

WHEAT MARKETING.

No. 56 of 1984.

AN ACT to amend the Wheat Marketing Act 1979.

[Assented to 28 September 1984.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Wheat Marketing Amendment Act 1984*.

Short title
and principal
Act.

(2) In this Act the Wheat Marketing Act 1979 is referred to as the principal Act.

Act No. 113
of 1979 as
amended
by Acts
Nos. 42 of
1981 and
114 of 1982.

Commence-
ment.

2. This Act shall come into operation on 1 October 1984.

Section 14
amended.

3. Section 14 of the principal Act is amended by repealing subsection (7).

Section 17A
amended.

4. Section 17A of the principal Act is amended by repealing subsection (5) and substituting the following subsection—

“ (5) The Board may deduct the whole or a part of an amount payable by a person to the Board under subsection (4) (including an amount that became payable before the coming into operation of the Wheat Marketing Amendment Act 1984) from an amount payable by the Board to the person under section 17 or the corresponding provision of the Commonwealth Act or a State Act. ”

Section 22
amended.

5. Section 22 of the principal Act is amended—

(a) in subsection (1), by deleting “, in the year commencing on the first day of December, 1979 or any of the next four succeeding years,”;

(b) by repealing subsection (2) and substituting the following subsection—

“ (2) Subject to subsection (3), during a quarter (in this subsection referred to as “the relevant quarter”) the price per tonne of Australian standard white wheat in bulk sold free on rail at a port of export for human consumption in Australia is the price determined by the

Commonwealth Minister, or by a person authorized in writing by the Commonwealth Minister, by—

- (a) taking the average amount per tonne of the export price, f.o.b., quoted by the Board on—
 - (i) the 20 business days immediately preceding the 16th day of the month ending at the commencement of the relevant quarter; and
 - (ii) the 20 business days immediately preceding the 16th day of the month ending 3 months before the commencement of the relevant quarter,

for Australian standard white wheat to be disposed of during each month of the quarter next following the quote, by the Board by way of export sale or sale for export; and

- (b) adding to the amount calculated in accordance with paragraph (a) such amount (if any) as is determined by the Commonwealth Minister, after consultation with the Minister and the Board, in relation to the relevant quarter, or in relation to a period that includes the relevant quarter, to be the amount per tonne by which the costs incurred by the Board in marketing wheat for human consumption in Australia exceed the costs incurred by the Board in marketing wheat for export. ”;

- (c) by repealing subsection (3) and substituting the following subsection—

“ (3) There shall be added to a price determined under subsection (2) or (4) such amount as the Commonwealth Minister, after consultation with the Board, considers to be necessary to be included in the price of all wheat sold by the Board for use or consumption in Australia for the purpose of enabling the Board to meet the costs of shipment of wheat (including overseas wheat) by the Board to a port in Tasmania. ”;

- (d) in subsection (4), by deleting “subsection” and substituting the following—

“ subsections (3) and ”;

- (e) in subsection (8)—

- (i) by deleting “a season sold free on rail at a port of export before the final purchasing day for” and substituting the following—

“ the relevant season sold free on rail at a port of export before the expiration of ”; and

- (ii) by deleting “under section 16 (1)”;

- (f) in subsection (9), by deleting “a” before “season” and substituting the following—

“ the relevant ”;

- (g) in subsection (10), by deleting “that” before “season” in paragraph (a) and substituting the following—

“ the relevant ”;

(h) in subsection (11), by deleting “a” before “season” and substituting the following—

“ the relevant ”; and

(i) by repealing subsection (12) and substituting the following subsections—

“ (12) Where a person other than the Board exports wheat products containing any wheat sold by the Board on or after 1 October 1984, being a sale of wheat to which this section applies, the Board shall, on application made to it by the person, refund to the person an amount equal to the aggregate of the amounts determined under subsection (2) (b) and referred to in subsection (3) that were applicable in relation to that wheat at the time when that wheat was sold by the Board.

(13) An application under subsection (12) shall be in accordance with a form approved by the Board.

(14) In this section—

“associated farm” has the same meaning as in section 13;

“business day” means a day other than—

(a) a Saturday;

(b) a Sunday; or

(c) a day that is a public holiday in the place where the head office of the Board is situated;

“quarter” means a period of 3 months commencing on any 1 January, 1 April, 1 July or 1 October;

“relevant season” means the period
of 12 months commencing on
1 July 1984. ”.

Second
Schedule
and heading
deleted.

6. The Second Schedule to the principal Act and
the heading “SCHEDULES.” preceding that
schedule are deleted.
