

**WHEAT INDUSTRY STABILIZATION AND WHEAT
QUOTAS (AMENDMENT) ACT.**

New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 88, 1973.

An Act to make further provisions with respect to the price] to be paid by the Australian Wheat Board for wheat; for this and other purposes to amend the Wheat Industry Stabilization Act, 1968, and the Wheat Quotas Act, 1970; and for purposes connected therewith. [Assented to, 20th December, 1973.]

BE

No. 88, 1973

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.

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

Commencement.

2. This Act shall be deemed to have commenced on 1st October, 1973.

Amendment of Act No. 50, 1968.

3. The Wheat Industry Stabilization Act, 1968, is amended—

Sec. 6. (Application of Act.)

- (a) (i) by omitting from section 6 (1) the word "six" and by inserting instead the word "seven";
- (ii) by omitting from section 6 (2) the word "four" and by inserting instead the word "five";

Sec. 11. (Delivery of wheat.)

(b) by inserting at the end of section 11 the following new subsection :—

(6) Where, during the season that commenced on 1st October, 1973, or a subsequent season, a person is guilty of an offence under subsection (5), the penalty specified in that subsection does not apply and that person is liable upon conviction to a fine not exceeding—

- (a) where there is a guaranteed price for wheat of the season in respect of which the offence was committed—three times the value of the quantity of wheat in respect of which the offence was committed, at the rate of the guaranteed price of wheat of that season; or
- (b)

Wheat Industry Stabilization and Wheat Quotas (Amendment).

(b) where there is no such guaranteed price—No. 88, 1973
 an amount calculated in respect of that quantity of wheat at the rate of twenty dollars for each 100 kilograms or part thereof of that quantity of wheat,

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

(c) by inserting next after section 13 (1) the following Sec. 13.
 new subsection :—

(Un-
 authorized
 dealings
 with
 wheat.)

(1A) Where, during the season that commenced on 1st October, 1973, or a subsequent season, a person is guilty of an offence under subsection (1), the penalty specified in that subsection does not apply and that person is liable upon conviction to a fine not exceeding—

(a) where there is a guaranteed price for wheat of the season in respect of which the offence was committed—three times the value of the quantity of wheat in respect of which the offence was committed, at the rate of the guaranteed price of wheat of that season; or

(b) where 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 thereof of that quantity of wheat,

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

(d)

No. 88, 1973New sec.
20AA.Home con-
sumption
price of
wheat for
1973-74.

(d) by inserting next after section 20 the following new section :—

20AA. (1) The price at which, during the year commencing on 1st 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) 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), 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), 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 Commonwealth Minister may determine that the amount per tonne to be added to the price in accordance with subsection (3) shall be reduced or increased to such extent as he considers necessary.

(5)

(5)

(5) The price in respect of a sale other than a sale specified in subsection (2) 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.

(e) (i) by omitting from section 20A (1) the words "section twenty of this Act" and by inserting instead the words "sections 20 and 20AA";

(ii) by omitting from section 20A (1) the words "that section" and by inserting instead the words "either of those sections";

(iii) by omitting from section 20A (5) the words "of this Act" where secondly occurring and by inserting instead the words "or subsection (3) of section 20AA";

(iv) by inserting at the end of section 20A the following new subsection :—

(7) After the commencement of the Wheat Industry Stabilization and Wheat Quotas (Amendment) Act, 1973, a reference in this section to a price per bushel or an amount per bushel shall be deemed to be a reference to a price per tonne or an amount per tonne, as the case may require.

(f) (i) by omitting from section 21 (1) the words "of this Act" where secondly occurring and by inserting instead the words "or of subsections (3) and (4) of section 20AA";

(ii)

No. 88, 1973

(ii) by omitting from section 21 (4) the words "the thirtieth day of September, one thousand nine hundred and seventy-three" and by inserting instead the matter "30th September, 1974".

Amendment
of Act No.
66, 1970.

Sec. 5.

(Modifica-
tion of
operation
of Wheat
Industry
Stabiliza-
tion Act,
1968.)

4. The Wheat Quotas Act, 1970, is amended by inserting at the end of section 5 the following new subsection :—

(6) In exercising its powers under subsection (4) of section 14 of the Wheat Industry Stabilization Act, 1968, in respect of wheat of the quota season that commenced on 1st 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 Quotas Act, 1973, and the corresponding laws of the other States providing for the fixing of wheat quotas may be increased by a quantity approximating 20,000,000 bushels.

WHEAT