



ANNO VICESIMO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1973

No. 82 of 1973

An Act to amend the Wheat Industry Stabilization Act, 1968-1969.

[Assented to 6th December, 1973]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Wheat Industry Stabilization Act Amendment Act, 1973".

(2) The Wheat Industry Stabilization Act, 1968-1969, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Wheat Industry Stabilization Act, 1968-1973".

Commencement.

2. This Act shall come into operation or, as the case requires, shall be deemed to have come into operation, on the day on which the *Wheat Industry Stabilization Act 1973* of the Commonwealth comes or came into operation or was deemed to have come into operation.

Amendment of principal Act, s. 6—
Seasons to which this Act applies.

3. Section 6 of the principal Act is amended—

(a) by striking out from subsection (1) the word "six" and inserting in lieu thereof the word "seven";

and

(b) by striking out from subsection (2) the word "four" and inserting in lieu thereof the word "five".

4. Section 11 of the principal Act is amended by inserting immediately after subsection (5) the following subsection:—

Amendment of
principal Act,
s. 11—
Delivery of
wheat.

(5a) Where, during the season that commenced on the first day of October, 1973, or a subsequent season, a person contravenes subsection (5) of this section the penalty provided in that subsection does not apply, but that person is guilty of an offence punishable, on conviction, by a fine not exceeding—

(a) an amount equal to three times the amount calculated, in respect of the quantity of the wheat in respect of which the offence is committed, at the rate of the guaranteed price of wheat of that season;

or

(b) if there is no such guaranteed price—an amount calculated in respect of that quantity of wheat at the rate of twenty dollars for each 100 kilograms or part of 100 kilograms of that quantity of wheat,

or imprisonment for a period not exceeding six months, or both.

5. Section 13 of the principal Act is amended by inserting immediately after subsection (1) the following subsection:—

Amendment of
principal Act,
s. 13—
Unauthorized
dealings in
wheat.

(1a) Where, during the season that commenced on the first day of October, 1973, or a subsequent season, a person contravenes subsection (1) of this section the penalty provided in that subsection does not apply, but that person is guilty of an offence punishable, on conviction, by a fine not exceeding—

(a) an amount equal to three times the amount calculated, in respect of the quantity of the wheat, or of the wheat equivalent of the wheat products, in respect of which the offence is committed, at the rate of the guaranteed price of wheat of that season;

or

(b) if there is no such guaranteed price—an amount calculated in respect of that quantity of wheat or wheat equivalent at the rate of twenty dollars for each 100 kilograms or part of 100 kilograms of that quantity of wheat or wheat equivalent,

or imprisonment for a period not exceeding six months, or both.

Amendment of
principal Act,
s. 14a—
Modification
of the operation
of this Act.

6. Section 14a of the principal Act is amended by inserting immediately after subsection (4) the following subsection:—

(5) In exercising its powers under subsection (4) of section 14 of this Act in respect of wheat of the quota season that commenced on the first day of October, 1973, the Board may have regard to the possibility that the Australian wheat quota originally determined for that season for the purposes of the Wheat Delivery Quotas Act, 1969, as amended, and the corresponding laws of the other States providing for the fixing of wheat quotas may be increased by a quantity not exceeding 544 311 tonnes.

Enactment of
s. 20aa of
principal Act—

7. The following section is enacted and inserted in the principal Act immediately after section 20 thereof:—

Home
consumption
price of wheat
for 1973-1974.

20aa. (1) The price at which, during the year commencing on the first day of December, 1973, the Board shall sell wheat for use or consumption in Australia is the appropriate price ascertained in accordance with this section.

(2) Subject to this section, the price per tonne in respect of a wholesale sale of bulk wheat of fair average quality free on rails at a port of export is the sum of the price that is the calculated price for the purposes of section 27AA of the Commonwealth Act and nine dollars and nineteen cents.

(3) For the purpose of reimbursing the Board for costs of shipment of wheat to the State of Tasmania, the price applicable under subsection (2) of this section shall be increased by an amount of thirty-seven cents per tonne, or, if the Commonwealth Minister has made a determination or determinations under subsection (4) of this section by the amount applicable in accordance with the latest such determination.

(4) If the Board, at any time, reports to the Commonwealth Minister that the amounts being received by the Board by reason of the operation of subsection (3) of this section together with amounts being received under corresponding provisions of the Commonwealth Act and of the laws of the other States, are greater or less than the amounts required to meet the costs of shipment of wheat by the Board to the State of Tasmania, the Minister may determine that the amount per tonne to be added to the price in accordance with subsection (3) of this section shall be reduced or increased to such extent as he considers necessary.

(5) The price in respect of a sale other than a sale specified in subsection (2) of this section is a price per tonne ascertained by adding to or deducting from the price per tonne applicable to sales so specified an amount that makes a proper allowance for the quality of the wheat, the conditions of sale and the place of delivery.

8. Section 20a of the principal Act is amended—

Amendment of principal Act, s. 20—
Price of wheat for use in Australia otherwise than for human consumption.

(a) by inserting in subsection (1) after the passage “section 20” the passage “or section 20aa”;

(b) by striking out from subsection (1) the passage “that section” and inserting in lieu thereof the passage “either of those sections”;

and

(c) by inserting in subsection (5) after the passage “of section 20” the passage “or subsection (3) of section 20aa”.

9. Section 21 of the principal Act is amended—

Amendment of principal Act, s. 21—
Special Account for freight to the State of Tasmania.

(a) by inserting in subsection (1) after the passage “section 20” the passage “or subsections (3) and (4) of section 20aa”;

and

(b) by striking out from subsection (4) the figures “1973” and inserting in lieu thereof the figures “1974”.

10. Each provision of the principal Act described in the first column of the schedule to this Act is amended in the manner indicated in the second column of that schedule opposite the description of that provision.

Amendments to principal Act.

Section 10.

SCHEDULE

AMENDMENTS TO THE PRINCIPAL ACT

Provision Amended	How Amended
Section 14 (2) (b)	By striking out "two and one-half cents per bushel" and inserting in lieu thereof "ninety-two cents per tonne".
Section 14 (2) (c)	By striking out "bushels" and inserting in lieu thereof "tonnes".
Section 14 (7)	By striking out "bushel" and inserting in lieu thereof "tonne".
Section 20 (2)	By striking out "bushel" and inserting in lieu thereof "tonne". By striking out "one dollar seventy cents" and inserting in lieu thereof "sixty-two dollars forty-six cents".
Section 20 (3)	By striking out "one dollar forty-five cents per bushel" and inserting in lieu thereof "fifty-three dollars twenty-eight cents per tonne".
Section 20 (4)	By striking out "one cent per bushel" and inserting in lieu thereof "thirty-seven cents per tonne".
Section 20 (5)	By striking out "bushel" and inserting in lieu thereof "tonne".
Section 20 (6)	By striking out "bushel" twice occurring and inserting in lieu thereof in each case "tonne".
Section 20a	By striking out "bushel" wherever occurring and inserting in lieu thereof in each case "tonne".

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

M. L. OLIPHANT, Governor