



ANNO DECIMO OCTAVO

ELIZABETHAE II REGINAE

A.D. 1969

No. 85 of 1969

An Act to amend the Wheat Industry Stabilization Act, 1968-1969.

[Assented to 11th December, 1969.]

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

1. (1) This Act may be cited as the "Wheat Industry Stabilization Act Amendment Act (No. 2), 1969". Short titles.

(2) The Wheat Industry Stabilization Act, 1968-1969, as amended by this Act, may be cited as the "Wheat Industry Stabilization Act, 1968-1969".

(3) The Wheat Industry Stabilization Act, 1968-1969, is hereinafter referred to as "the principal Act".

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

3. Section 5 of the principal Act is amended by inserting after the definition of "licensed receiver" the following definitions :— Amendment of principal Act, s.5—
Definitions.

"quota" means a wheat delivery quota fixed pursuant to the Wheat Delivery Quotas Act, 1969, and includes any wheat delivery quota fixed under any Act of any other State providing for the fixing of wheat delivery quotas :

"quota season" means a season that is a quota season as defined in the Wheat Delivery Quotas Act, 1969 .:

Amendment of
principal Act,
s.14—

4. Section 14 of the principal Act is amended by inserting after subsection (5) the following subsection :—

Price to be paid
for wheat.

(5a) For the purposes of subsection (5) of this section any amounts paid or payable by the Board to a licensed receiver in connection with the administration of a law of this State or any other State, relating to the fixing of quotas, shall be deemed to be costs of administration referred to in that subsection.

Enactment of
s. 14a of
principal Act—

5. The following section is enacted and inserted in the principal Act immediately after section 14 thereof :—

Modification of
the operation
of this Act.

14a. (1) In relation to a quota season, or a season that is not a quota season but which immediately follows a quota season, section 14 of this Act shall apply and have effect as if references in that section to wheat of a season were references to wheat included in the pool for that season in accordance with this section.

(2) The pool for a quota season (in this subsection referred to as "the relevant season") consists of the following wheat delivered to the Board (whether in pursuance of this Act, an Act of the Commonwealth or an Act of any other State)—

(a) wheat (whether of the relevant season or of an earlier quota season) delivered during the relevant season or an earlier quota season and appearing from the records of the Board to be the whole or part of a quota that is applicable to a person in respect of the relevant season under the Wheat Delivery Quotas Act, 1969, or any Act of any other State providing for the fixing of quotas ;

(b) any other wheat being wheat of the relevant season, that is delivered to the Board during the relevant season and declared by the Board to have been sold by the Board and paid for in full during the relevant season ;

and

(c) any other wheat, being wheat of an earlier quota season, that—

(i) was delivered to the Board before the relevant season ;

(ii) was not included in the pool for a season before the relevant season ;

and

(iii) is declared by the Board to have been sold by the Board and paid for in full during the relevant season.

(3) The pool for a season that is not a quota season but which immediately follows a quota season consists of the following wheat delivered to the Board (whether in pursuance of this Act, an Act of the Commonwealth or an Act of any other State)—

(a) wheat of that season ;

and

(b) wheat of an earlier season, being a quota season, that was not included in the pool for an earlier season.

(4) The Board may, in such manner as it considers equitable, attribute the sales of wheat referred to in a declaration under paragraph (b) or paragraph (c) of subsection (2) of this section, being wheat of a particular kind, to all or any of the wheat of that particular kind delivered by particular persons.

6. The following section is enacted and inserted in the principal Act immediately after section 20 thereof :—

Enactment of
s. 20a of
principal Act—

20a. (1) Notwithstanding section 20 of this Act, the Board may sell wheat for use in Australia otherwise than in the manufacture of substances for human consumption at such prices as the Board determines, being prices less than the prices that would be applicable under that section, but no such sale shall be made at a price less than the minimum price applicable in accordance with this section.

Price of wheat
for use in
Australia
otherwise than
for human
consumption.

(2) The minimum price in respect of a wholesale sale of bulk wheat of fair average quality free on rails at a port of export is the price per bushel for such a sale that corresponds with a free on board price equal to the guaranteed price of wheat of the season that was current at the beginning of the year in which the sale was made.

(3) The minimum price in respect of a sale other than a sale referred to in subsection (2) of this section is the price per bushel ascertained by adding to or deducting from the minimum price referred to in that subsection an amount that makes proper allowance for the quality of the wheat, the conditions of the sale and the place of delivery.

(4) Where the Board sells wheat for use in Australia in the manufacture of substances for human consumption and that manufacture will result in the production of substances for purposes other than human consumption, the Board may agree to allow the purchaser a rebate not exceeding the amount by which the price charged by the Board for the wheat could have been reduced in accordance with this section if the sale of so much of the wheat as is equal in weight to the weight of the substances produced, or to the estimated weight of the substances that will be produced from the wheat, for use for purposes other than human consumption, had been a sale to which subsection (1) of this section applied.

(5) In respect of every sale of wheat in accordance with subsection (1) of this section the Board shall credit to the account referred to in subsection (1) of section 21 of this Act an amount per bushel of wheat comprised in the sale equal to the amount that is, at the time of the sale, the amount per bushel by which prices are to be increased under subsection (4) of section 20 of this Act for the purposes of reimbursing the Board for the costs of shipment of wheat to the State of Tasmania and section 21 of this Act applies in relation to the amounts so credited in like manner as it applies in relation to other moneys credited to that account.

(6) In this section "year" means any period of twelve months commencing on the first day of December.

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

J. W. HARRISON, Governor.