

FRUIT-GROWING RECONSTRUCTION SCHEME.

No. 23 of 1975.

**AN ACT to amend the Fruit-growing Reconstruction
Scheme Act, 1972-1973.**

[Assented to 13th May, 1975.]

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 *Fruit-growing Reconstruction Scheme Act Amendment Act, 1975.* Short title.

(2) In this Act the Fruit-growing Reconstruction Scheme Act, 1972-1973 is referred to as the principal Act. Act No. 99 of 1972 as amended by Act No. 87 of 1973.

(3) The principal Act as amended by this Act may be cited as the Fruit-growing Reconstruction Scheme Act, 1972-1975.

Section 3
amended.

2. Section 3 of the principal Act is amended—

- (a) by substituting for the definition “Agreement” a definition as follows—

“Agreement” means the agreement between the Commonwealth and the State a copy of which is set forth in the First Schedule to this Act as varied by the First Supplemental Agreement and the Second Supplemental Agreement; ;

- (b) by deleting the definition “the Supplemental Agreement” and substituting a definition as follows—

“the First Supplemental Agreement” means the agreement between the Commonwealth and the State a copy of which is set forth in the Second Schedule to this Act; ;

- (c) by adding after the definition “the Supplemental Agreement” a definition as follows—

“the Second Supplemental Agreement” means the agreement between the Commonwealth and the State a copy of which is set forth in the Third Schedule to this Act. .

Section 5A
amended.

3. Section 5A of the principal Act is amended by adding after the word “the” where secondly occurring in line one the word “First”.

Section 5B
added.

4. The principal Act is amended by adding after section 5A a section as follows—

5B. The Second Supplemental Agreement is approved. .

5. The principal Act is amended by adding after the Second Schedule a Schedule as follows—

Third
Schedule
added.

THIRD SCHEDULE.

THIS AGREEMENT is made the second day of December One thousand nine hundred and seventy-four between—

THE COMMONWEALTH OF AUSTRALIA of the first part,

THE STATE OF NEW SOUTH WALES of the second part,

THE STATE OF VICTORIA of the third part,

THE STATE OF QUEENSLAND of the fourth part,

THE STATE OF SOUTH AUSTRALIA of the fifth part,

THE STATE OF WESTERN AUSTRALIA of the sixth part, and

THE STATE OF TASMANIA of the seventh part

and is a further supplemental agreement to the agreement in relation to the provision of financial assistance for persons engaged in fruit-growing industries throughout Australia known as the 1972-1973 Fruit-Growing Reconstruction Agreement and constituted by the agreement that was approved by the States Grants (Fruit-growing Reconstruction) Act, 1972 and was made the second day of November, 1972 as varied by the agreement that was approved by the States Grants (Fruit-growing Reconstruction) Act, 1973 and was made the twenty-fourth day of November, 1973 (which agreements are in this agreement respectively referred to as "the Principal Agreement" and "the First Supplemental Agreement" and together as "the Revised Agreement").

WHEREAS—

- (A) the parties are desirous of extending further the financial assistance to be provided under the Revised Agreement and of varying certain of the provisions of the Revised Agreement; and
- (B) the Australian Parliament will be requested to approve this agreement and to authorize the grant of financial assistance to the States in accordance with the provisions of the Revised Agreement as varied by this agreement:

NOW IT IS HEREBY AGREED as follows—

- 1. This agreement shall have no force or effect and shall not be binding upon any party until it has been approved by the Australian Parliament.

Approval
of
Agreement.

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Commencement of Agreement.

2. Upon being approved by the Australian Parliament this agreement shall be deemed to have commenced on the first day of July, 1974 so that the Revised Agreement shall be regarded as having been varied on that date and as providing for and giving effect to acts done on and from that date as if it had been so varied.

Operation of Agreement.

3. The Revised Agreement as varied by this agreement shall be construed as if this agreement were incorporated in and formed part of the Revised Agreement and so that, except where the context otherwise requires, references in the Revised Agreement to the Principal Agreement or to the Principal Agreement as varied by the First Supplemental Agreement were references to the Revised Agreement as varied by and incorporating the provisions of this agreement.

Interpretation.

4. Except where the contrary intention appears, expressions used in this agreement that are expressions to which meanings are attributed in the Principal Agreement have in this agreement the respective meaning so attributed to them.

Extension of financial assistance.

5. Clause 7 of the Principal Agreement as varied by the First Supplemental Agreement is varied by deleting the date "the thirtieth day of June, 1974" and inserting in its place the date "the thirty-first day of December, 1975".

Amendments of Schedule.

6. (1) The Schedule to the Principal Agreement is amended as follows:—

(a) by deleting from paragraph 3.1 as varied by the First Supplemental Agreement the date "31 October 1974" and inserting in its place the date "30 June 1976";

(b) by deleting from paragraph 3.1 the sentence that was added by paragraph (f) of subclause 5 (1) of the First Supplemental Agreement.

(2) The amendment made by paragraph (b) of subclause (1) of this clause shall be deemed to have taken effect on the fifth day of April, 1974.

Confirmation and Title of Agreement.

7. The Revised Agreement as varied by this agreement is confirmed and, as so varied, shall be known as "the 1972-1974 Fruit-growing Reconstruction Agreement".