

**WHEAT BAGS.**

19° GEO. V., No. XVII.

No. 17 of 1928.

AN ACT to provide for the Branding of Wheat Bags.

[Assented to 10th December, 1928.]

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

1. This Act may be cited as the *Wheat Bags Act, 1928*, and shall come into operation on the first day of August, 1929.

Short title and commencement.

2. (1) No person who is a grower of wheat shall sell or export, or deliver or consign to any other person for sale or export on his behalf, wheat in bags or other packages, unless every such bag or package is durably and legibly stamped with the name and address of such grower, or with a brand registered by the grower under the Brands Act, 1904.

Wheat bags to be branded.

(2) Any person who buys from a grower of wheat the wheat or the crop or portion of the crop of wheat of the grower shall, if the wheat is bagged or packed by or on behalf of such person, be deemed to be the grower of the wheat for the purposes of this section.

3. Any person who—

- (a) not being the grower or, without the authority of the grower of wheat contained in any bags, stamps on the bags containing such wheat the name and address or brand of such grower ;  
or

Interference with brands by unauthorised person.

- (b) defaces, alters, or renders illegible the name or address or brand of such grower on bags containing wheat ; or
  - (c) causes, directs, or assists in or permits or suffers any such act, matter, or thing aforesaid,
- shall be guilty of an offence against this Act.

Refilling wheat bags.

4. No person, other than the grower whose name and address or brand may be stamped on bags, shall refill with wheat, for the purpose of selling or disposing of same, any bags previously used by such grower without first effectively and completely removing or obliterating the name and address or brand thereon of such grower, and any person failing to comply with the provisions of this section shall be guilty of an offence against this Act.

Penalty.

5. A person guilty of an offence against this Act shall be liable on summary conviction to a fine not exceeding twenty pounds, or to imprisonment with or without hard labour for a period not exceeding six months.

No greater rights conferred on purchaser.

6. Nothing in this Act contained shall confer or be deemed to confer on the purchaser of any wheat in bags stamped or branded as aforesaid any greater rights or remedies against the seller than a purchaser heretofore had or may have been entitled to, nor shall anything in this Act alter the onus of proof in any proceedings which may be taken by any one of such parties against the other.

Wheat sold for seed or feed.

7. This Act shall not apply to wheat sold by one grower to another for seed or feed.