

Act No. 65

FIRST PRINT

GRAIN HANDLING (AMENDMENT) BILL 1987

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Grain Handling Act 1954 so as—

- (a) to remove provisions requiring the Grain Handling Authority to give preference to wheat; and
- (b) to require the Authority to handle all kinds of grains on an equitable basis.

Clause 1 specifies the short title of the proposed Act.

Clause 2 is a formal provision that gives effect to the Schedule of amendments.

Schedule 1 (1) amends section 12 of the Principal Act (general powers of Authority) by omitting subsection (3) and substituting new subsections (3) and (4).

The new section 12 (3) re-enacts the old subsection (3), but without words requiring the Authority to give preference to wheat as opposed to other grains.

The new section 12 (4) requires the Authority to exercise its functions in relation to all grains on an equitable basis. It is recognised that there may be circumstances in which it will not be possible to deal with all grains equally, and for this reason the new subsection (4) includes a provision that the requirement is to be observed to the extent that it is reasonably practicable to do so having regard to the Authority's resources, facilities and commitments.

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Schedule 1 (2) amends section 23 of the Principal Act (contracts) by removing words that also indicate that the Authority is to give preference to wheat.
