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ELIZABETHAE II REGINAE

A.D. 1978

No. 16 of 1978

An Act to facilitate provision of financial assistance to certain sections of the dairy industry and for other purposes.

[Assented to 23rd March, 1978]

BE IT 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 "Dairy Industry Assistance (Special Provisions) Act, 1978". Short title.

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

3. In this Act, unless the contrary intention appears— Interpretation.

"Commonwealth Grants Moneys" means moneys granted by way of financial assistance to the State by the Parliament of the Commonwealth under section 96 of the *Constitution of the Commonwealth of Australia*:

"proclaimed dairy factory" means a dairy factory, or a dairy factory of a class or kind, declared to be a proclaimed dairy factory under section 6 of this Act:

"proclaimed dairy producer" means a dairy producer, or a dairy producer of a class or kind, declared to be a proclaimed dairy producer under section 7 of this Act.

PART IArrangement
of Act.

4. This Act is arranged as follows:—

PART I—PRELIMINARY

PART II—ASSISTANCE TO PROCLAIMED DAIRY FACTORIES

PART III—ASSISTANCE TO PROCLAIMED DAIRY
PRODUCERS

PART IV—MISCELLANEOUS.

Treasurer may
act as agent of
the
Commonwealth.

5. The Treasurer is hereby authorized on behalf of the Government of the State to enter into and do all things necessary to carry out and give effect to any agreement with the Government of the Commonwealth to enable the Government of the State to perform, on behalf of the Government of the Commonwealth, any act in relation to the collection or receipt of any tax or levy that may be imposed on any section of the dairy industry by an Act of the Parliament of the Commonwealth.

PART II**PART II****ASSISTANCE TO PROCLAIMED DAIRY FACTORIES**Treasurer may
give grants to
proclaimed
dairy factories.

6. (1) The Treasurer may, out of any Commonwealth Grants Moneys available to him for the purpose, make such grants to proclaimed dairy factories as are recommended to him in accordance with subsection (2) of this section.

(2) The Minister may recommend to the Treasurer that, out of any Commonwealth Grants Moneys available to him for the purpose, he make such grants to proclaimed dairy factories as are specified in the recommendation.

(3) The Minister shall so exercise his powers under subsection (2) of this section as to ensure that each proclaimed dairy factory receives an equitable share of the moneys available for the purpose.

(4) For the purposes of this section, the Governor may, by proclamation, declare any dairy factory, or dairy factory of a class or kind, to be a proclaimed dairy factory and may, by subsequent proclamation, vary or revoke such proclamation.

PART III**PART III****ASSISTANCE TO PROCLAIMED DAIRY PRODUCERS**Treasurer may
give grants to
proclaimed
dairy producers.

7. (1) The Treasurer may, out of any Commonwealth Grants Moneys available to him for the purpose, make such grants to proclaimed dairy producers as are recommended to him in accordance with subsection (2) of this section.

(2) The Minister may recommend to the Treasurer that, out of any Commonwealth Grants Moneys available to him for the purpose, he make such grants to proclaimed dairy producers as are specified in the recommendation.

(3) For the purpose of the exercise of his powers under subsection (2) of this section the Minister may, if he considers it necessary or desirable so to do, establish a system in the prescribed manner and form for the allocation to proclaimed dairy producers of entitlements to grants under this section.

(4) For the purposes of this section and section 9 of this Act, the Governor may, by proclamation, declare any dairy producer, or dairy producer of a class or kind, to be a proclaimed dairy producer and may, by subsequent proclamation, vary or revoke such proclamation.

PART IV

PART IV

MISCELLANEOUS

8. Proceedings for offences against this Act shall be disposed of summarily. Offences.

9. (1) The Governor may make such regulations as are necessary or expedient for the purposes of giving effect to the provisions or objects of this Act. Regulations.

(2) Without limiting the generality of the provisions of subsection (1) of this section, the regulations may—

- (a) establish the total number of grant entitlements that will be available for allocation to proclaimed dairy producers in the State;
- (b) create an authority and charge it with the responsibility of allocating grant entitlements to proclaimed dairy producers;
- (c) provide for and prescribe criteria for the allocation of grant entitlements to proclaimed dairy producers;
- (d) provide for a system of appeals against decisions of the allocating authority;
- (e) provide for and prescribe penalties, in each case, not exceeding five hundred dollars for contravention of or failure to comply with any regulation.

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

K. SEAMAN, Governor