Wool (Deficiency Payments)

No. 110 of 1972

An Act to amend the Wool (Deficiency Payments) Act 1971.

[Assented to 31 October 1972]

B it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia the House of Representatives of the Commonwealth of Australia,

1.-(1.) This Act may be cited as the Wool (Deficiency Payments) Act Short under nd citation. 1972.

(2.) The Wool (Deficiency Payments) Act 1971* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the Wool (Deficiency Payments) Act 1971–1972.

2.--(1.) Subject to this section, this Act shall be deemed to have come commenceinto operation on the first day of July, One thousand nine hundred and seventy-two.

(2.) Without prejudice to the liability of a person under the Principal Act or under any other law, a person is not guilty of an offence against the Principal Act as amended by this Act by reason only of an act or omission that took place before the day on which this Act receives the Royal Assent.

3. The title of the Principal Act is amended by omitting the word Amendment of title. " seventy-two " and inserting in its stead the word " seventy-three ".

Interpretation.

- 4. Section 4 of the Principal Act is amended—
 - (a) by inserting in sub-section (1.), after the definition of "registered broker", the following definition:—
 - "' registered commission agent' means a person who is, or persons carrying on business in partnership who are, registered under this Act as a registered commission agent;";
 - (b) by inserting in the definition of "registered person" in sub-section (1.), after the word "broker,", the words "a registered commission agent,"; and
 - (c) by omitting from sub-section (1.) the definition of "the prescribed period" and inserting in its stead the following definition:---
 - " ' the prescribed period ' means the period that commenced on the first day of July, One thousand nine hundred and seventy-two, and ends on the thirtieth day of June, One thousand nine hundred and seventy-three;".

5. Section 5 of the Principal Act is repealed and the following section inserted in its stead:—

"5. For the purposes of this Act, a sale of wool shall be deemed to have taken place at the time when the agreement for the sale was made.".

6. Section 6 of the Principal Act is amended—

- (a) by omitting from paragraph (b) of sub-section (1.) the words "twenty-third day of June, One thousand nine hundred and seventy-two" and inserting in their stead the words "twentysecond day of June, One thousand nine hundred and seventythree"; and
- (b) by inserting after paragraph (a) of sub-section (2.) the following paragraph:—
 - "(aa) the sale is a sale by a registered commission agent;".

Persons entitled to deficiency payments.

- 7. Section 9 of the Principal Act is amended—
- (a) by omitting sub-sections (2.) to (5.), inclusive, and inserting in their stead the following sub-section:—

"(2.) Where a deficiency payment has become payable by reason of a sale of wool or the exportation of wool for the purposes of sale outside Australia, the last preceding sub-section does not affect any right of a person to receive, or any right of the registered person by whom the deficiency payment is payable to retain, the whole or a part of the deficiency payment by virtue of a security, assignment, direction or authorization given by the producer."; and

(b) by omitting sub-section (7.).

Agreements for sale of wool.

Wool in respect of which deficiency payments payable. 8. Section 12 of the Principal Act is amended—

- (a) by omitting from paragraph (b) of sub-section (2.) the words "the period that commenced on the seventeenth day of August. One thousand nine hundred and seventy, and ended on the first day of July. One thousand nine hundred and seventy-one" and inserting in their stead the words "the period that commenced on the thirtieth day of August. One thousand nine hundred and seventyone, and ended on the twenty-third day of June. One thousand nine hundred and seventy-two "; and
- (b) by omitting from sub-section (3.) the word "seventy-two" and inserting in its stead the word " seventy-three ".
- 9. Section 13 of the Principal Act is amended—
- (a) by omitting from paragraph (b) of sub-section (1.) the word $\frac{of percentage}{deficiency}$ "determining" and inserting in its stead the word "determine"; payments. and
- (b) by omitting from paragraph (a) of sub-section (3.) the words "this Act" and inserting in their stead the words "the Wool (Deficiency Payments) Act 1972".
- 10. Section 14 of the Principal Act is amended—
- 10. Section 14 of the Principal Act is amended—

 (a) by adding at the end of paragraph (a) of the definition of "the base week" in sub-section (2.) the word "or"; and

 base week" in sub-section (2.) the word " or "; and
- (b) by omitting paragraph (b) of that definition.

11. Section 15 of the Principal Act is amended by omitting from sub-Amount of deficiency payment for P.A.P. wool. section (5.) the words "the commencement of this Act" and inserting in their stead the words "the commencement of the Wool (Deficiency Payments) Act 1972".

- 12. Section 16 of the Principal Act is amended—
- (a) by inserting after sub-section (3.) the following sub-section:---"(3A.) A deficiency payment that has become payable by reason of the sale of wool by a registered commission agent shall be paid by the registered commission agent.":
- (b) by inserting in sub-section (4.), after the word "merchant", the words ", not being a sale referred to in the last preceding subsection."
- (c) by inserting in sub-section (7.), after the word "tender" (second occurring), the words ", not being a sale referred to in sub-section (3A.) of this section,"; and
- (d) by inserting after sub-section (10.) the following sub-section:-

"(10A.) A registered commission agent shall not make a deficiency payment that has become payable by reason of the sale of wool by him on behalf of the producer unless he had in his possession a record of that sale, in a form approved by the

Persons by whom deficiency payments to be made.

wool.

Determination

Table of notional prices.

Secretary, verified, as required by the form, by or on behalf of himself as agent for the producer and by or on behalf of the purchaser.".

13. Section 19 of the Principal Act is amended by omitting from paragraph (a) of sub-section (1.) the words "of sub-section (11.)," and inserting in their stead the words "of sub-section (10A.), (11.),".

Registration, and cancellation of registration.

Payment of deficiency

payments in special

circumstances.

14. Section 20 of the Principal Act is amended—

(a) by inserting after sub-section (1.) the following sub-section:—

"(1A.) A person who carries on a business in the course of which he sells wool on commission on behalf of producers may apply for registration as a registered commission agent."; and

(b) by inserting after sub-section (10.) the following sub-section:----

"(10A.) The reference in paragraph (a) of the last preceding sub-section to the date of commencement of this Act shall, in the case of the registration of a person as a commission agent, be read as a reference to the date of commencement of the *Wool* (*Deficiency Payments*) Act 1972.".

15.—(1.) Section 35 of the Principal Act is amended by omitting the word "seventy-two" and inserting in its stead the word "seventy-three".

(2.) Notwithstanding the amendment made by the last preceding subsection, section 35 of the Principal Act continues to apply for the purposes of the report referred to in that section.

16. The Second Schedule to the Principal Act is repealed and the following Schedule inserted in its stead:—

SECOND SCHEDULE

Section 8.

ALLOWANCE FOR EXCLUDED WOOL IN PRIVATE SALES

	Percen the per	Percentage of sale value deemed to relate to wool other than excluded wool where the percentage notified under section 13 of this Act in respect of the week that is the base week in relation to the wool									
Average amount in cents per kilogramme represented by sale value of all the wool		Exceeds 3 but does not exceed 6	Exceeds 6 but does not exceed 9	Exceeds 9 but does not exceed 12	Exceeds 12 but does not exceed 15		Exceeds 18 but does not exceed 21	Exceeds 21 but does not exceed 24	24 but	Exceeds 27	
Less than 15	0	0	0	0	0	0	0	0	0	0	
15 but less than 16	Ō	Ō	Ō	Ō	Ō	ŏ	Ō	Ō	ŏ	6	
16 but less than 17	Ō	Ō	ŏ	Ō	Ō	ŏ	ŏ	Ō	ŏ	13	
17 but less than 18	Ō	Ŏ	Ŏ	Ŏ	Ō	Ō	Ō	Ō	2	20	
18 but less than 19	Ō	Ō	Ō	Ō	Ō	Ō	Ō	Ó	9	25	
19 but less than 20	Ó	Ó	Ó	Ó	Ó	Ó	Ó	0	16	31	
20 but less than 21	0	0	0	0	0	0	0	6	21	35	
21 but less than 22	0	0	0	0	0	0	0	12	27	40	
22 but less than 23	0	0	0	0	0	0	4	18	31	44	
23 but less than 24	0	0	0	0	0	0	10	23	36	47	
24 but less than 25	0	0	0	0	0	1	15	28	40	51	
25 but less than 26	0	0	0	0	0	7	20	32	43	54	
26 but less than 27	0	0	0	0	0	12	25	36	47	57	
27 but less than 28	0	0	0	0	4	17	29	40	50	59	
28 but less than 29	0	0	0	0	10	22	33	44	53	62	

Report by Minister.

Second Schedule.

SECOND SCHEDULE—continued

Percentage of sale value deemed to relate to wool other than excluded wool where the percentage notified under section 13 of this Act in respect of the week that is the base week in relation to the wool—

Average amount in cents per kilogramme represented by		Exceeds	Exceeds	Exceeds	Exceeds	Exceeds	Exceeds	Exceeds	Exceeds	1	
sale value of all the wool	Does	3 but	6 but	9 but	12 but	15 but	18 but	21 but	24 but	1	
	not	does	does	does	does	does	does	does	does	Exceeds	
	exceed 3	not exceed	not exceed	exceed	not exceed	not exceed	exceed	not exceed	not exceed	27	
		6	9	12	15	18	21	24	27		
		·									
					1.6			47			
29 but less than 30	0	0	0	27	15	26	37	47 50	56 58	64	
30 but less than 31		0	0	12	19 24	30 34	41 44	53	61	66 68	
31 but less than 32 32 but less than 33	ŏ	Ö	5	17	24	38	47	55	63	70	
00 1 - 4 1 04	ŏ	ŏ	10	21	32	41	50	58	65	72	
33 but less than 34	ŏ	3	15	25	35	44	53	60	67	73	
35 but less than 36	ŏ	8	19	29	39	47	55	63	69	75	
36 but less than 37	Ĭ	13	23	33	42	50	58	65	71	77	
37 but less than 38	6	17	27	36	45	53	60	67	73	78	
38 but less than 39	10	21	31	40	48	55	62	69	74	79	
39 but less than 40	15	25	34	43	51	58	64	70	76	81	
40 but less than 41	19	28	37	46	53	60	66	72	77	82	
41 but less than 42	23	32	40	48	56	62	68	74	79	83	
42 but less than 43	26	35	43	51	58	64	70	75	80	84	
43 but less than 44	30	38	46	54	60	66	72	77	81	85	
44 but less than 45	33	41	49	56	63	68	74	78	82	86	
45 but less than 46	36	44	52	58	65	70	75	80	84	87	
46 but less than 47	39	47	54	61	67	72	77	81	85	88	
47 but less than 48	42	50	57	63	69	74	78	82	86	89	
48 but less than 49	45	52	59	65	70	75	80	83	87	90 01	
49 but less than 50	48	55	61	67 60	72 74	77 78	81 82	85 86	88 89	91 91	
50 but less than 51 51 but less than 52	50 53	57 59	63 65	69 71	74	80	83	87	90	91 92	
CO 1 4 1 41 40 CO	55	61	67	72	77	81	85	88	91	93	
60 1 . 1 64	58	64	69	74	78	82	86	89	91	94	
53 but less than 54	60	66	71	76	80	84	87	90	92	94	
55 but less than 56	62	68	73	77	81	85	88	91	93	95	
56 but less than 57	64	69	74	79	83	86	89	92	94	95	
57 but less than 58	66	71	76	80	84	87	90	92	94	96	
58 but less than 59	68	73	78	82	85	88	91	93	95	97	
59 but less than 60	70	75	79	83	86	89	92	94	96	97	
60 but less than 61	72	76	81	84	88	90	93	95	96	98	
61 but less than 62	73	78	82	86	89	91	94	96	97	98	
62 but less than 63	75	79	83	87	90	92	95	96	98	99	
63 but less than 64	77	81	85	88	91	93	95	97	98	99 100	
64 but less than 65	78 80	82 84	86 87	89 90	92 93	94 95	96 97	98 98	99 99	100 100	
65 but less than 66 66 but less than 67	80	85	88	90	94	95	97	99	100	100	
(7 1	83	86	90	92	95	97	98	100	100	100	
(0.1	84	88	91	94	96	98	99	100	100	100	
68 but less than 69	85	89	92	95	97	98	100	100	100	100	
70 but less than 71	87	90	93	95	98	99 I	100	100	100	100	
71 but less than 72	88	91	94	96	98	100	100	100	100	100	
72 but less than 73	89	92	95	97	99	100	100	100	100	100	
73 but less than 74	91	94	96	98	100	100	100	100	100	100	
74 but less than 75	92	95	97	99	100	100	100	100	100	100	
75 but less than 76	93	96	98	100	100	100	100	100	100	100	
76 but less than 77	94	97	99	100	100	100	100	100	100	100	
77 but less than 78	95	98	100	100	100	100	100	100	100	100	
78 but less than 79	96	99	100	100	100	100	100	100	100	100	
79 but less than 80	97	100	100	100	100	100	100	100	100	100	
80 but less than 81	98	100	100	100	100	100	100	100	100	100	
81 but less than 82	99	100	100	100	100	100	100	100 100	100 100	100	
82 and over	100	100	100	100	100	100	100	100	100	100	
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