



ANNO DECIMO OCTAVO

ELIZABETHAE II REGINAE

A.D. 1969

No. 92 of 1969

An Act to amend the Bulk Handling of Grain Act,
1955-1968.

[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 "Bulk Handling of Grain Act Amendment Act (No. 2), 1969". Short titles.

(2) The Bulk Handling of Grain Act, 1955-1968, as amended by this Act and by all Acts amending the same prior to the enactment of this Act, may be cited as the "Bulk Handling of Grain Act, 1955-1969".

(3) The Bulk Handling of Grain Act, 1955-1968, is hereinafter referred to as "the principal Act".

2. Section 2 of the principal Act is amended—

(a) by striking out from the definition of "licensed receiver" the passage "1963," and inserting in lieu thereof the passage "1968, as amended," ;

and

(b) by striking out the definition of "the Wheat Board" and inserting in lieu thereof the following definition :—

"the Wheat Board" means the Australian Wheat Board continued in existence by the *Wheat Industry Stabilization Act* 1968 of the Commonwealth or by that Act as amended or by any Act passed in substitution for that Act.

Amendment of
principal Act,
s. 2—
Interpretation.

Repeal of
s. 4, 4a and
4b of principal
Act.

3. Sections 4, 4a and 4b of the principal Act are repealed.

Amendment of
principal Act,
s. 4c—
Further
guarantee by
Treasurer.

4. Section 4c of the principal Act is amended—

(a) by striking out subsection (1) thereof ;

(b) by inserting in subsection (2) after the passage “The guarantee” the passage “given pursuant to this section as in force immediately before the commencement of the Bulk Handling of Grain Act Amendment Act, 1969” ;

and

(c) by inserting in subsection (3) after the passage “this section” the passage “as in force immediately before the commencement of the Bulk Handling of Grain Act Amendment Act, 1969”.

Amendment of
principal Act,
s. 5—
Directors.

5. Section 5 of the principal Act is amended—

(a) by inserting in paragraph (2) after the passage “of the company” first occurring the passage “until the sixth day of September, 1970, and on and after that day there shall be eight elected directors of the company” ;

(b) by inserting in paragraph (3) after the passage “elected directors” the passage “or, on and after the sixth day of September, 1970, of the eight elected directors” ;

(c) by inserting in subparagraph (b) of paragraph (3) after the word “four” the passage “or, on and after the sixth day of September, 1970, five” ;

(d) by striking out paragraph (4) and inserting in lieu thereof the following paragraph :—

(4) For the purpose of the election of zone directors next following the commencement of the Bulk Handling of Grain Act Amendment Act, 1969, the directors shall divide the State into five zones and the zones so created shall be used for the election of zone directors at that election and for any subsequent election of zone directors unless the zones are altered by the directors, and in that case the zones, as from time to time so altered, shall be used for the election of zone directors ; ;

(e) by striking out paragraph (9) and the proviso thereto and inserting in lieu thereof the following paragraph :

(9) Except as provided in paragraph (10) of this section, every elected director, elected after the day of commencement of the Bulk Handling of Grain Act Amendment Act, 1969, shall hold office for four years but a director elected or appointed to a casual vacancy shall hold office for the balance only of the term of his predecessor : ;

and

(f) by inserting immediately after paragraph (9) the following paragraph :—

(10) The State directors elected at the election of State directors next following the day of commencement of the Bulk Handling of Grain Act Amendment Act, 1969, shall hold office until the sixth day of September, 1976 :.

6. Section 9 of the principal Act is amended—

(a) by striking out from subsection (1) the passage “Two hundred pounds” and inserting in lieu thereof the passage “Four hundred dollars” ;

and

(b) by striking out from paragraph (e) of subsection (2) the word “wheatgrower” and inserting in lieu thereof the passage “grower of grain”.

Amendment of
principal Act,
s. 9—
Restrictions on
trading by
company.

7. Section 10 of the principal Act is amended by striking out from subsection (1) the passage “Two hundred pounds” and inserting in lieu thereof the passage “Four hundred dollars”.

Amendment of
principal Act,
s. 10—
Prohibition of
preferences and
disclosures by
company.

8. Section 11 of the principal Act is amended by striking out from subsection (1) the passage “twenty thousand pounds” and inserting in lieu thereof the passage “forty thousand dollars”.

Amendment of
principal Act,
s. 11—
Application of
moneys in
excess of
out-turn.

9. Section 12 of the principal Act is amended—

(a) by striking out from paragraph (c1) of subsection (2) the passage “metropolitan area as defined in the Town Planning Act, 1929-1963”, and inserting in lieu thereof the passage “Metropolitan Planning Area as defined in the Planning and Development Act, 1966-1967” ;

and

Amendment of
principal Act,
s. 12—
Right of
company in
respect of
bulk handling
of wheat.

(b) by striking out from subsection (4) the passage "Two hundred pounds" and inserting in lieu thereof the passage "Four hundred dollars".

Amendment of
principal Act,
s. 13—
General powers
of the
company.

10. Section 13 of the principal Act is amended—

(a) by striking out from subsection (3) the passage "South Australian Harbors Board" and inserting in lieu thereof the passage "Minister of Marine";

and

(b) by striking out from subsection (2) the passage "that board" and inserting in lieu thereof the passage "the Minister".

Amendment of
principal Act,
s. 16—
Duty to call
for tenders.

11. Section 16 of the principal Act is amended by striking out subsection (2) and inserting in lieu thereof the following subsection :—

(2) This section shall not apply to or in relation to the building, manufacture or construction of any bulk handling facilities estimated by the company to cost a sum not exceeding ten thousand dollars.

Amendment of
principal Act,
s. 33—
Company
authorized to
handle other
grain in bulk.

12. Section 33 of the principal Act is amended by striking out from subsection (1) the word "or" second occurring.

Amendment of
principal Act,
s. 34—
Regulations.

13. Section 34 of the principal Act is amended—

(a) by striking out from paragraph (l) of subsection (2) the word "or" first occurring;

and

(b) by striking out from paragraph (n) of subsection (2) the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".

Amendment of
principal Act,
s. 35—
Offences.

14. Section 35 of the principal Act is amended by striking out from subsection (2) the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".

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

J. W. HARRISON, Governor.