

WESTERN AUSTRALIA

SKELETON WEED AND RESISTANT GRAIN INSECTS (ERADICATION FUNDS) AMENDMENT ACT

No. 25 of 1988

**AN ACT to amend the *Skeleton Weed and Resistant Grain Insects
(Eradication Funds) Act 1974.***

[Assented to 31 October 1988]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *Skeleton Weed and Resistant Grain Insects (Eradication Funds) Amendment Act 1988.*

Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Principal Act

3. In this Act the *Skeleton Weed and Resistant Grain Insects (Eradication Funds) Act 1974** is referred to as the principal Act.

[*Act No. 76 of 1974 as amended by Acts Nos. 89 of 1976, 21 of 1979, 56 of 1980, 27 of 1982 and 67 and 98 of 1985.]

Section 9 amended

4. Section 9 of the principal Act is amended—

(a) by inserting after subsection (2) the following subsection—

“ (2a) Subject to this Act, every grower who delivers—

- (a) grain;
- (b) seed; or
- (c) grain and seed,

to the Company or to a receiver of grain or seed, grown during the crop year 1988-1989, 1989-1990 or 1990-1991 shall in respect of that crop year pay a contribution to the Fund, in accordance with the order made for that crop year under subsection (3a). ”;

(b) by inserting after subsection (3) the following subsections—

“ (3a) The Governor, on the recommendation of the Minister, shall, subject to subsection (3b), by order published in the *Gazette* prior to the commencement of each crop year referred to in subsection (2a) specify the amount of the contribution, or the method of calculating the contribution, to be paid to the Fund for that crop year.

(3b) A recommendation made by the Minister under subsection (3a) shall be based on the cost or estimated cost of meeting the payments for services referred to in section 7. ”;

(c) in subsection (4)—

(i) by inserting after “contribution” the following—

“ under subsections (1) and (2) ”; and

(ii) by deleting “prescribed by subsection (3) of this section” and substituting the following—

“ payable under this section ”; and

(d) in subsection (5)—

(i) by deleting “whether a grower is liable to pay a contribution” and substituting the following—

“ the contribution, if any, a grower is liable to pay ”;

(ii) by deleting “and” after paragraph (n);

(iii) by deleting the comma at the end of paragraph (o) and substituting a semi-colon; and

(iv) by inserting after paragraph (o) the following paragraphs—

“ (p) delivered during the period of 12 months ending on 31 October 1989 shall be deemed to have been grown during the crop year 1988-1989;

(q) delivered during the period of 12 months ending on 31 October 1990 shall be deemed to have been grown during the crop year 1989-1990; and

(r) delivered during the period of 12 months ending on 31 October 1991 shall be deemed to have been grown during the crop year 1990-1991, ”.

Section 10 amended

5. Section 10 of the principal Act is amended—

(a) by deleting the comma at the end of paragraph (b) and substituting the following—

“ ; and ”; and

(b) by inserting after paragraph (b) the following paragraph—

“ (c) in respect of the crop year 1988-1989, 1989-1990 or 1990-1991 is payable to the Fund not later than 28 days after the company or receiver of grain or seed first makes a payment to the grower for grain or seed delivered during that year, ”.

Section 18 amended

6. Section 18 of the principal Act is amended in subsection (1) by deleting “1987-1988” and substituting the following—

“ 1990-1991 ”.