



ANNO TRICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1984

No. 62 of 1984

An Act to amend the Wheat Marketing Act, 1980.

[Assented to 27 September 1984]

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 Marketing Act Amendment Act, 1984". Short title.

(2) The Wheat Marketing Act, 1980, is in this Act referred to as "the principal Act".

2. This Act shall come into operation on the first day of October, 1984. Commencement.

3. Section 14 of the principal Act is amended by striking out from subsection (7) the passage "in a year other than a year" and substituting the passage "during a period other than a period". Amendment of s. 14—
Notification of offer to purchase wheat.

4. Section 21 of the principal Act is amended—

(a) by striking out subsections (1) and (2) and substituting the following subsections: Amendment of s. 21—
Home consumption price of wheat.

(1) The price at which, during the relevant season, the Board shall, by a contract made in the State (other than a contract entered into under section 14), sell wheat for use or consumption in Australia is the appropriate price that is applicable in accordance with this section.

(2) Subject to subsection (3), during a quarter (in this subsection referred to as the "relevant quarter") the price per tonne of Australian standard white wheat in bulk sold free on rail at a port of export for human consumption in Australia is the amount determined by the Commonwealth Minister, or by a person authorized in writing by the Commonwealth Minister, by—

(a) taking the amount per tonne of the average export price, free on board, quoted by the Board during the twenty business days immediately preceding

the 16th day of the month immediately preceding—

(i) the relevant quarter;

and

(ii) the quarter immediately preceding the relevant quarter,

for Australian standard white wheat to be disposed of during the relevant quarter or the quarter immediately preceding the relevant quarter, as the case requires, by the Board by way of export sale or sale for export;

and

(b) adding to the amount calculated in accordance with paragraph (a) such amount (if any) estimated by the Commonwealth Minister under subsection (2a) as is applicable in relation to the relevant quarter.

(2a) For the purposes of subsection (2) (b), the Commonwealth Minister may, after consultation with the Board, estimate in relation to one or more quarters an amount per tonne by which the costs incurred by the Board in marketing wheat for human consumption in Australia exceed the costs incurred by the Board in marketing wheat for human consumption for export.;

- (b) by striking out from subsection (3) the passage “specified in, or ascertained under, subsection (2) of this section in respect of a year” and substituting the passage “determined under subsection (2) or (4)”;
- (c) by striking out from subsection (3) the passage “in that year” and substituting the passage “during the relevant season”;
- (d) by inserting in subsection (3) after the word “wheat” last occurring, the passage “(including overseas wheat)”;
- (e) by striking out from subsection (8) the passage “a season sold free on rail at a port of export before the final purchasing day for” and substituting the passage “the relevant season sold free on rail at a port of export before the expiration of”;
- (f) by striking out from subsection (9) the passage “a season” and substituting the passage “the relevant season”;
- (g) by striking out from paragraph (a) of subsection (10) the passage “that season” and substituting the passage “the relevant season”;
- (h) by striking out from subsection (11) the passage “a season” and substituting the passage “the relevant season”;

and

(i) by striking out subsection (12) and substituting the following subsections:

(12) Where a person other than the Board exports wheat products containing any wheat sold by the Board under this

section during the relevant season, the Board shall, on application made to it by the person, refund to the person an amount equal to the aggregate of the amounts referred to in subsections (2a) and (3) that were applicable in relation to that wheat at the time when the wheat was sold by the Board.

(13) An application under subsection (12) shall be in accordance with a form approved by the Board.

(14) In this section—

“associated farm” has the same meaning as in section 13:

“business day” means a day other than—

(a) a Saturday;

(b) a Sunday;

or

(c) a day that is a public holiday in the place where the head office of the Board is situated:

“quarter” means a period of three months commencing on any first day of January, first day of April, first day of July or first day of October:

“relevant season” means the period of twelve months commencing on the first day of July, 1984.

5. The schedule to the principal Act is repealed.

Repeal of
schedule.

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

D. B. DUNSTAN, Governor