



ANNO TRICESIMO SECUNDO

**ELIZABETHAE II REGINAE**

**A.D. 1983**

\*\*\*\*\*

**No. 40 of 1983**

**An Act to amend the Wheat Marketing Act, 1980; and to amend the Barley Marketing Act, 1947-1980.**

*[Assented to 16 June 1983]*

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

PART I

PART I

PRELIMINARY

**Short title.** 1. This Act may be cited as the "Statutes Amendment (Wheat and Barley Research) Act, 1983".

**Commencement.** 2. (1) This Act shall come into operation on a day to be fixed by proclamation.

(2) The Governor may, by the proclamation made for the purposes of subsection (1), suspend the operation of specified provisions of this Act until a subsequent day fixed in the proclamation, or to be fixed by subsequent proclamation.

**Arrangement.** 3. This Act is arranged as follows:

PART I—PRELIMINARY

PART II—AMENDMENT OF WHEAT MARKETING ACT, 1980

PART III—AMENDMENT OF BARLEY MARKETING ACT, 1947-1980

PART II

PART II

AMENDMENT OF WHEAT MARKETING ACT, 1980

**Short titles.** 4. (1) In this Part, the Wheat Marketing Act, 1980, is referred to as "the principal Act".

(2) The principal Act, as amended by this Part, may be cited as the "Wheat Marketing Act, 1980-1983".

5. The following section is inserted after section 28 of the principal Act: Insertion of new s. 28a.

28a. (1) Notwithstanding the other provisions of this Act, where wheat of a season is acquired by the Board from any person under this Act, a payment of the prescribed amount shall, with the consent of the person, be made for wheat research purposes out of the moneys payable to the person by the Board in respect of the wheat. Deductions for wheat research.

(2) The payment referred to in subsection (1) shall be made by the Board to the Minister who shall, subject to subsection (3), pay the amount to the Commonwealth for payment into the Wheat Research Trust Account.

(3) The Board shall be entitled to presume that each person from whom it has acquired wheat of a season has consented to the making of the payment, but, where any such person, by notice in writing given to the Minister during the prescribed period for that season, indicates that he does not consent to the making of the payment in respect of the wheat of that season, the Minister shall pay the prescribed amount to the person out of the moneys received by the Minister from the Board pursuant to this section.

(4) Any moneys received by the Minister pursuant to this section shall, pending their payment pursuant to subsection (2) or (3), be kept in a banking account established for the purpose or invested as the Minister thinks fit.

(5) Any moneys earned through the investment of moneys referred to in subsection (4) shall be paid to the Commonwealth for payment into the Wheat Research Trust Account.

(6) Any payment by the Minister to the Commonwealth under this section shall be made upon the condition that the moneys so paid are expended in South Australia.

(7) Proper accounts shall be kept of the moneys received or paid by the Minister under this section which accounts may at any time, and shall at least once in every year, be audited by the Auditor-General.

(8) A committee shall be appointed by the Minister for the purposes of this section comprising three persons selected by the Minister after consultation with the Grain Section of the United Farmers and Stock-owners of S.A. Incorporated.

(9) The committee shall have the function of recommending to the Minister the rate that should, in its opinion, be fixed as the prescribed rate for the wheat of a season.

(10) The Minister may, upon the recommendation of the committee established under subsection (8), by notice published in the *Gazette*, fix an amount per tonne of wheat as the prescribed rate for wheat of a season specified in the notice.

(11) In this section—

“the prescribed amount”, in relation to a person from whom wheat of a season has been acquired by the Board, means the amount obtained by multiplying the number of tonnes

of wheat of the season acquired from the person by the Board by the prescribed rate for the season:

“the prescribed period”—

(a) in relation to the season commencing on 1st October, 1982, means the month of September, 1983;

and

(b) in relation to any subsequent season, means the month of March next following the commencement of the season:

“the prescribed rate”, in relation to wheat of a season, means the amount per tonne of wheat fixed by the Minister pursuant to subsection (10) as the prescribed rate for wheat of the season:

“the Wheat Research Trust Account” means the Wheat Research Trust Account established under the *Wheat Research Act 1957* of the Parliament of the Commonwealth, as that Act is amended from time to time.

(12) This section applies in relation to all wheat of the season commencing on 1st October, 1982, and of each subsequent season.

**PART III**

**PART III**

**AMENDMENT OF BARLEY MARKETING ACT, 1947-1980**

Short titles.

6. (1) In this Part, the Barley Marketing Act, 1947-1980, is referred to as “the principal Act”.

(2) The principal Act, as amended by this Part, may be cited as the “Barley Marketing Act, 1947-1983”.

Insertion of new  
s. 19b.

Deductions for  
barley research.

7. The following section is inserted after section 19a of the principal Act:

19b. (1) Notwithstanding the other provisions of this Act, where barley of a season is sold to the board by any person under this Act, a payment of the prescribed amount shall, with the consent of the person, be made for barley research purposes out of the moneys payable to the person by the board in respect of the barley.

(2) The payment referred to in subsection (1) shall be made by the board to the Minister who shall, subject to subsection (3), pay the amount to the Commonwealth for payment into the Barley Research Trust Account.

(3) The board shall be entitled to presume that each person from whom it has purchased barley of a season has consented to the making of the payment, but, where any such person, by notice in writing given to the Minister during the prescribed period for that season, indicates that he does not consent to the making of the payment in respect of the barley of that season, the Minister shall pay the prescribed amount to the person out of the moneys received by the Minister from the board pursuant to this section.

(4) Any moneys received by the Minister pursuant to this section shall, pending their payment pursuant to subsection (2) or (3), be kept

in a banking account established for the purpose or invested as the Minister thinks fit.

(5) Any moneys earned through the investment of moneys referred to in subsection (4) shall be paid to the Commonwealth for payment into the Barley Research Trust Account.

(6) Any payment by the Minister to the Commonwealth under this section shall be made upon the condition that the moneys so paid are expended in South Australia.

(7) Proper accounts shall be kept of the moneys received or paid by the Minister under this section which accounts may at any time, and shall at least once in every year, be audited by the Auditor-General.

(8) A committee shall be appointed by the Minister for the purposes of this section comprising three persons selected by the Minister after consultation with the Grain Section of the United Farmers and Stock-owners of S.A. Incorporated.

(9) The committee shall have the function of recommending to the Minister the rate that should, in its opinion, be fixed as the prescribed rate for the barley of a season.

(10) The Minister may, upon the recommendation of the committee established under subsection (8), by notice published in the *Gazette*, fix an amount per tonne of barley as the prescribed rate for barley of a season specified in the notice.

(11) In this section—

“the Barley Research Trust Account” means the Barley Research Trust Account established under the *Barley Research Act* 1980 of the Parliament of the Commonwealth, as that Act is amended from time to time:

“the prescribed amount”, in relation to a person from whom barley of a season has been purchased by the board, means the amount obtained by multiplying the number of tonnes of barley of the season purchased from the person by the board by the prescribed rate for the season:

“the prescribed period”—

(a) in relation to the season 1982-1983, means the month of September, 1983;

and

(b) in relation to any subsequent season, means the month of March next following the commencement of the season:

“the prescribed rate”, in relation to barley of a season, means the amount per tonne of barley fixed by the Minister pursuant to subsection (10) as the prescribed rate for barley of the season.

---

(12) This section applies in relation to all barley of the season 1982-1983 and of each subsequent season to which this Act applies.

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

D. B. DUNSTAN, Governor