

WHEAT INDUSTRY STABILIZATION (AMEND- MENT) ACT.

Act No. 48, 1957.

Elizabeth II,
No. 48, 1957.

— An Act to authorise an increase in the home consumption price of wheat during the year commencing on the first day of December, one thousand nine hundred and fifty-seven; for this purpose to amend the Wheat Industry Stabilization Act, 1954; and for purposes connected therewith. [Assented to, 28th November, 1957.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title
and citation.

1. (1) This Act may be cited as the "Wheat Industry Stabilization (Amendment) Act, 1957".

(2)

(2) The Wheat Industry Stabilization Act, 1954, as amended by this Act, may be cited as the Wheat Industry Stabilization Act, 1954-1957. No. 48, 1957.

2. The Wheat Industry Stabilization Act, 1954, is amended—

Amendment
of Act No.
49, 1954.
Sec. 17.
(Home
consumption
price of
wheat.)

- (a) by omitting from subsection three of section seventeen the words “subsection four of”;
- (b) by inserting next after subsection five of the same section the following new subsection:—

(5A) (a) The Minister may, by notification published in the Gazette, determine that the price applicable under subsection two or three of this section in respect of a sale specified in subsection two of this section made during the wheat importing year and after a date to be specified in the notification shall be increased by an amount per bushel specified in the notification, and the notification shall have effect according to its tenor.

(b) The amount specified in the notification under paragraph (a) of this subsection shall be an amount which, when multiplied by the number of bushels of wheat which the Board estimates will be the subject of all sales specified in this section made during the wheat importing year and after the date referred to in paragraph (a) of this subsection, will produce an amount equal to the sum of the following amounts, as determined or estimated, and notified to the Minister, by the Board, namely—

- (i) where wheat has been or is to be imported by the Board for sale pursuant to this section in New South

Wales

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Wales during that year and the wheat was or is wheat not specially acquired by the Board outside Australia for the purpose of importing it into Australia—an amount equal to the costs of and incidental to the transport of the wheat from the place from which it is or is to be imported to a port of import in New South Wales (including the costs of and incidental to the loading of the wheat at the port of export outside New South Wales and the unloading of the wheat at the port of import in New South Wales);

- (ii) where wheat has been or is to be imported by the Board for sale pursuant to this section in New South Wales during that year and the wheat was or is wheat specially acquired by the Board outside Australia for the purpose of importing it into Australia—an amount equal to the difference between the sum that would have been realised by the Board had this subsection not been enacted and had the wheat so imported or to be imported been sold by sales of the kind specified in subsection two of this section and the costs of and incidental to the purchase of the wheat and its transport from the place from which it was, or is to be, imported to a port of import in New South Wales (including the costs of and incidental to the loading of the wheat at the port of export outside New South Wales and the unloading of the wheat at the port of import in New South Wales);

(iii)

- (iii) an amount equal to the costs of and incidental to transporting any wheat transported or to be transported for sale during that year from a port of import in New South Wales to the places of delivery in New South Wales from which the wheat is to be delivered by the Board pursuant to sales in respect of which the price is to be ascertained in accordance with subsection six of this section (including the costs of and incidental to the loading of the wheat at the port of import in New South Wales and the unloading of the wheat at the places of delivery in New South Wales); and

- (iv) an amount equal to the sum of the deductions to be made during the wheat importing year and after the date referred to in paragraph (a) of this subsection, for the purpose only of making proper allowances for the places of delivery, pursuant to subsection six of this section.

less—

- (v) any payments otherwise received or to be received by the Board in respect of any such amount.

(c) If at any time during the wheat importing year the Minister is satisfied that the amounts then actually received, together with the amounts, as estimated by the Board, thereafter to be received, by the Board by reason of the operation of this subsection (together with any payments referred to in subparagraph (v) of paragraph (b) of this subsection then actually

received

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received by the Board, and any payments so referred to, as estimated by the Board, thereafter to be received by the Board) are more or less than the sum of—

- (i) that part of the amounts referred to in subparagraphs (i), (ii) and (iii) of paragraph (b) of this subsection in respect of which the Board has then actually incurred liability;
- (ii) that part of the amounts so referred to, as estimated by the Board, in respect of which the Board will thereafter incur liability;
- (iii) the sum of the deductions referred to in subparagraph (iv) of paragraph (b) of this subsection then actually made by the Board; and
- (iv) the sum of the deductions so referred to, as estimated by the Board, to be thereafter made by the Board,

the Minister may, by notification published in the Gazette, determine that the price that would have been applicable under subsection two or three of this section in respect of a sale specified in subsection two of this section had this subsection not been enacted shall be the price applicable to such a sale made during the wheat importing year and after a date to be specified in the notification, or shall, in respect of such a sale made during that year and after that date, be increased by an amount specified in the notification, as the case may be.

Any notification under this paragraph shall have effect according to its tenor and shall have effect notwithstanding any prior notification under this subsection.

Notifications under this paragraph may be made from time to time as the Minister thinks fit.

(d)

(d) The provisions of this subsection are in addition to and not in substitution for the provisions of subsections four and five of this section. No. 48, 1957.

- (c) by inserting at the end of subsection six of the same section the following new paragraph:—

Where wheat is sold by the Board during the wheat importing year and the sale is a sale in respect of which the price is ascertained in accordance with the provisions of this subsection, the wheat shall, for the purpose of making a proper allowance for the place of delivery under the contract for the sale, be deemed to be wheat received pursuant to this Act by the Board at that place of delivery.

- (d) by inserting in subsection seven of the same section next after the definition of “the International Wheat Agreement price” the following new definition:—

“wheat importing year” means the period of twelve months commencing on the first day of December, one thousand nine hundred and fifty-seven.

