



ANNO TRICESIMO SEXTO

ELIZABETHAE II REGINAE

A.D. 1987

No. 87 of 1987

An Act to amend the Wheat Marketing Act, 1984.

[Assented to 10 December 1987]

The Parliament of South Australia enacts as follows:

- Short title.** 1. (1) This Act may be cited as the "Wheat Marketing Act Amendment Act, 1987".
- (2) The Wheat Marketing Act, 1984, is in this Act referred to as "the principal Act".
- Commencement.** 2. This Act will be taken to have come into operation when the principal Act came into operation.
- Insertion of new s. 22a.** 3. The following section is inserted in Part II of the principal Act immediately after section 22:
- Wheat research deductions.** 22a. (1) Notwithstanding any other provision of this Act, where wheat of a season is acquired by the Board from any person pursuant to this Act, a payment of the prescribed amount will, with the consent of the person, be made for wheat research purposes out of the money payable to the person by the Board in respect of that wheat.
- (2) The payment referred to in subsection (1) will be made by the Board to the Minister who will, subject to subsection (3), pay the amount to the Commonwealth for payment into the Wheat Research Trust Account.
- (3) The Board is entitled to presume that each person from whom it has acquired wheat of a season has consented to the making of the payment but, if any such person, by notice in writing given to the Minister during the month of March in that season, indicates that he or she does not consent to the making of the payment in respect of the wheat of that season, the Minister must pay the prescribed amount to the person out of the money received by the Minister from the Board pursuant to this section.
- (4) Money received by the Minister pursuant to this section will, pending payment pursuant to subsection (2) or (3), be kept in a bank

account established for the purpose or may be invested in such manner as the Minister thinks fit.

(5) Any money earned through the investment of money pursuant to subsection (4) will be paid to the Commonwealth for payment into the Wheat Research Trust Account.

(6) Payments made by the Minister to the Commonwealth under this section must be made on the condition that the money so paid is expended in South Australia.

(7) Proper accounts must be kept of the money received or paid by the Minister under this section and those accounts may at any time, and must at least once in each year, be audited by the Auditor-General.

(8) The committee established by the Minister for the purposes of section 28a of the repealed Act continues in existence.

(9) The committee consists of three persons appointed by the Minister after consultation with the Grain Section of the United Farmers and Stockowners of S.A. Incorporated.

(10) The committee has the function of recommending to the Minister the rate that should, in its opinion, be fixed as the prescribed rate for the wheat of a season.

(11) The Minister may, on the recommendation of the committee, by notice in the *Gazette*, fix an amount per tonne of wheat as the prescribed rate for the wheat of the season specified in the notice.

(12) In this section—

“the prescribed amount”, in relation to a person from whom wheat of a season has been acquired by the Board, means the amount obtained by multiplying the number of tonnes of wheat of the season so acquired from that person by the prescribed rate for the wheat of that season:

“the prescribed rate”, in relation to wheat of a season, means the amount per tonne of wheat fixed by the Minister pursuant to subsection (11) as the prescribed rate for the wheat of that season:

“the Wheat Research Trust Account” means the Wheat Research Trust Account established under the *Wheat Research Act 1957* of the Commonwealth, as amended from time to time.

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

D. B. DUNSTAN, Governor