

WHEAT ACQUISITION (AMEND-
MENT) ACT.

Act No. 28, 1915.

An Act to amend the Wheat Acquisition Act, 1914. [Assented to, 6th October, 1915.]

George V,
No. 28.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Wheat Acquisition (Amendment) Act, 1915," and shall be incorporated and read as one with the Wheat Acquisition Act, 1914.

2.

Wheat Acquisition (Amendment) Act.

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Amendment
of s. 9, first
paragraph.

2. Section nine of the Wheat Acquisition Act, 1914, is amended by inserting next after the words "one thousand nine hundred and fifteen" in the first paragraph thereof the words "or by its terms or in its actual effect imposes an obligation to deliver or gives rise to any right of action or remedy for not delivering any flour after the said first day of January."

Amendment
of s. 9, new
second para-
graph.

3. Section nine of the said Act is further amended by omitting the second paragraph thereof and inserting in its place the following:—

Every contract made in New South Wales prior to the eleventh day of December, one thousand nine hundred and fourteen, for the sale of flour is hereby declared to be and to have been void and of no effect so far as it provides for or relates to the sale or delivery of flour during the month of December, one thousand nine hundred and fourteen, or by its terms or in its actual effect imposes an obligation to deliver or gives rise to any right of action or remedy for not delivering any flour during the said month of December:

Provided that the purchaser under any such contract shall be entitled to require the delivery thereunder of a quantity of flour equal to the average of the monthly deliveries provided by the contract or in the absence of such provision equal to the average of the monthly deliveries made under the contract, but in any case not greater than the whole of the flour remaining undelivered under the contract at the commencement of the said month of December.

Amendment
of s. 9 to be
retrospective.

4. The Wheat Acquisition Act, 1914, shall be read and construed as if section nine amended as aforesaid had originally formed part of the said Act in lieu of the original section nine.

Saving.

5. Nothing in this Act contained shall affect the decision of any court in the action of Morans Limited against James Pearce (Supreme Court Action No. 525 of A.D. 1915) or any similar action commenced before the first day of July, one thousand nine hundred and fifteen.

Continuation
of Act by
order of
Governor.

6. Notwithstanding the provisions of section one of the Wheat Acquisition Act, 1914, the Governor, by order, which shall be published in the Gazette, may from time to time declare that the Wheat Acquisition

Act,

Act, 1914, is continued to such date not later than the thirty-first December, one thousand nine hundred and fifteen, as may be specified in such order, and thereupon such Act shall be so continued :

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Provided that such of the provisions of the said Act as relate to wheat shall not, after the thirtieth day of September, one thousand nine hundred and fifteen, apply by virtue of any such order to 1915-16 wheat.

7. Section eight of the said Act and section nine thereof as amended by this Act shall remain in force on and after the thirtieth day of September, one thousand nine hundred and fifteen, independently of any such order.

Continuation
of ss. 8 and 9.