



ANNO DECIMO OCTAVO

ELIZABETHAE II REGINAE

A.D. 1969

No. 96 of 1969

An Act to make provision with respect to the determination of wheat delivery quotas in respect of land used for the production of wheat and to give effect to such determinations and for matters incidental thereto.

[Assented to 11th December, 1969.]

Preamble.

WHEREAS by Acts of the Parliaments of the Commonwealth and of the States provision has been made with respect to the marketing of wheat and the stabilization of the wheat industry :

AND WHEREAS the scheme of marketing and stabilization established under those Acts is threatened because of the problems arising out of the storage and marketing of the large quantities of wheat produced in the season that commenced on the 1st day of October 1968 :

AND WHEREAS the Australian Wheat Growers Federation has resolved amongst other things that it is essential that an advance payment of not less than one dollar and ten cents be made in respect of wheat received by the Australian Wheat Board and that an equitable system to regulate the amount of wheat that is to be delivered into storage in the season commencing on the 1st October, 1969, hereinafter called "the 1969-1970 season", should be implemented to enable proper advances to be paid :

AND WHEREAS the maximum amount that the Reserve Bank of Australia is prepared to make available for the making of advances to wheat growers in the 1969-1970 season and the expenses incurred by the Australian Wheat Board in connection with the operation of the system is four hundred and forty million dollars :

AND WHEREAS the Commonwealth Minister of State for Primary Industry and the Ministers of State responsible for Agriculture in the several States of the Commonwealth have agreed that the total amount of wheat that may be accepted into storage on behalf of the Australian Wheat Board, on which the said advance payment of one dollar and ten cents shall be made, should be limited to three hundred and fifty-seven million bushels and that the total amount that should be so accepted in South Australia in respect of wheat grown in South Australia should be forty-five million bushels :

AND WHEREAS it is expedient to make provision with respect to the determination of wheat delivery quotas in respect of land used for the production of wheat and to give effect to a scheme that will give priority to the marketing of wheat which is received by the Australian Wheat Board in accordance with the system of quotas so established :

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

PART I.

PART I.

PRELIMINARY.

1. This Act may be cited as the "Wheat Delivery Quotas Act, 1969". Short title.

2. This Act shall come into operation on a day to be fixed by proclamation. Commence-
ment.

3. This Act is arranged as follows :—

Arrangement
of Act.

PART I.—PRELIMINARY, ss. 1-5.

PART II.—ADMINISTRATION, ss. 6-44—

DIVISION 1—THE WHEAT DELIVERY QUOTA ADVISORY
COMMITTEE, ss. 6-18 :

DIVISION 2—WHEAT DELIVERY QUOTAS, ss. 19-25 :

DIVISION 3—THE FORMER COMMITTEE, ss. 26-31 :

DIVISION 4—APPEALS, ss. 32-42 :

DIVISION 5—GENERAL, ss. 43-44.

PART III.—DELIVERY OF WHEAT, ss. 45-52.

PART IV.—MISCELLANEOUS, ss. 53-61.

PART I.**Application of Act.**

4. (1) This Act shall apply and have effect to and in relation to any quota season.

(2) The Governor may by proclamation declare any season to be a quota season for the purposes of this Act and may by proclamation revoke any such declaration.

Interpretation.

5. (1) In this Act, unless the context otherwise requires—

“applicant” in relation to an application means the person who made the application or the person on whose behalf the application is made :

“application” means an application for a wheat delivery quota :

“basic quota” in relation to a wheat delivery quota, means an amount of wheat representing that portion of the wheat delivery quota determined pursuant to section 23 of this Act :

“decision” includes a determination or allocation :

“holder” in relation to a wheat delivery quota means the person to whom that quota has, pursuant to this Act, been allocated :

“licensed receiver” means a person, firm, company or authority licensed by the Board to receive wheat or wheat of a particular kind in this State on behalf of the Board :

“member of the Advisory Committee” includes the person for the time being elected as chairman of the Advisory Committee :

“member of the Review Committee” includes the chairman of the Review Committee :

“non-quota wheat” means wheat of a season produced from lands not comprised in a production unit in respect of which a wheat delivery quota has been allocated for that season :

“over-quota wheat” means wheat of a season produced from a production unit in respect of which a wheat delivery quota has been allocated for that season and which exceeds the quantity of the quota wheat of that season produced from that production unit :

“owner” in relation to any land comprised in a production unit includes the lessee of that land but does not include a share-farmer of that land :

“person” includes a firm or partnership :

“production unit” in relation to a wheat delivery quota means the land or the lands in respect of which the wheat delivery quota is applied for or allocated as the case may be :

“quota season” means the season commencing on the first day of October, 1969, and includes any other season declared for the time being to be a quota season pursuant to section 4 of this Act :

“quota wheat” means wheat of a season produced from a production unit in respect of which a wheat delivery quota has been allocated for that season and which does not exceed the quantity of wheat which may, pursuant to section 45 of this Act, be delivered to a licensed receiver :

“season” in relation to wheat, means the period of twelve months, commencing on the first day of October in any year, during which the wheat was harvested :

“share-farmer” means a person who has entered into an agreement with the owner of land comprised in a production unit whereby—

(a) the owner grants a licence to that person to use and occupy all or portion of that land (not being less than two acres in area) for the purposes of growing wheat ;

(b) the person undertakes to provide labour either with or without equipment, or seed or fertilizer for the working of the land to which the agreement relates ;

and

(c) the owner and the person agree that the produce of the land to which the agreement relates derived during the currency of the agreement, or the proceeds from the sale of such produce, shall be divided between them in specified proportion,

and includes a person who has entered into any other agreement with such an owner having a like effect :

“share-farming agreement” means any agreement of a kind referred to in the definition of “share-farmer” :

“South Australian Co-operative Bulk Handling Limited” means the company of that name limited by guarantee without share capital and deemed to be incorporated under the provisions of the Companies Act, 1962, as amended :

“special quota” in relation to a wheat delivery quota means an amount of wheat represented by that portion of the wheat delivery quota fixed pursuant to section 24 of this Act :

“the Advisory Committee” means the Wheat Delivery Quota Advisory Committee established by section 6 of this Act :

“the Board” means the Australian Wheat Board continued in existence by the *Wheat Industry Stabilization Act* 1968 of the Commonwealth or any other Act of the Commonwealth amending that Act or passed in substitution therefor :

“the contingency reserve” in relation to a quota season, means the amount representing an amount of wheat that has pursuant to paragraph (a) of subsection (1) of section 16 of this Act been set aside from the State quota for that quota season as a contingency reserve and includes any amount representing an amount of wheat which may pursuant to this Act be dealt with as if it were part of that contingency reserve :

“the former committee” means the former committee as defined in section 26 of this Act :

“the prescribed period” means the five consecutive seasons concluding on the thirtieth day of September, 1969 :

“the Review Committee” means the Wheat Delivery Quota Review Committee established by section 32 of this Act :

“the State quota”—

(a) in relation to the quota season commencing on the first day of October, 1969, means an amount of wheat equal to forty-five million bushels of wheat or such other amount as is declared by proclamation to be the State quota for that quota season ;

and

(b) in relation to any other quota season, means an amount of wheat equal to the amount of wheat declared by proclamation to be the State quota for that quota season :

“wheat delivery quota” in relation to a production unit means the wheat delivery quota applied for or, as the case may be, allocated in respect of that production unit.

(2) The Governor may by proclamation—

- (a) vary the amount of forty-five million bushels of wheat referred to in paragraph (a) of the definition of “the State quota” in subsection (1) of this section and declare the amount as varied to be the State quota in relation to the quota season referred to in that paragraph ;
- (b) declare an amount of wheat to be the State quota in relation to any particular quota season ;
- (c) vary the amount of wheat declared by proclamation pursuant to paragraph (a) or (b) of this section and declare the amount as varied to be the State quota in relation to any particular quota season ;

or

- (d) revoke any declaration made pursuant to this section.

PART II.

PART II.

ADMINISTRATION.

DIVISION 1.DIVISION 1.—WHEAT DELIVERY QUOTA ADVISORY
COMMITTEE.

Wheat Delivery
Quota Advisory
Committee.

6. (1) For the purpose of this Act a committee by the name of the "Wheat Delivery Quota Advisory Committee" is hereby established.

(2) The Advisory Committee—

(a) shall be a body corporate with perpetual succession and a common seal ;

(b) subject to this Act, shall be capable of acquiring, taking or letting out on lease, holding, selling and otherwise disposing of real and personal property ;

(c) may in its corporate name and capacity sue and be sued ;

and

(d) shall have the powers, duties, functions and authorities conferred, imposed or prescribed by or under this Act.

(3) Where a document purporting to bear the common seal of the Advisory Committee is produced before any court or person acting judicially that court or that person, as the case may be, shall, unless the contrary is proved, presume—

(a) that the document purporting to bear the common seal of the Advisory Committee bears the common seal of the Advisory Committee ;

and

(b) that the common seal was duly affixed.

Composition of
Advisory
Committee.

7. (1) Subject to this section, the Advisory Committee shall consist of eleven members appointed by the Governor of whom—

(a) one shall be a person in the full time employ of the Board ;

(b) one shall be a person in the full time employ of the South Australian Co-operative Bulk Handling Limited ;

(c) one shall be an officer of the Department of Agriculture ;
and

(d) eight shall be persons nominated by the Grain, Wheat, Barley, Oats Seeds State Commodity Section of the United Farmers & Graziers of S.A. Incorporated, in this section referred to as "the commodity section".

(2) If the Minister has given to the commodity section notice in writing requiring the commodity section within the time specified in the notice (being not less than two weeks) to nominate a person or a number of persons for appointment as a member or as members under paragraph (d) of subsection (1) of this section and the commodity section fails to nominate a person or the number of persons required within the time specified, the Governor may, on the recommendation of the Minister, appoint a person as a member or a number of persons as members in place of the person or the number of persons in respect of the nomination of which the failure occurred and that person or those persons so appointed shall be deemed for all purposes to have been appointed under that paragraph.

(3) Every member of the Advisory Committee shall, subject to this Act, hold office as such until the day expressed in the instrument of his appointment as being the day on which he shall cease to hold office, but a member appointed to fill a casual vacancy in the office of a member of the Advisory Committee shall hold office only for the unexpired portion of the term of office of the member in whose place he was appointed.

(4) Where a person who is a member of the Advisory Committee by virtue of paragraph (a), (b) or (c) of subsection (1) of this section is, through illness or any other cause, unable to perform his duties or functions as such a member he may, by notice in writing given to the Secretary of the Advisory Committee, appoint a person as his deputy to act for him during the period of such inability and the person so appointed shall, while so acting, be deemed to be a member of the Advisory Committee.

(5) On the expiration of his term of office as member a person appointed a member of the Advisory Committee shall, subject to subsection (1) of this section, be eligible for re-appointment.

8. The Governor may, by notice in writing served on a member of the Advisory Committee, remove the member from office on grounds of misconduct or incapacity to perform his duties and functions as a member.

Removal from
office of
member.

PART II.

DIVISION 1.

Casual
vacancies.

9. The office of a member of the Advisory Committee shall become vacant if—

- (a) he dies ;
 - (b) he resigns by written notice given to the Minister ;
 - (c) he is removed from office by the Governor pursuant to section 8 of this Act ;
 - (d) he is absent without leave of the Minister from four consecutive meetings of the Advisory Committee ;
 - (e) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors or compounds with his creditors for less than one hundred cents in the dollar ;
 - (f) he is convicted of any indictable offence ;
- or
- (g) he is convicted of any other offence and receives notice in writing from the Minister discharging him from office on the ground of that conviction.

Common seal,
meetings and
quorum.

10. (1) The common seal of the Advisory Committee shall not be affixed to any instrument except in pursuance of a resolution of the Advisory Committee.

(2) Any instrument executed in pursuance of such a resolution shall be attested by the signature of any two members of the Advisory Committee.

(3) The procedure for the calling of meetings of the Advisory Committee and for the conduct of business at such meetings shall, subject to this Act, be as determined by the Advisory Committee.

(4) Any six members of the Advisory Committee shall constitute a quorum at any meeting of the Advisory Committee and any duly convened meeting at which a quorum is present shall be competent to transact any business of the Advisory Committee and shall have and may discharge all the powers, duties and functions of the Advisory Committee.

(5) A decision carried by the majority of the votes cast by the members present at a meeting of the Advisory Committee shall be the decision of the Advisory Committee.

(6) The Advisory Committee shall cause accurate minutes to be kept of its proceedings at meetings.

PART II.
DIVISION 1.
Delegation.

11. (1) The Advisory Committee may by instrument over its common seal delegate to not less than two members of the Advisory Committee any of the powers and functions conferred on the Advisory Committee by or under this Act (except this power of delegation) so that the delegated powers and functions may be exercised by the delegates with respect to the matters or matters of a class or in relation to a locality specified in the instrument of delegation.

(2) A delegation under subsection (1) of this section is revokable in writing at will and no delegation shall prevent the exercise of any power or function by the Advisory Committee conferred on it by or under this Act.

(3) Notwithstanding anything in this Act, where the delegates are unanimous in the exercise or performance of any power or function delegated under subsection (1) of this section the exercise or performance of that power or function by the delegates shall for the purposes of this Act or of any proceedings under this Act be deemed to be an exercise or performance of that power or function by the Advisory Committee.

12. (1) The Advisory Committee shall elect one of the members of the Advisory Committee as chairman.

**Chairman and
presiding
member.**

(2) The chairman shall preside at all meetings of the Advisory Committee at which he is present and in addition to a deliberative vote, shall, in the event of equality of votes, have a second or casting vote.

(3) In the absence of the member for the time being elected as chairman from any meeting of the Advisory Committee the members present shall, from amongst their own number, elect a member to preside at that meeting and at that meeting the member so elected shall have and may exercise the powers and functions conferred on the chairman by this section.

13. No Act, proceeding or determination of the Advisory Committee shall be invalid on the ground only of any vacancy in the office of any member or of any defect in the appointment of any member.

**Validity of acts,
etc., of
Advisory
Committee.**

14. (1) The Advisory Committee may appoint a person to be the secretary to the Advisory Committee.

**Secretary to
the Advisory
Committee.**

(2) The secretary to the Advisory Committee shall have and may exercise, perform and carry out such powers, functions and

PART II.
DIVISION 1.

duties as are conferred on him by or under this Act or as are directed to be exercised, performed or carried out by the Advisory Committee.

Advisory
Committee
may use
service of
Government
employees.

15. With the approval of the Minister, and subject to such conditions, including conditions as to payment as are agreed upon between the Minister and the Advisory Committee, the Advisory Committee may make use of the service of any person in the public service of the State.

Powers, etc.,
of Advisory
Committee.

16. (1) Subject to this Act and in addition to and not in derogation of any other powers, functions or duties conferred on it by or under this Act the Advisory Committee may, in relation to the quota season which commenced on the first day of October, 1969—

- (a) determine the amount representing the amount of wheat that shall be set aside from the State quota as a contingency reserve to be dealt with in accordance with this Act ;
- (b) determine the percentage that shall be the prescribed percentage for the purposes of section 23 of this Act ;
- (c) determine the method of fixing the portion of any wheat delivery quota that may be allocated, from the contingency reserve, as a special quota ;
- (d) accept applications for and make allocations of wheat delivery quotas and vary any such wheat delivery quotas and determine how such wheat delivery quotas or variations thereof shall be evidenced ;
- (e) accept the surrender of all or any portion of the amount of wheat represented by a wheat delivery quota and deal with an amount of wheat represented by the amount so surrendered as if it were part of the contingency reserve ;

and

- (f) do all things which in its opinion are necessary or expedient to be done for the purpose of giving full effect to this Act.

(2) The Advisory Committee may, with the approval of the Minister, enter into, and act in accordance with, any arrangement with any person or body for better effectuating the objects of this Act.

(3) Notwithstanding anything in any other enactment, any person or body referred to in subsection (2) of this section may enter into and carry out any arrangement referred to in that subsection.

17. (1) The Advisory Committee may—

(a) by notice in writing signed by the secretary to the Advisory Committee acting under the direction of the chairman of the Advisory Committee or signed by any member thereof, require any person to attend before the Advisory Committee at any time and place specified in the notice and give evidence before the Advisory Committee or produce to the Advisory Committee any books or documents specified in the notice touching any matter relating to an application for or an allocation of a wheat delivery quota ;

(b) inspect any books and documents produced to the Advisory Committee and retain them for such reasonable periods as the Advisory Committee thinks fit and may make copies or take extracts of such matters therein as are relevant to any application for or an allocation of a wheat delivery quota ;

and

(c) examine witnesses on oath or affirmation which may be administered by the secretary to the Advisory Committee or any member thereof.

(2) Any person who, being served with a notice referred to in subsection (1) of this section, neglects or refuses to obey any requirements thereof shall be guilty of an offence and liable to a penalty not exceeding one hundred dollars.

18. (1) The Advisory Committee, any member thereof or any person authorized in writing by the Advisory Committee may, at any time, enter and remain on any lands comprised in a production unit in respect of which a wheat delivery quota has been applied for or, as the case may be, allocated and inspect any such lands.

Entry onto
land.

(2) A person shall not hinder or obstruct the Advisory Committee or any person referred to in subsection (1) of this section in the exercise of the powers conferred on it or him by that subsection.

Penalty : For an offence that is a contravention of this subsection, one hundred dollars.

PART II.
DIVISION 2.

DIVISION 2—WHEAT DELIVERY QUOTAS.

Application
for a wheat
delivery
quota.

19. (1) Any owner of lands comprised in a production unit may apply to the Advisory Committee for the allocation of a wheat delivery quota in respect of that production unit for the quota season which commenced on the first day of October, 1969.

(2) An application for a wheat delivery quota referred to in subsection (1) of this section shall be in a form approved of by the Advisory Committee and contain the following particulars:—

- (a) the name and postal address of the applicant ;
 - (b) a description of the land comprised in the production unit in respect of which the application is made ;
 - (c) the applicant's interest in the land comprised in the production unit ;
 - (d) the total quantity of wheat (expressed in bushels) produced from that production unit and delivered to a licensed receiver, within the meaning of this Act or within the meaning of any Act of a State of the Commonwealth, relating to the delivery of wheat, within the prescribed period and the names of the persons in respect of whom those other deliveries were made ;
 - (e) the estimated quantity of wheat (expressed in bushels) that, pursuant to any share-farming agreement applicable to the season in respect of which the wheat delivery quota is applied for, the share-farmer is entitled to retain or dispose of on his own behalf out of the wheat produced from that production unit and the name of the share-farmer so entitled ;
 - (f) where the applicant desires the allocation of a special quota, the grounds on which he applies for the allocation of that special quota ;
- and
- (g) such other particulars, if any, as are prescribed.

(3) A person shall not in or in relation to an application referred to in subsection (2) of this section—

- (a) make or suffer or permit to be made any statement or representation which is to his knowledge false or misleading in any material particular ;

or

- (b) omit or suffer or permit to be omitted from any such application any matter which is pursuant to subsection (2) of this section required to be contained in that application where such omission would render that application false or misleading in any material particular.

Penalty: For an offence that is a contravention of this subsection, one hundred dollars.

(4) Where a person is convicted of an offence that is a contravention of subsection (3) of this section any allocation of a wheat delivery quota made in consequence of an application to which that conviction relates shall be and shall be deemed always to have been void and of no effect but the provisions of this subsection shall not prevent such a person from making a new application to the Advisory Committee and, notwithstanding anything in section 21 of this Act, the Advisory Committee shall deal with that application in accordance with this Act.

20. (1) The Advisory Committee may—

Amendment of applications.

(a) direct that an application be amended in accordance with its directions ;

or

(b) approve the amendment of an application.

(2) The Advisory Committee may in relation to an application referred to in paragraph (a) or (b) of subsection (1) of this section refuse to deal or refuse to deal further with that application until that application—

(a) has been amended in accordance with the direction of the Advisory Committee ;

or

(b) has been amended,

as the case requires.

21. (1) In respect of the allocation of wheat delivery quotas for a season, the Advisory Committee may fix a day as closing day for applications for wheat delivery quotas for that season.

Closing day for applications.

(2) Except in such special circumstances as the Advisory Committee thinks fit, the Advisory Committee shall not allocate a wheat delivery quota in respect of which the application referred to in subsection (1) of this section was received by the Advisory Committee after the day fixed pursuant to that subsection.

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DIVISION 2.

Composition of
wheat delivery
quotas.

22. The wheat delivery quota allocated in respect of any production unit for the quota season which commenced on the first day of October, 1969, shall be the aggregate of the amount of wheat represented by the basic quota and the amount of wheat represented by the special quota, if any, allocated in respect of that production unit.

Calculation of
the basic
quota.

23. (1) The portion of the wheat delivery quota in respect of a production unit represented by the basic quota shall be an amount of wheat—

(a) being the prescribed percentage of the average annual deliveries to a licensed receiver of wheat produced from that production unit during the prescribed period ;

or

(b) ascertained by reference to subsection (2) of this section, whichever is the greater.

(2) The portion of the wheat delivery quota allocated in respect of a class A, class B or class C production unit represented by the basic quota may be an amount of—

(a) in respect of a class A production unit, four thousand bushels or one-third of the estimated yield whichever is the less ;

(b) in respect of a class A production unit the owner of which is a traditional wheat grower, six thousand bushels or one-half of the estimated yield whichever is the less ;

(c) in respect of a class B production unit, six thousand bushels or one half of the estimated yield whichever is the less ;

and

(d) in respect of a class C production unit, seven thousand five hundred bushels or six-tenths of the estimated yield whichever is the less.

(3) In this section—

“class A production unit” means a production unit from which no wheat was delivered to a licensed receiver in respect of any of the seasons comprised in the prescribed period :

“class B production unit” means a production unit from which wheat was, during the prescribed period, delivered to a licensed receiver only in respect of one

or more of the last three seasons comprised in the prescribed period where, in the opinion of the Advisory Committee, all or portion of the land comprised in the production unit was being developed for wheat growing :

“class C production unit” means a production unit (not being a class B production unit) from which wheat was, during the prescribed period, delivered to a licensed receiver only in respect of one or more of the last four seasons comprised in the prescribed period or in respect of each of the five seasons comprised in the prescribed period, where, in either case, in the opinion of the Advisory Committee all or portion of the land comprised in the production unit was being developed for wheat growing :

“the estimated yield” in relation to a production unit situated wholly within a Hundred means an amount expressed in bushels of wheat obtained by multiplying the number of acres of that production unit sown to wheat for harvesting during the season commencing on the first day of October, 1969, by a number equal to the number of bushels determined by the Advisory Committee as being the average yield of wheat expressed in bushels of wheat per acre sown in that hundred :

“the prescribed percentage” means the prescribed percentage determined by the Advisory Committee for the purposes of this section :

“traditional wheat grower” means a person who during not less than four of the seasons comprised in the prescribed period was engaged in the production of wheat either as the owner of land or as the share-farmer of land and who derived a significant portion of his income from that production.

(4) For the purposes of subsection (3) of this section, where a production unit is situated in more than one Hundred or where all or portion of the production unit is situated outside any Hundred the “estimated yield” in relation to that production unit means an amount expressed in bushels of wheat obtained by multiplying the number of acres sown to wheat for harvesting during the season commencing on the first day of October, 1969, by a number determined by the Advisory Committee, for the purposes of determining the estimated yield of that production unit.

PART II.
DIVISION 2.

**Fixing of
special quotas.**

24. (1) The amount of a wheat delivery quota in respect of a production unit represented by the special quota shall be fixed by the Advisory Committee and in so fixing that amount the Advisory Committee—

(a) shall have regard to—

- (i) the amount of wheat available for allocation as special quotas from the contingency reserve ;
- (ii) the diminution of the amount of wheat produced from the production unit as a consequence of two or more adverse seasons comprised in the prescribed period ;
- (iii) the diminution of the amount of wheat produced from the production unit as a consequence of the occurrence during the prescribed period of an insurable contingency ;
- (iv) the amount of wheat produced from the production unit in the prescribed period that was, with the approval of the Board, delivered to a person other than the Board ;

and

- (v) the amount of wheat produced from the production unit in the prescribed period that was delivered to a licensed receiver within the meaning of an Act, relating to deliveries of wheat, of any State other than this State ;

and

(b) subject to subsection (2) of this section may have regard to any other matter which in its opinion—

- (i) was not within the control of the person for the time being responsible for the production of wheat from the production unit during the prescribed period ;

and

- (ii) has diminished the amount of wheat that otherwise would have been produced from that production unit during the prescribed period.

(2) In fixing the special quota referred to in subsection (1) of this section the Advisory Committee shall not have regard to—

(a) the diminution of the amount of wheat produced from the production unit as the consequence of only one adverse season comprised in the prescribed period ;

or

(b) the diminution of the amount of wheat produced from the production unit as a consequence of the occurrence during the prescribed period of—

(i) frost ;

or

(ii) any disease or pest affecting the production of wheat.

(3) For the purposes of this section an “adverse season” in relation to a production unit means a season in which by reason of abnormally high rainfall or abnormally low rainfall the amount of wheat that would otherwise be produced from that production unit has in the opinion of the Advisory Committee been substantially diminished.

25. Where after the allocation of a wheat delivery quota in respect of a production unit, the Advisory Committee has reason to believe that all or portion of the land comprised in the production unit has been transferred (whether that transfer occurred before or after that allocation) the Advisory Committee may—

Transfer of all
or portion of a
production
unit.

(a) reduce the wheat delivery quota so allocated by such amount as it considers just having regard to the likely diminution of the production of wheat from the production unit occasioned by that transfer and for the purposes of this Act and of any proceedings under this Act the wheat delivery quota as reduced shall have effect as if it were the wheat delivery quota allocated by the Advisory Committee in respect of that production unit ;

and

(b) notwithstanding anything in section 21 of this Act upon application allocate a wheat delivery quota in respect of a production unit comprised of the lands so transferred.

PART II.
DIVISION 3.

The former
committee.

DIVISION 3.—THE FORMER COMMITTEE.

26. The “former committee” means the committee formed before the commencement of this Act by representatives of the wheat growing industry and others known as the “S.A. Quota Advisory Committee” and also known as the “South Australia Wheat Delivery Quota Advisory Committee” which at the time of its formation consisted of—

- (a) Edwin Carl Roocke ;
 - (b) Michael Stanley Shanahan ;
 - (c) Edwin Darlington Buckley ;
 - (d) Harold Alwin Schiller ;
 - (e) Ronald Spence Crosby ;
 - (f) David Lyell McEwin ;
 - (g) John Moore Shannon ;
 - (h) Miller Sinclair Williams ;
 - (i) Alexander John Kerry Walker ;
 - (j) Clifford Gordon Semmler ;
- and
- (k) Percival Thomas Sanders.

Acts of former
committee.

27. For the purposes of this Act and of any proceedings under this Act, and subject to this section—

- (a) an application to the former committee for a “Wheat Quota-Season 1969/1970” in respect of a property shall be deemed to be an application to the Advisory Committee for that portion of the wheat delivery quota, in respect of a production unit comprised of the land comprised in the property, represented by a basic quota ;
 - (b) an application to the former committee for special consideration of wheat quota allocation in respect of property shall be deemed to be an application to the Advisory Committee for that portion of the wheat delivery quota in respect of a production unit comprised of the land comprised in that property represented by a special quota ;
 - (c) the signature by a person on an application referred to in paragraph (a) of this section shall be deemed to be a statement of the applicant’s interest in the land comprised in a production unit ;
- and
- (d) an allocation by the former committee of a wheat delivery quota in respect of a property shall be deemed to be an allocation by the Advisory Committee of a wheat delivery quota in respect of a

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DIVISION 3.

production unit, comprised of that property, and for the purposes of Division 4 of this Part, or of any proceedings under that Division, notice of that allocation shall be deemed to have been given to the applicant on the day that this Act comes into force.

28. This Act, so far as it is applicable, shall be deemed to apply and always to have applied to and in relation to the former committee and to any proceedings thereof as if it were the Advisory Committee.

Application of Act to former committee.

29. For the purposes of this Act any act or decision of the former committee shall be deemed to be an act or decision, as the case may be, of the Advisory Committee and for the purposes of Division 4 of this Part and of any proceedings under that Division a person affected by that act or decision shall be deemed to have received notice of that act or decision on the day of commencement of this Act.

Acts and decision of the former committee.

30. The secretary to the former committee shall, upon the commencement of this Act, continue in office as secretary of the Advisory Committee and this Act shall apply and have effect to and in relation to the secretary of the former committee as if he had been appointed as secretary to the Advisory Committee pursuant to section 14 of this Act.

Continuation in office of secretary.

31. On the day of commencement of this Act the former committee shall be abolished and the members thereof in office upon that commencement shall cease to hold office as such members.

Abolition of former committee.

DIVISION 4—APPEALS.

DIVISION 4.

32. (1) For the purposes of this Act a committee by the name of the "Wheat Delivery Quota Review Committee" is hereby established.

The Review Committee.

(2) The Review Committee shall consist of three members appointed by the Governor of whom—

- (a) one shall be a person nominated by the Minister, in relation to whom the Minister has reported to the Governor that he is satisfied that the person is competent to conduct an independent inquiry into a dispute involving agricultural matters, and who shall be the chairman of the Review Committee ;
 - (b) one shall be a person nominated by the United Farmers & Graziers of S.A. Incorporated ;
- and
- (c) one shall be a person nominated by the Minister.

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DIVISION 4.

(3) If the Minister has given to the United Farmers & Graziers of S.A. Incorporated notice in writing within the time specified in the notice (being not less than two weeks) to submit to the Minister the name of a person for the purposes of an appointment under paragraph (b) of subsection (1) of this section and that organization fails to submit to the Minister such a name within the time so specified, the Governor may on the nomination of the Minister appoint a person to be a member of the Review Committee and the person so appointed shall, for all purposes, be deemed to have been appointed under that paragraph.

(4) Every member of the Review Committee shall, subject to this Act, hold office as such until the day expressed in the instrument of his appointment as being the day on which he shall cease to hold office but a member appointed to fill a casual vacancy in the office of a member shall hold office only for the unexpired portion of the term of office of the member in whose place he was appointed.

(5) On the expiration of his term of office as a member a person appointed as a member of the Review Committee shall, subject to subsection (1) of this section, be eligible for re-appointment.

**Absence of
members.**

33. (1) Subject to subsection (2) of section 32 of this Act, the Governor may, as occasion requires, appoint such a person as he considers fit and proper to act in the place of a member of the Review Committee during that member's absence or incapacity.

(2) During the absence or incapacity of a member of the Review Committee, the person appointed, in accordance with subsection (1) of this section, to act in his place shall be entitled to act in the place of that member and, when so acting, shall be deemed to be a member of the Review Committee and, in the case of a person appointed to act in the place of the chairman of the Review Committee, shall be deemed to be the chairman of the Review Committee.

(3) An appointment under subsection (1) of this section of a person to act in the place of a member of the Review Committee and the exercise by the person of any of his powers and functions shall not be questioned on the ground that the occasion for the appointment or for the exercise of those powers or functions had not arisen or had ceased.

**Removal from
office of
member.**

34. The Governor may, by notice in writing served on a member of the Review Committee, remove the member from office on grounds of misconduct or incapacity to perform his duties or functions as a member.

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DIVISION 4.

35. The office of a member of the Review Committee shall become vacant if—

Casual
vacancies.

- (a) he dies ;
 - (b) he resigns by written notice given to the Minister ;
 - (c) he is removed from office by the Governor pursuant to section 34 of this Act ;
 - (d) he is absent without leave of the Minister from four consecutive meetings of the Review Committee ;
 - (e) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors or compounds with his creditors for less than one hundred cents in the dollar ;
 - (f) he is convicted of any indictable offence ;
- or
- (g) he is convicted of any other offence and receives a notice in writing from the Minister discharging him from office on the ground of that conviction.

36. No act, proceeding or determination of the Review Committee shall be invalid on the ground only of any vacancy in the office of any member or of any defect in the appointment of any member.

Validity of acts
or determina-
tions of the
Review
Committee.

37. (1) The Review Committee may appoint a person to be secretary to the Review Committee.

Secretary to
Review
Committee.

(2) The office of secretary to the Review Committee may be held in conjunction with the office of secretary to the Advisory Committee.

(3) The secretary to the Review Committee shall have and may exercise, perform and carry out such powers, functions and duties as are conferred on him by or under this Act or as are directed to be exercised, performed or carried out by the Review Committee.

38. (1) Any person aggrieved by any act or decision of the Advisory Committee may appeal to the Review Committee and the Review Committee shall, subject to this section, hear and determine such appeal and shall in every such determination state the reasons for its decision.

Review Com-
mittee to hear
and determine
appeals.

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DIVISION 4.

- (2) The Review Committee may, by its determination—
- (a) confirm the act or decision of the Advisory Committee appealed against ;
 - (b) annul the act or decision of the Advisory Committee appealed against and direct the Advisory Committee to substitute for that act or decision such an act or decision which is within the powers of the Advisory Committee and is specified in the direction ;
- or
- (c) subject to subsection (4) of this section, give to the Advisory Committee such directions to alter the amount of a wheat delivery quota allocated by it as the Review Committee thinks fit,

and the Advisory Committee shall as soon as practicable after receiving notice of the determination give effect to the determination.

(3) Where the Review Committee is satisfied, on such evidence as it thinks fit, that the amount of wheat represented by a wheat delivery quota allocated in respect of a production unit is less than the amount of wheat the proceeds from the sale of which, when aggregated with all other proceeds from the utilization of the lands comprised in the production unit directly or indirectly available to the holder of the wheat delivery quota, would be sufficient to maintain the economic viability of the production unit, the Review Committee may direct the Advisory Committee to alter the amount of wheat represented by that wheat delivery quota by increasing that amount to an amount specified in the direction and the Advisory Committee shall give effect to that direction.

(4) The Review Committee shall not give a direction to the Advisory Committee to alter the amount of a wheat delivery quota allocated pursuant to this Act by increasing the amount of wheat represented by that wheat delivery quota unless the Review Committee is satisfied that there is available for distribution from the contingency reserve an amount equal to that increase.

(5) Where pursuant to a direction of the Review Committee the Advisory Committee alters the amount of a wheat delivery quota allocated pursuant to this Act in respect of a production unit, for all purposes the wheat delivery quota as altered shall be deemed to be and always to have been the wheat delivery quota so allocated by the Advisory Committee in respect of that production unit.

(6) In determining an appeal from a decision of the Advisory Committee relating to an allocation by the Advisory Committee of the portion of a wheat delivery quota represented by a special quota the Review Committee—

(a) may have regard to the matters to which, pursuant to subsection (1) of section 24 of this Act, the Advisory Committee can have regard ;

and

(b) shall not have regard to the matters to which, pursuant to subsection (2) of that section, the Advisory Committee shall not have regard.

(7) A determination of the Review Committee shall be final and without appeal.

39. (1) Where pursuant to paragraph (a) of subsection (2) of section 38 of this Act the Review Committee by its determination confirms the act or decision of the Advisory Committee appealed against and having regard to all the circumstances the Review Committee considers that the appeal was frivolous or for any other reason the appeal should not have been brought, the Review Committee may order that the appellant pay to the Advisory Committee such sum towards the cost of the appeal, not exceeding one hundred dollars, as the Review Committee thinks fit.

Frivolous
appeals.

(2) Any sum so ordered to be paid by the appellant may be sued for and recovered by the Advisory Committee as a debt due to it.

40. (1) An appeal to the Review Committee shall be instituted by lodging with the secretary of the Review Committee within one month after the day on which the appellant received notice or was deemed to have received notice of the act or decision of the Advisory Committee appealed against, two copies of a notice containing the particulars referred to in subsection (2) of this section and the Review Committee shall not deal with an appeal unless that appeal is instituted in substantial accordance with this subsection.

Appeals.

(2) A notice referred to in subsection (1) of this section shall contain the following particulars—

(a) the name of the appellant ;

(b) an address for the service of notices on the appellant ;

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DIVISION 4.

(c) the particulars of the act or decision of the Advisory Committee appealed against ;

(d) the grounds of appeal ;

and

(e) such other particulars, if any, as are prescribed.

(3) On receipt of a notice referred to in subsection (1) of this section the secretary to the Review Committee shall send one copy of that notice to the secretary to the Advisory Committee who shall within seven days after receiving that notice lodge with the secretary to the Review Committee a reply setting out—

(a) the reasons for the act or decision appealed against ;

and

(b) such other matters as to the Advisory Committee seems relevant.

Procedure of
Review
Committee.

41. (1) Any appeal to the Review Committee shall be determined by the Review Committee at a meeting convened by the secretary to the Review Committee, on the instructions of the chairman of the Review Committee, by notice in writing to all the members of the Review Committee.

(2) Subject to this Act, the procedure for determining an appeal shall be as determined by the Review Committee and the Review Committee may sit in public or in private or partly in public and partly in private as it determines.

(3) Subject to this section, any two members of the Review Committee of whom the chairman of the Review Committee shall be one, shall be competent to determine any appeal before the Review Committee and shall have and may exercise all the powers, duties, functions and authorities of the Review Committee.

(4) A determination concurred in by any two members of the Review Committee of whom the chairman of the Review Committee shall be one shall be a determination of the Review Committee.

(5) If at the hearing of an appeal only two members are present and they are unable to concur in the determination of the appeal the matter shall be postponed until all the members are present when it shall be re-heard and determined by the Review Committee.

(6) The chairman shall preside at all hearings of the appeals before the Review Committee.

PART II.
DIVISION 4.Determination
of appeals.

42. (1) The Review Committee shall determine each appeal in such manner as it thinks proper having regard to all matters which in its opinion are relevant.

(2) In any appeal it shall lie upon the appellant to show that on the balance of probabilities the act or decision appealed against is—

(a) based on a mistake of fact ;

or

(b) unjust or unfair having regard to his own circumstances and the attainment of the objects and the policy of this Act.

(3) The Review Committee may—

(a) by notice in writing signed by the secretary to the Review Committee acting under the direction of the chairman of the Review Committee or by any member of the Review Committee require any person to attend before the Review Committee at any time and place specified in the notice and give evidence before the Review Committee or produce to the Review Committee any books or documents specified in the notice touching any matter relating to an appeal ;

(b) inspect any books and documents produced to the Review Committee and retain them for such reasonable periods as the Review Committee thinks fit and may make copies or take extracts of such matters therein as are relevant to any appeal ;

and

(c) examine witnesses on oath or affirmation which may be administered by the secretary to the Review Committee or any member of the Review Committee.

(4) Any person who, being served with a notice referred to in subsection (3) of this section, neglects or refuses to obey any requirements stated therein shall be guilty of an offence and liable to a penalty not exceeding one hundred dollars.

DIVISION 5.—GENERAL.

DIVISION 5.

43. Notwithstanding any other Act, no person shall be disqualified by appointment as a member of the Advisory Committee or as a member of the Review Committee from holding office as a member of the Advisory Committee or the Review Committee, as the case may be, and also any other

Acceptance of office as a member of the Advisory Committee or Review Committee not to be a bar to holding other office.

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DIVISION 5.

office, or from accepting and retaining any fees or other remuneration or payment whether provided for by this Act or otherwise in respect of his membership of the Advisory Committee or, as the case may be, of the Review Committee.

Members to
declare
interest.

44. (1) Where a member of the Advisory Committee or a member of the Review Committee has a financial interest in any matter before the Advisory Committee or, as the case may be, before the Review Committee, he shall declare that interest and his declaration shall be recorded by the secretary to the Advisory Committee or, as the case may be, the Review Committee.

(2) Any member referred to in subsection (1) of this section shall not act as such a member in or in relation to any matter which he has, pursuant to that subsection, declared an interest.

(3) Where it appears to the Minister necessary or desirable, he may appoint any person to be a special member of the Advisory Committee or, as the case may be, the Review Committee, to act in the place of a member referred to in subsection (1) of this section and a special member so appointed shall have and may exercise, in and in relation to any matter referred to in subsection (1), all the powers and functions of a member of the Advisory Committee or, as the case may be, the Review Committee.

PART III.

PART III.

DELIVERY OF WHEAT.

45. Except as provided in subsection (2) of section 48 of this Act, and subject to this Act and the Bulk Handling of Grain Act, 1955-1969, a wheat delivery quota shall entitle the holder thereof to deliver wheat of a season produced from a production unit to the South Australian Co-operative Bulk Handling Limited or any other licensed receiver up to the quantity of wheat specified in that wheat delivery quota allocated in respect of the production unit for that season.

Entitlement
under wheat
delivery quota.

46. Delivery of quota wheat and over-quota wheat shall be made in accordance with directions from time to time given by the South Australian Co-operative Bulk Handling Limited and not otherwise.

Delivery of
wheat to be in
accordance
with directions.

47. Except under and in accordance with a direction of the Minister, a person shall not deliver or attempt to deliver to a licensed receiver any non-quota wheat.

Non-quota
wheat.

Penalty : One thousand dollars.

48. (1) The Board shall treat as delivery of wheat included in a wheat delivery quota allocated in respect of a production unit for a quota season (in this section referred to as "the relevant season") the delivery to a licensed receiver of over-quota wheat of a previous quota season (not being wheat delivered during that previous season and declared by the Board to have been sold and paid for in full during that previous season) being wheat—

Over-quota
wheat delivered
to a licensed
receiver.

(a) produced from that production unit and delivered during the previous quota season or the relevant season ;

or

(b) produced from the production unit in respect of which the wheat delivery quota is allocated and delivered by the holder of a wheat delivery quota allocated in respect of that production unit for that previous season while he was such a holder,

to the extent that the amount of that over-quota wheat does not exceed the wheat delivery quota allocated in respect of that production unit for the relevant season less any wheat of the

PART III.

relevant season delivered by the holder of the wheat delivery quota allocated in respect of that production unit pursuant to section 45 of this Act before that over-quota wheat was delivered.

(2) The quantity of wheat that may be delivered by a holder of a wheat delivery quota pursuant to section 45 of this Act shall be reduced by the quantity of over-quota wheat that is, pursuant to subsection (1) of this section, treated by the Board as being included in that wheat delivery quota.

Short falls.

49. (1) Where in relation to a production unit the Advisory Committee is of the opinion that the amount of wheat that can be delivered from that production unit will be less than the amount of wheat represented by the wheat delivery quota allocated in respect of that production unit the Advisory Committee shall forthwith by notice served by post on the holder of that wheat delivery quota reduce that wheat delivery quota by an amount (in this section referred to as a "short fall") by which the amount represented by the wheat delivery quota exceeds the amount that can be delivered and the wheat delivery quota as so reduced shall for all purposes be deemed to be the wheat delivery quota allocated in respect of that production unit.

(2) The Advisory Committee or the Review Committee may deal with the amount of wheat represented by any short fall as if it were part of the contingency reserve.

(3) In the allocation of a wheat delivery quota in respect of a production unit for a quota season which follows a quota season in which the wheat delivery quota allocated in respect of that production unit was, pursuant to subsection (1) of this section, reduced, regard shall be had to the amount by which that wheat delivery quota was so reduced.

Arrangement to deliver wheat not produced from the production unit in respect of which wheat delivery quota is allocated.

50. (1) Except as provided in section 52 of this Act the holder of a wheat delivery quota allocated in respect of a production unit shall not suffer or permit any wheat not produced from that production unit to be delivered to a licensed receiver as part of that wheat delivery quota.

Penalty : One thousand dollars.

(2) Where a person is convicted of an offence that is a contravention of subsection (1) of this section, the court before which the person was so convicted may, in addition to or in lieu of inflicting any penalty, by order, cancel the wheat delivery

quota in relation to which the offence was committed and upon such cancellation for all purposes the allocation of that wheat delivery quota shall be and shall be deemed always to have been void and of no effect.

51. Except as provided in section 52 of this Act a person shall not deliver or attempt to deliver to a licensed receiver as part of a wheat delivery quota allocated in respect of a production unit wheat not produced from that production unit.

Certain deliveries prohibited.

Penalty : One thousand dollars.

52. (1) Where a person is the owner of land comprising more than one production unit and as a consequence of that ownership that person is the holder of more than one wheat delivery quota the Advisory Committee may, in its absolute discretion, in writing approve, subject to such conditions as it sees fit, a delivery or deliveries of wheat produced from any one of those production units as part of the wheat delivery quota allocated in respect of another of those production units and the Committee may by notice in writing vary or revoke any such approval.

Certain deliveries may be approved.

(2) For the purposes of this Act, a delivery of wheat under and in accordance with an approval for the time being in force under subsection (1) of this section as part of a wheat delivery quota allocated in respect of a production unit shall be deemed to be a delivery of wheat produced from that production unit.

PART IV.

PART IV.

MISCELLANEOUS.

Restriction of
quota where
wheat sold to
other than a
licensed
receiver.

53. (1) Where the approval of the Board is obtained for the delivery of wheat to a person other than a licensed receiver and that wheat is produced or proposed to be produced from a production unit in respect of which a wheat delivery quota has been applied for or allocated, the applicant or holder, as the case may be, of that wheat delivery quota, shall not fail to forthwith inform the Advisory Committee of the amount of wheat the delivery of which was so approved.

Penalty : One thousand dollars.

(2) The Advisory Committee may, in relation to an amount of wheat the subject of an approval referred to in subsection (1) of this section and whether or not it has been informed of that approval pursuant to that subsection—

(a) if a wheat delivery quota has not been allocated in respect of a production unit, from which the amount of wheat is proposed to be produced, reduce the wheat delivery quota that would otherwise be so allocated by an amount of wheat equal to the amount of wheat the subject of that approval ;

or

(b) if a wheat delivery quota has been allocated in respect of that production unit, reduce that wheat delivery quota by the amount of wheat the subject of that approval and for all purposes the wheat delivery quota as reduced shall be deemed to be the wheat delivery quota allocated by the Advisory Committee pursuant to this Act.

Additional
powers of the
Advisory
Committee.

54. (1) Where in the opinion of the Advisory Committee there remains in the contingency reserve an amount representing an amount of wheat that will not be required to be allocated by the Advisory Committee—

(a) to give effect to a direction of the Review Committee ;

or

(b) by way of a special quota,

the Advisory Committee may by notice served by post on the holder of a wheat delivery quota allocated in respect of a production unit increase the amount of that wheat delivery

quota by an amount or percentage specified in the notice and except as provided in subsection (2) of this section the wheat delivery quota as so increased shall for all purposes be the wheat delivery quota allocated in respect of that production unit by the Advisory Committee pursuant to this Act.

(2) In the allocating of a wheat delivery quota in respect of a production unit for a quota season which follows a quota season in relation to which, pursuant to subsection (1) of this section, the wheat delivery quota allocated in respect of that production unit was increased, no regard shall be had to the amount of that increase.

55. Where in relation to a production unit in respect of which a wheat delivery quota has been allocated there is a share-farming agreement relating to the wheat produced or proposed to be produced from that production unit or portion of that production unit then, subject to anything contained in that agreement, the share-farmer, in respect of the wheat produced from that production unit which is delivered to a licensed receiver as quota wheat or which is pursuant to section 48 of this Act subsequently treated by the Board as included in a wheat delivery quota, shall be entitled to sue for and recover from the holder of the wheat delivery quota allocated in respect of that production unit as a debt due to him from that holder the proportion of the proceeds from the sale of that wheat calculated in accordance with the following formula :—

Rights of
share-farmers

$$a = \frac{b}{c} \times d$$

where—

- a* = the amount of wheat, portion of the proceeds of the sale of which, the share-farmer shall be entitled to sue for and recover ;
- b* = the amount of wheat that the share-farmer is, pursuant to the share-farming agreement, entitled to retain or sell on his own behalf ;
- c* = the total amount of wheat produced from the production unit in the season to which the share-farming agreement applies ;
- d* = the amount of wheat produced from the production unit which is delivered to a licensed receiver as quota wheat or is pursuant to section 48 of this Act subsequently treated by the Board as included in a wheat delivery quota.

PART IV.

**Effect of
quotas
rendered void.**

56. Where the Board has, pursuant to any Act, whether an Act of this State or otherwise, made a payment in respect of any quota wheat and the allocation of the wheat delivery quota against which that wheat was delivered is subsequent to that payment rendered void and of no effect, the Board may sue for and recover, as a debt due to the Board, from the person to whom that payment was made an amount equal to the difference between the payment and the amount, if any, that would have been payable to that person in respect of that wheat if that wheat were non-quota wheat.

Evidentiary.

57. For the purposes of this Act and of any proceedings under this Act—

(a) a certificate purporting to have been issued by the Advisory Committee shall be evidence that the amount of wheat referred to in the certificate is a wheat delivery quota or, as the case may be, a portion of a wheat delivery quota allocated by the Advisory Committee ;

and

(b) a certificate purporting to be signed by the secretary to the Advisory Committee or purporting to be signed by the chairman of the Advisory Committee to the effect that—

(i) a particular wheat delivery quota has been varied in a particular manner or the allocation of a particular wheat delivery quota has been rendered void and of no effect ;

or

(ii) a particular person is or is not the holder of a wheat delivery quota or that a wheat delivery quota has or has not been allocated in respect of any particular land,

shall be evidence of the facts stated therein.

**Summary
proceedings**

58. Proceedings for an offence against this Act or against any provision of this Act shall be disposed of summarily.

**Exclusion from
liability.**

59. The Advisory Committee, the Review Committee, the former committee, any member of any of those committees or any person shall not be liable for any act or omission done or omitted to be done in good faith in the exercise and performance or the purported exercise and performance of any power or function conferred on it or him by or under this Act.

60. The costs and expenses incurred in the administration and operation of this Act shall be paid by the South Australian Co-operative Bulk Handling Limited as part of the exercise of its powers and functions as a licensed receiver.

Costs and expenses.

61. The Governor may make regulations not inconsistent with this Act which may be necessary or convenient for carrying this Act into effect or for facilitating the operation or administration of this Act.

Regulations.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. W. HARRISON, Governor.