



ANNO TRICESIMO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1983

No. 5 of 1983

An Act to amend the Bulk Handling of Grain Act, 1955-1977.

[Assented to 14 April 1983]

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

1. (1) This Act may be cited as the "Bulk Handling of Grain Act Amendment Act, 1983". Short titles.

(2) The Bulk Handling of Grain Act, 1955-1977, is in this Act referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Bulk Handling of Grain Act, 1955-1983".

2. The following section is inserted after section 18 of the principal Act: Insertion of new s. 18a.

18a. (1) Notwithstanding the provisions of the Local Government Act, 1934-1982, where the council for an area in which any bulk handling facilities are situated declares a general rate in respect of the financial year commencing on the first day of July, 1983, or any subsequent financial year, the company shall not be liable to the general rate in respect of the bulk handling facilities but shall make a payment to the council in lieu of the general rate of an amount determined by reference to the following formula: Company to make certain payments to councils in lieu of general rates.

$$A = S.C. \times \frac{5}{100} \times \frac{C.P.I._x}{C.P.I._1}$$

where—

A is the amount to be determined expressed in dollars and cents:

S.C. is the storage capacity of the bulk handling facilities as at the thirtieth day of June immediately preceding the commencement of the financial year in respect of which the general rate is declared:

C.P.I._x is—

(a) in relation to the financial year commencing on the first day of July, 1983, the consumer price index for the quarter ending on the thirtieth day of June, 1983;

or

(b) in relation to any subsequent financial year, the consumer price index for the quarter ending on thirtieth day of June immediately preceding the commencement of that financial year:

C.P.I.₁ is the consumer price index for the quarter ending on the thirtieth day of June, 1983.

(2) The Minister shall, by notice published in the *Gazette* on or before the thirty-first day of August in each year, fix in relation to each of the bulk handling facilities of the company the maximum number of tonnes of wheat that could, in his opinion, be properly stored by the facilities as at the thirtieth day of June in that year.

(3) Where the company becomes liable pursuant to subsection (1) to pay an amount to a council in lieu of a general rate, the provisions of the Local Government Act, 1934-1982, shall apply in relation to the payment and recovery of the amount in the same way that they would have applied if the amount had become payable by way of the general rate.

(4) In this section—

“area” means area within the meaning of the Local Government Act, 1934-1982:

“bulk handling facilities” means bulk handling facilities used by or under the control of the company including adjacent land occupied by the company for the purposes of the operation of the facilities:

“consumer price index” means the quarterly consumer price index number for Adelaide prepared and published by the Commonwealth Statistician:

“council” means council within the meaning of the Local Government Act, 1934-1982:

“general rate” means a general rate (including differential general rates) declared by a council in pursuance of the provisions of the Local Government Act, 1934-1982:

“storage capacity”, in relation to any bulk handling facilities, means the number fixed by the Minister by notice published pursuant to subsection (2) as being the maximum number of tonnes of wheat that could, in his opinion, be properly stored by the facilities as at the relevant date.

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

D. B. DUNSTAN, Governor