale or storage of farm produce, is:

- (a) if the area so occupied is less than 110 square metres:
 - (i) \$75,000 in the case of a farm produce seller who is a member of a recognised credit association; or
 - (ii) \$150,000 in any other case; or

- (b) if the area so occupied is 110 square metres or more but less than 220 square metres;
 - (i) \$150,000 in the case of a farm produce seller who is a member of a recognised credit association; or
 - (ii) \$300,000 in any other case; or
- (c) if the area so occupied is 220 square metres or more:
 - (i) \$250,000 in the case of a farm produce seller who is a member of a recognised credit association; or
 - (ii) \$500,000 in any other case.

(2) For the purposes of section 11 of the Act, the prescribed amount, in respect of a farm produce seller who sells or stores farm produce otherwise than at the Flemington Markets, Sydney, is \$100,000.

(3) In this clause:

“recognised credit association” means the Flemington Markets Commercial Services Co-operative Limited.

EXPLANATORY NOTE

The object of this Regulation is to substitute clause 6A of the Farm Produce Regulation 1983 so as to increase the amount of the indemnities required of farm produce sellers. The amount of the indemnity is to be fixed according to criteria which take account of the following factors:

- (a) whether or not a farm produce seller sells or stores farm produce at the Flemington Markets, Sydney; and
- (b) in the case of a farm produce seller who sells or stores farm produce at the Flemington Markets, Sydney:
 - (i) the area occupied by the farm produce seller at those markets; and
 - (ii) whether or not the farm produce seller is a member of a recognised credit association.

Flemington Markets Commercial Services Co-operative Limited is to be a recognised credit association for the purposes of the substituted clause.
