



ANNO OCTAVO

GEORGII V REGIS.

A.D. 1917.

No. 1291.

An Act to further amend the Wheat Harvest (1915-1916) Act, 1915, and for other purposes.

[Assented to, November 15th, 1917.]

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 alone as the "Wheat Harvest (1915-1916) Act Further Amendment Act, 1917." Short titles.

(2) The Wheat Harvest (1915-1916) Acts, 1915 and 1916, and this Act, may be cited together as the "Wheat Harvest Acts, 1915 to 1917."

(3) The Wheat Harvest (1915-1916) Act, 1915, is hereinafter referred to as "the principal Act."

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act, and those Acts and this Act shall be read as one Act. Incorporation with other Acts.

3. Section 6 of the principal Act (as amended by the Wheat Harvest (1915-1916) Act Amendment Act, 1916), is further amended by substituting the word "eighteen" for the word "seventeen" at the end thereof. Amendment of principal Act, s. 6—
Power to acquire wheat.

4. Subsection (1) of section 9 of the principal Act (as amended by the Wheat Harvest (1915-1916) Act Amendment Act, 1916), is further amended by inserting the passage "or 1917-1918" after the passage "1916-1917" in the third line thereof. Amendment of principal Act, s. 9 (1)—
Cancellation of contracts.

Wheat Harvest (1915-1916) Act Further Amendment Act.—1917.

Prohibition of sales, &c., of wheat, except to Minister.

Cf. Victoria, 2812, 1915, s. 6, 2846, 1916, Schedule.

5. (1) No person in South Australia shall, except as prescribed, sell wheat to or buy wheat from any other person in South Australia before the first day of December, nineteen hundred and eighteen, except to or from the Minister, or a person authorised by him.

(2) Any person guilty of a contravention of the provisions of this section shall be liable to a penalty not exceeding Five Hundred Pounds, which may, at the option of the Attorney-General, be recovered either summarily or by action in the Supreme Court.

(3) The Minister may exempt (either generally or in any particular case) from the operation of this section—

(a) sales or purchases of seed wheat by growers of wheat to or from growers of wheat for *bona fide* use by the purchasers in their farming operations;

(b) sales by wheat-growers, or purchases from the growers thereof, of wheat of a quality below that fit for milling purposes for *bona fide* use by the purchasers as food for their poultry or stock;

(c) sales or purchases of wheat grown by any wheat-grower in areas of limited production of wheat specified by the Minister; and

(d) such other sales and purchases of wheat as are prescribed.

(4) The Minister may at any time, by notification published in the *Government Gazette*, revoke any such exemption.

Power of Railways Commissioner to refuse to carry certain wheat.

Victoria, 2812, 1915, s. 9; 2846, 1916, s. 10.

6. (1) Notwithstanding anything in the South Australian Railways Commissioners Act, 1887, or the law relating to common carriers, the South Australian Railways Commissioner may, on the request of the Minister, refuse to carry any wheat or flour (not the subject of an interstate contract) owned by any specified person in South Australia from any place in South Australia to any person in any other place in South Australia, or (except as prescribed), to deliver any such wheat or flour.

(2) With respect to the refusal of the South Australian Railways Commissioner to carry or deliver any wheat or flour before the commencement of this Act by or under the order or direction of, or on behalf of, the Government of South Australia, or any responsible Minister of the Crown—

(a) all persons (including every responsible Minister of the Crown and the said Commissioner) by whom any act, matter, or thing was advised, commanded, ordered, directed, or done in connexion with such refusal shall be and are hereby freed, acquitted, discharged, released, and indemnified against every person whomsoever in respect thereof;

(b) no

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(b) no action, claim, or demand whatsoever shall lie or be made or allowed by or in favor of any person whomsoever against His Majesty, or any responsible Minister of the Crown, or the said Commissioner, or any officer or any person, for or in respect of any damage, loss, or injury sustained, or alleged to be sustained, by reason of such refusal; and any such action pending at the commencement of this Act, and any such claim or demand made before the commencement of this Act, shall cease and abate.

7. (1) Notwithstanding anything contained in this Act or any Act incorporated herewith, or any term or condition of any contract entered into with the Government under any of such Acts by any owner of wheat, such Acts and all such contracts as aforesaid shall be deemed to provide, and to have always provided, that—

Powers of Government as to marketing 1915-16 and 1916-17 wheat together.

(a) the Government, in handling and selling wheat to the best advantage pursuant to the said Acts, may on and after the first day of January, nineteen hundred and eighteen, handle and sell 1917-18 wheat in conjunction with 1915-16 wheat and 1916-17 wheat, and

(b) the proceeds derived from all such sales shall be credited proportionately to the pools from which the wheat sold is derived.

(2) In this section, unless some other meaning is clearly intended, "wheat" means wheat delivered to the Government or acquired by the Minister in the name of His Majesty pursuant to this Act, or any Act incorporated herewith.

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

H. L. GALWAY, Governor.