

South Australia



**WHEAT MARKETING (GRAIN DEDUCTIONS) AMENDMENT ACT
1998**

No. 44 of 1998

SUMMARY OF PROVISIONS

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2. **Commencement**
3. **Amendment of s. 10—Deductions for grain**
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ELIZABETHAE II REGINAE

A.D. 1998

No. 44 of 1998

An Act to amend the Wheat Marketing Act 1989; and to make a related amendment to the Barley Marketing Act 1993.

[Assented to 27 August 1998]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Wheat Marketing (Grain Deductions) Amendment Act 1998*.

(2) The *Wheat Marketing Act 1989* is referred to in this Act as "the principal Act".

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Amendment of s. 10—Deductions for grain

3. Section 10 of the principal Act is amended—

(a) by striking out subsections (1) and (2) and substituting the following subsections:

(1) Subject to this section, a purchaser of grain must, with the consent of the seller, deduct from the amount payable under the contract of sale—

(a) the prescribed amount for grain research purposes; and

(b) the prescribed amount for the purposes of the Grain Section of the South Australian Farmers Federation Incorporated ("SAFF").

(2) The purchaser must pay the deductions to the Minister who must, subject to subsection (4), pay—

(a) the grain research deduction to the fund; and

(b) the SAFF deduction to the Grain Section of SAFF.;

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- (b) by striking out from subsection (3) "wheat" (wherever occurring) and substituting, in each case, "grain";
- (c) by striking out from subsection (4) "wheat" (wherever occurring) and substituting, in each case, "grain";
- (d) by striking out from subsection (5) "a bank account" and substituting "bank accounts";
- (e) by striking out from subsection (6) "to the fund" and substituting the following:

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- (a) in the case of the grain research deduction—to the fund;
 - (b) in the case of the SAFF deduction—to the Grain Section of SAFF.;
- (f) by inserting after subsection (6) the following subsection:
 - (7) The Minister may debit from the SAFF deduction the reasonable costs of receiving and paying out the SAFF deduction to the Grain Section of SAFF.;
 - (g) by striking out from subsection (8) "wheat" (wherever occurring) and substituting, in each case, "grain";
 - (h) by striking out from subsection (9) "percentage that should be prescribed for the purposes of this section for wheat" and substituting "rates that should be fixed as the prescribed rates for grain";
 - (i) by striking out from subsection (10) "the United Farmers and Stockowners of S.A. Incorporated" and substituting "SAFF";
 - (j) by striking out paragraph (a) of subsection (12) and substituting the following paragraph:

(a) fix—

- (i) an amount per tonne of grain as the prescribed rate for the grain research deduction; and
 - (ii) an amount per tonne of grain as the prescribed rate for the SAFF deduction;;
- (k) by striking out paragraph (c) of subsection (12);
 - (l) by striking out subsection (15) and substituting the following subsection:

(15) In this section—

"prescribed amount", in relation to a seller, means the amount obtained by multiplying the number of tonnes (rounded up to the nearest whole number) of grain of the season purchased from the seller by the prescribed rate for the season;

"prescribed rate", in relation to grain of a season, means—

- (a) the amount per tonne of grain fixed by the Minister under subsection (12) for grain of a season as the prescribed rate for the grain research deduction; or
- (b) the amount per tonne of grain fixed by the Minister under subsection (12) for grain of the season as the prescribed rate for the SAFF deduction;

"purchaser" of grain includes the Australian Barley Board established under the *Barley Marketing Act 1993*.

Amendment of *Barley Marketing Act 1993*

4. The *Barley Marketing Act 1993* is amended by striking out section 40.

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

E. J. NEAL Governor