

WHEAT BILL, 1927.

SCHEDULE of the Amendments referred to in Message of 19th January, 1927.

Page 3, clause 8. At end of clause *add* new paragraph.

Page 4, clause 9, line 3. *Omit* "in such manner prescribed"

Page 4, clause 9, line 13. *After* "department" *insert* "of Agriculture"

Page 4, clause 11, lines 22 and 23. *Omit* "to every person by whom wheat is stored"

Page 6, clause 15, lines 12 and 13. *Omit* "at a date not later than the fifteenth of
"November of the current year" *insert* "so that the amount shall not
"exceed the market value on or immediately prior to the fifteenth day
"of November following the harvest during which the wheat was
"delivered"

Page 6, clause 17. At end of paragraph (c) *add* "and warrants issued"

WHEAT, 1931

SCHEDULE of the Wheat Act, 1931

- 1. clause 1. At end of paragraph 1 of clause 1.
- 2. clause 2. In each heading paragraph.
- 3. clause 3. After "Department" insert "Agriculture".
- 4. clause 4. After "to be" insert "to be" for wheat is named.
- 5. clause 5. After "to be" insert "to be" for wheat is named.
- 6. clause 6. After "to be" insert "to be" for wheat is named.
- 7. clause 7. After "to be" insert "to be" for wheat is named.
- 8. clause 8. After "to be" insert "to be" for wheat is named.
- 9. clause 9. After "to be" insert "to be" for wheat is named.
- 10. clause 10. After "to be" insert "to be" for wheat is named.
- 11. clause 11. After "to be" insert "to be" for wheat is named.
- 12. clause 12. After "to be" insert "to be" for wheat is named.
- 13. clause 13. After "to be" insert "to be" for wheat is named.
- 14. clause 14. After "to be" insert "to be" for wheat is named.
- 15. clause 15. After "to be" insert "to be" for wheat is named.
- 16. clause 16. After "to be" insert "to be" for wheat is named.
- 17. clause 17. After "to be" insert "to be" for wheat is named.
- 18. clause 18. After "to be" insert "to be" for wheat is named.
- 19. clause 19. After "to be" insert "to be" for wheat is named.
- 20. clause 20. After "to be" insert "to be" for wheat is named.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 11 November, 1926.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 19th January, 1927.*

New South Wales.



ANNO SEPTIMO DECIMO

GEORGII V REGIS.

Act No. , 1927.

An Act to provide for the grading of wheat in bulk; to regulate the handling of such wheat, and the operation of wheat elevators; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Wheat Act, 1926 1927." Short title: and commencement.

(2) This Act shall, save as otherwise therein provided, come into operation on a date to be appointed by the Governor and notified by proclamation published in the Gazette.

17607

89—

2.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Wheat.

2. In this Act, unless the context otherwise indicates or requires,— Interpretation.

5 “Elevator” means an elevator or other building owned by the Government of the State of New South Wales and used for the handling and storage of wheat in bulk.

3. There shall be a Wheat Commissioner for the purpose of the administration of this Act. Wheat Commissioner.

10 The manager of the Government grain elevators for the time being shall be such commissioner.

4. (1) There shall be a Wheat Standards Board, which shall consist of the Wheat Commissioner, who shall be chairman, and four other members appointed by the Governor, of whom one shall be a wheat miller, Wheat Standards Board.
15 one shall be an exporter of wheat, and two shall be wheat-growers.

(2) The members of the board other than the chairman shall hold office for three years, but shall be eligible for reappointment.

20 (3) The Governor may for sufficient cause remove any member.

(4) If the office of an appointed member becomes vacant during the term for which he is appointed, a deputy shall be appointed for the remainder of such **25** term.

(5) The Governor may appoint a deputy to act for any member during his absence.

(6) A deputy shall have the same powers, rights, and duties as the member in whose place he is **30** appointed.

5. (1) The Wheat Standards Board shall not later than six months after its appointment report to the Minister the number and names of grades of bulk wheat which it considers advisable to establish in New South Grades and standards.
35 Wales, and the standards of such grades.

(2) Such grades shall come into operation upon a date to be appointed by the Governor and notified by proclamation published in the Gazette.

(3) Such grades may in like manner be altered, **40** but only upon the recommendation of the Wheat Standards Board.

Wheat.

(4) Any such alteration shall take effect upon a date to be appointed by the Governor and notified by proclamation published in the Gazette :

5 Provided that such date shall not be before the expiration of twelve months after the date of publication of the proclamation.

6. (1) If a considerable portion of the wheat of any harvest cannot for any reason be included in any of the grades established in accordance with the provisions of the last preceding section and in force during such harvest, the Wheat Standards Board may recommend one or more special grades to apply to such wheat.

10 (2) Such special grades shall come into operation upon a date appointed by the Governor and notified by proclamation published in the Gazette, but shall not apply to wheat other than that of the harvest for which they were recommended.

15 7. (1) Except as provided in subsection two of this section wheat shall not be received into any elevator unless it has been graded in accordance with the grades in force for the time being by a person authorised by the Wheat Commissioner.

20 (2) The Minister may by notification published in the Gazette specify elevators or portions of any elevator to which the provisions of subsection one of this section shall not apply and may at any time revoke or alter such notification.

25 8. If wheat of different grades is delivered from an elevator into any one compartment of a ship or vessel, any certificate of grade issued in respect of such wheat shall have endorsed across its face a statement of such grades and of the respective quantities of wheat of each such grade.

30 The Wheat Commissioner shall issue to the owner of wheat delivered into a ship or vessel from an elevator a certificate setting out the name of the ship or vessel, the place and date of loading, and the weight and quantity, and quality or grade as determined by official weighing and inspection of the wheat so delivered.

Wheat.

- 9.** (1) The owner of any wheat which has been graded in accordance with the provisions of section seven of this Act may ~~in such manner prescribed~~ appeal to the Appeals Board against the grading. Appeal against grading.
- 5 (2) The Appeals Board shall consist of the Wheat Commissioner and one growers' representative on the Wheat Standards Board.
- (3) Such appeal shall be made within the time and in the manner prescribed and shall be accompanied 10 by the prescribed deposit.
- (4) In the event of any disagreement by the Appeals Board the matter shall be referred to the Under Secretary of the Department of Agriculture, whose decision shall be final.
- 15 (5) If the grading is confirmed by the Appeals Board and in its opinion the appeal is frivolous the deposit may be forfeited.
- 10.** Sections six, seven, eight, and nine of this Act shall not come into operation until the date appointed 20 by the Governor under subsection two of section five of this Act. Commencement of sections 6, 7, 8, 9.
- 11.** (1) There shall be issued ~~to every person by whom wheat is stored for wheat received for storage~~ in an elevator a warrant in the prescribed form. Warrants.
- 25 (2) Such warrants shall be consecutively numbered, and two warrants bearing the same number shall not be issued during the period in which the wheat harvest of any season is being delivered.
- 12.** Wheat shall not be delivered from an elevator 30 unless there shall have been delivered to the manager of the Government grain elevators— Delivery from elevator.
- (a) a warrant representing the same quantity of wheat of the same grade or, if no grades are in operation, of the same description or quality; 35 and
- (b) instructions in the prescribed form by the person delivering the warrant as to the disposal of such wheat;
- and unless all fees, freight, and other charges due in 40 connection therewith have been paid.

Wheat.

13. Warrants shall after endorsement by the person to whom they were issued be transferable by delivery. Warrants negotiable.

14. No action for damages for conversion or for detention of any wheat shall be brought against the Government or the manager of the Government grain elevators or any of its or his servants by any person claiming to be entitled to any mortgage, charge, lien (including any lien on crops under the Liens on Crops and Wool and Stock Mortgages Act, 1898), or any other encumbrance whatsoever of, upon, or over such wheat or any crop from which such wheat was harvested. Protection against actions, &c.

15. (1) After the delivery of any wheat in respect of which a warrant has been produced as provided in section twelve of this Act, the Government and the manager of the Government grain elevators shall not be answerable to any other person claiming to be the owner of such wheat or of any interest therein. Indemnity.

(2) The Government of New South Wales shall not be responsible for—

- 20** (a) any loss of or damage to wheat in its charge arising from irresistible force, the act of God or the King's enemies, strikes, lock-outs, or any other cause beyond its control; or
- 25** (b) any loss which may be sustained by reason of the short supply or non-supply of railway trucks to any elevator for the purpose of moving wheat therefrom under the instructions of the owner of the wheat.

30 (3) Where wheat in an elevator is destroyed or damaged by any of the causes referred to in paragraph (a) of subsection two of this section all persons at the time of the loss entitled to delivery of wheat under warrants shall bear the loss in a proportion to be fixed by the manager of the Government grain elevators

35 approximating as nearly as can be calculated by him to the proportion that the wheat which such persons are entitled by the warrant to receive bears to the total stocks of wheat then in store in the Government elevators, and the amount of wheat deliverable on the

40 warrants then in force shall be reduced accordingly.

(4)

Wheat.

(4) Where from any cause for which the Government is responsible damage to or loss of wheat occurs, the liability of the Government shall be limited to the market value of the wheat at the time of the loss or
5 damage.

(5) Where the Government is unable from any cause for which it is responsible to deliver wheat in the quantity and of the quality mentioned in a warrant, the Government may pay to the owner of the warrant the
10 amount of the market value of the wheat mentioned in the warrant as at the date on which delivery is sought, but at a date not later than the fifteenth of November of the current year, so that the amount shall not exceed
15 the market value on or immediately prior to the fifteenth day of November following the harvest during which the wheat was delivered, and the Government shall not be responsible to any further extent for any damages, loss, costs, charges, or expenses resulting from its failure to so deliver the wheat.

20 **16.** Every action brought for anything done under this Act or contrary to its provisions shall be commenced within twenty-four months next after the right to bring such action accrued and not afterwards.

Limitation
of actions.
cf. (Can.)
2 Geo. V,
c. 27, s. 78.

The defendant in any such action may plead the
25 general issue, and that the matter was done under this Act, and may give this Act and special matter in evidence at the trial of the action.

17. (1) The Governor may make regulations not
30 inconsistent with this Act prescribing all matters which are required or authorised to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Act; and in particular and without limiting the generality of the foregoing power, the Governor may prescribe—

Regulations.

35 (a) the procedure at meetings of the Wheat Standards Board, the quorum necessary for such meetings, and the method of voting thereat;

40 (b) the method of sampling and grading wheat;

(c) the conditions under which wheat will be received for storage and warrants issued;

(d)

Wheat.

- (d) the forms of warrants and certificates of grades and of instructions as to the disposal of wheat delivered from an elevator ;
- 5 (e) the method of issuing and the form of duplicate warrants issued in lieu of warrants which are alleged to have been defaced, destroyed, or lost, and the security to be taken before any such issue ;
- 10 (f) the conditions under which one warrant may be issued in place of two or more warrants, and under which two or more warrants may be issued in place of one ;
- (g) the method of providing for shortages of stocks of wheat in elevators and of disposing of surpluses of wheat therein ;
- 15 (h) the method of appealing against the grading of any wheat and the fees to be paid on such appeals ; and the method of taking samples for the purposes of such appeals ;
- 20 (i) the fees to be charged for sampling, grading, receiving, storing, insuring, weighing, drying, cleaning and delivering wheat, and for other services rendered in connection with the handling of wheat.
- 25 (2) The regulations may prescribe a penalty not exceeding twenty pounds for any breach thereof.
- (3) The regulations shall—
- (a) be published in the Gazette ;
- 30 (b) take effect from the date of publication, or from a later date to be specified in the regulations ; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within
- 35 fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given within fifteen sitting days after the regulations have been laid before such House

40 disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

The first part of the report is devoted to a general
 description of the project and its objectives. It
 is followed by a detailed account of the work
 done during the period covered by the report.
 The results of the work are then presented in
 a series of tables and figures. The final part
 of the report is a summary of the work done
 and a list of references.

and
 for