



ANNO VICESIMO PRIMO

**ELIZABETHAE II REGINAE**

A.D. 1972

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**No. 153 of 1972**

An Act to amend the Wheat Delivery Quotas Act,  
1969-1970.

[Assented to 7th December, 1972]

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 Delivery Quotas Act Amendment Act, 1972". Short titles.

(2) The Wheat Delivery Quotas Act, 1969-1970, as amended by this Act, may be cited as the "Wheat Delivery Quotas Act, 1969-1972".

(3) The Wheat Delivery Quotas Act, 1969-1970, 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. The preamble to and the enacting provision of the principal Act are amended— Preamble and enacting provision of principal Act.

(a) by striking out the whole of the preamble to the principal Act;

and

(b) by striking out the word "THEREFORE" from the enacting provision of the principal Act.

Amendment of  
principal Act,  
s. 24a—  
Nominal  
quotas.

4. Section 24a of the principal Act is amended by striking out from subsection (2) the expression “(c)” and inserting in lieu thereof the expression “(b)”.

Amendment of  
principal Act,  
s. 32—  
The Review  
Committee.

5. Section 32 of the principal Act is amended by striking out from subsection (5) the passage “subsection (1)” and inserting in lieu thereof the passage “subsection (2)”.

Amendment of  
principal Act,  
s. 49—  
Short falls.

6. Section 49 of the principal Act is amended—

(a) by inserting in subsection (5) after the passage “in relation to which it was so reduced shall” the passage “, subject to subsection (7) of this section,”;

and

(b) by inserting immediately after subsection (6) the following subsection:—

(7) Where the Advisory Committee is satisfied that a short fall referred to in subsection (2) of this section has occurred in relation to a production unit for three or more consecutive quota seasons (whether or not some or all of those quota seasons occurred before the commencement of the Wheat Delivery Quotas Act Amendment Act, 1972) and that—

(a) the circumstances, in which a short fall referred to in subsection (2) of this section occurred in the third or last of those consecutive quota seasons were within the control of the person at the material time responsible for the production of wheat from the production unit;

or

(b) the amount of the wheat delivery quota that will be allocated to a production unit, in respect of which a short fall has occurred, for the quota season that next follows the third or last of those consecutive quota seasons in which that short fall occurred will be beyond the productive capacity of that production unit,

then notwithstanding anything in this section contained, the Advisory Committee may by notice to the holder of the wheat delivery quota reduce the

amount by which that wheat delivery quota would, but for this subsection, be increased in that next following season to an amount specified in the notice or the Advisory Committee may by notice to the holder of the wheat delivery quota direct that the wheat delivery quota shall not be so increased and this section shall apply and have effect accordingly.

7. The following sections are enacted and inserted in the principal Act immediately after section 54 thereof:—

Enactment of  
s. 54a of  
principal Act—

54a. (1) Where the Minister is satisfied that, in relation to a quota season, the sum of the amounts of wheat—

State short  
fall.

- (a) that will be delivered as quota wheat of that season;
- (b) that will, pursuant to section 48 of this Act, be treated as quota wheat of that season;
- and
- (c) that may, pursuant to this section, become quota wheat of that season,

is less than the amount of the State Quota for that season and in all the circumstances it is desirable so to do he may, by notice in writing, declare that season to be a Declared Season.

(2) Notwithstanding anything in this Act contained, every wheat delivery quota allocated under section 22 of this Act in respect of a production unit for a Declared Season shall be increased by the amount, if any, by which the sum of—

- (a) the amount of wheat produced from the production unit and delivered to the Board during a previous season that was not, or pursuant to this Act has not been treated as, quota wheat of a previous season;
- and
- (b) the amount of wheat delivered to the Board and produced from the production unit during the Declared Season,

exceeds the wheat delivery quota as so allocated.

54b. (1) The Minister may by notice in the *Gazette* declare that this section shall apply to and in relation to a quota season specified in that notice.

Hard wheat  
allowances.

(2) Upon a declaration under subsection (1) of this section being made, the wheat delivery quota allocated under section 22 of this Act to a production unit, from which hard wheat has been

delivered during the season specified, shall for that season be, for all purposes, increased by an amount determined in accordance with subsection (3) of this section.

(3) The amount of the increase of the wheat delivery quota referred to in subsection (2) of this section shall be determined by the Advisory Committee having regard to—

(a) the amount that is available for distribution in this State by way of hard wheat allowances during the season specified;

and

(b) the amount of hard wheat produced from the production unit due in the season specified.

(4) In this section—

“hard wheat” means wheat delivered to the Board and classified by the Board as “South Australian Hard”.

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

M. L. OLIPHANT, Governor