

New South Wales.



ANNO VICESIMO SECUNDO

GEORGII V REGIS.

Act No. 50, 1931.

An Act to amend the Flour Acquisition Act, 1931, in certain respects; to validate certain matters; and for purposes connected therewith. [Assented to, 7th October, 1931.]

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 “Flour Acquisition (Amendment) Act, 1931,” and shall be read and construed with the Flour Acquisition Act, 1931. Short title.

Flour Acquisition (Amendment).

(2) The Flour Acquisition Act, 1931, is in this Act referred to as the Principal Act.

Amendment of
Act No. 10, 1931.

2. (1) The Principal Act is amended—

Sec. 5.

- (a) (i) by omitting from subsection one of section five the words “of a similar grade or quality at the date of vesting or acquisition as fixed” and by inserting in lieu thereof the words “as fixed from time to time”;
- (ii) by inserting at the end of the same subsection the following words: “Such price may be fixed at a uniform rate without regard to grade or quality.

A fixation of the fair and reasonable price of flour under this subsection shall not have any force or effect unless and until a notification thereof is published in the Gazette.

Every such notification shall come into force upon the date of the publication thereof in the Gazette, and shall remain in force until rescinded or varied by a further notification published in like manner.

The price specified in a notification shall be the fair and reasonable price of flour for the purpose of ascertaining the compensation to be paid in respect of any flour acquired by or vested in His Majesty under this Act at any time during the period in which the notification remains in force.”

The production of a copy of the Gazette purporting to contain any such notification or any notification deemed to have been made under this subsection shall be conclusive evidence of the matters contained in the notification and of the price of flour thereby fixed.

- (iii) by omitting subsection three of the same section ;

(iv)

Flour Acquisition (Amendment).

- (iv) by inserting in subsection four of the same section immediately before the words "Such compensation" the words "Subject to this Act";
- (b) by omitting from paragraph (b) of subsection Sec. 6. four of section six the words "compensation fixed by the committee, for flour of a similar grade or quality" and by inserting in lieu thereof the words "price specified in a notification of the fair and reasonable price fixed by the committee under subsection one of section five of this Act in force at the date of vesting by or acquisition under this Act of the flour."
- (2) Subsection one of this section shall be deemed to have commenced on the thirtieth day of March, one thousand nine hundred and thirty-one.
- (3) The fixation by the committee on the twenty-fourth day of March, one thousand nine hundred and thirty-one, of the price of seven pounds five shillings per ton of flour and the notification thereof published in the Government Gazette number forty of the twenty-seventh day of March, one thousand nine hundred and thirty-one, are hereby validated and shall be deemed to have been validly made under subsection one of section five of the Principal Act as amended by this Act.
- (4) The fixation by the Governor of the standard price of flour at ten pounds per ton and the proclamation thereof published in the Government Gazette number forty of the twenty-seventh day of March, one thousand nine hundred and thirty-one, are hereby validated and shall be deemed to have been validly made under subsection four of section six of the Principal Act as amended by this Act.

3. The Principal Act is further amended—

- (a) by inserting at the end of subsection five of section six the following paragraph:—

If such balance of purchase money remains unpaid after the expiration of twenty-eight days

Further amend-
ment of Act
No. 10, 1931.
Sec. 6 (5).

Flour Acquisition (Amendment).

days from the time prescribed under this subsection for the payment thereof, the person liable to pay such balance shall be guilty of an offence and shall be liable upon summary conviction before a stipendiary or police magistrate, or two justices, to a penalty of not less than twenty-five pounds and not exceeding five hundred pounds.

Where a prosecution is taken under this subsection by or on behalf of the Attorney-General, or by any person with the consent of the Attorney-General, the court before which the offender is convicted may, in addition to the penalty imposed under the foregoing provisions, order the offender to pay to the Minister in such manner as the court directs the balance of purchase money in respect of the non-payment of which the offence was committed, and such order shall be enforceable in the same manner as an order of the court.

Nothing in this provision shall affect any remedy of the Attorney-General against the offender or any other person for recovery of the said balance of purchase money.

Sec. 13.

- (b) (i) by omitting from subsection three of section thirteen the words "For the purpose of ascertaining whether any offence has been committed against the provisions of this section";
- (ii) by omitting from the same subsection the words "subsection one of this section" and by inserting in lieu thereof the words "this Act";

Sec. 14.

- (c) by omitting from subsection one of section fourteen the words "as is specified" and by inserting in lieu thereof the words "or from time to time at such intervals as may be specified";

(d)

Flour Acquisition (Amendment).

- (d) by inserting after section sixteen the following new section :— New s. 16A

16A. In any action, suit, or proceeding the production by or on behalf of His Majesty, the Attorney-General, or the Minister, or by or on behalf of any person taking a prosecution or other proceeding with the consent of the Attorney-General, of a certificate purporting to be signed by the Wheat Commissioner appointed under the Wheat Act, 1927—

Certificate of Wheat Commissioner to be prima facie evidence.

- (a) that flour of a quantity stated in the certificate belonging to a person named therein was at a time stated therein vested in or acquired by His Majesty under this Act; and/or
 - (b) that the sum therein stated is the compensation to be paid to a person named therein for any quantity of flour mentioned therein vested in or acquired by His Majesty under this Act; and/or
 - (c) that flour vested in or acquired by His Majesty under this Act has been to the quantity stated in the certificate, sold or disposed of by the person named therein at the time or during the period stated in the certificate; and/or
 - (d) that the balance of the purchase money to be paid to the Minister in accordance with the provisions of subsection five of section six of this Act by the person named in the certificate amounts to a sum specified in the certificate and has become due and payable by such person on a day specified in the certificate,
- shall be prima facie evidence of the facts and matters so certified.

By Authority:

ALFRED JAMES KENT, I.S.O., Government Printer, Sydney, 1931.

[3d.]

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 2 October, 1931.*

New South Wales.



ANNO VICESIMO SECUNDO

GEORGII V REGIS.

Act No. 50, 1931.

An Act to amend the Flour Acquisition Act, 1931, in certain respects; to validate certain matters; and for purposes connected therewith. [Assented to, 7th October, 1931.]

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 "Flour Acquisition (Amendment) Act, 1931," and shall be read and construed with the Flour Acquisition Act, 1931. Short title.

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

*H. J. CONNELL,
Chairman of Committees of the Legislative Assembly.*

Flour Acquisition (Amendment).

(2) The Flour Acquisition Act, 1931, is in this Act referred to as the Principal Act.

Amendment of
Act No. 10, 1931.

2. (1) The Principal Act is amended—

Sec. 5.

(a) (i) by omitting from subsection one of section five the words “of a similar grade or quality at the date of vesting or acquisition as fixed” and by inserting in lieu thereof the words “as fixed from time to time”;

(ii) by inserting at the end of the same subsection the following words: “Such price may be fixed at a uniform rate without regard to grade or quality.

A fixation of the fair and reasonable price of flour under this subsection shall not have any force or effect unless and until a notification thereof is published in the Gazette.

Every such notification shall come into force upon the date of the publication thereof in the Gazette, and shall remain in force until rescinded or varied by a further notification published in like manner.

The price specified in a notification shall be the fair and reasonable price of flour for the purpose of ascertaining the compensation to be paid in respect of any flour acquired by or vested in His Majesty under this Act at any time during the period in which the notification remains in force.”

The production of a copy of the Gazette purporting to contain any such notification or any notification deemed to have been made under this subsection shall be conclusive evidence of the matters contained in the notification and of the price of flour thereby fixed.

(iii) by omitting subsection three of the same section;

(iv)

Flour Acquisition (Amendment).

- (iv) by inserting in subsection four of the same section immediately before the words "Such compensation" the words "Subject to this Act";
- (b) by omitting from paragraph (b) of subsection four of section six the words "compensation fixed by the committee, for flour of a similar grade or quality" and by inserting in lieu thereof the words "price specified in a notification of the fair and reasonable price fixed by the committee under subsection one of section five of this Act in force at the date of vesting by or acquisition under this Act of the flour."

(2) Subsection one of this section shall be deemed to have commenced on the thirtieth day of March, one thousand nine hundred and thirty-one.

(3) The fixation by the committee on the twenty-fourth day of March, one thousand nine hundred and thirty-one, of the price of seven pounds five shillings per ton of flour and the notification thereof published in the Government Gazette number forty of the twenty-seventh day of March, one thousand nine hundred and thirty-one, are hereby validated and shall be deemed to have been validly made under subsection one of section five of the Principal Act as amended by this Act.

(4) The fixation by the Governor of the standard price of flour at ten pounds per ton and the proclamation thereof published in the Government Gazette number forty of the twenty-seventh day of March, one thousand nine hundred and thirty-one, are hereby validated and shall be deemed to have been validly made under subsection four of section six of the Principal Act as amended by this Act.

3. The Principal Act is further amended—

- (a) by inserting at the end of subsection five of section six the following paragraph :—

If such balance of purchase money remains unpaid after the expiration of twenty-eight days

Further amend-
ment of Act
No. 10, 1931.
Sec. 6 (5).

Flour Acquisition (Amendment).

days from the time prescribed under this subsection for the payment thereof, the person liable to pay such balance shall be guilty of an offence and shall be liable upon summary conviction before a stipendiary or police magistrate, or two justices, to a penalty of not less than twenty-five pounds and not exceeding five hundred pounds.

Where a prosecution is taken under this subsection by or on behalf of the Attorney-General, or by any person with the consent of the Attorney-General, the court before which the offender is convicted may, in addition to the penalty imposed under the foregoing provisions, order the offender to pay to the Minister in such manner as the court directs the balance of purchase money in respect of the non-payment of which the offence was committed, and such order shall be enforceable in the same manner as an order of the court.

Nothing in this provision shall affect any remedy of the Attorney-General against the offender or any other person for recovery of the said balance of purchase money.

Sec. 13.

- (b) (i) by omitting from subsection three of section thirteen the words "For the purpose of ascertaining whether any offence has been committed against the provisions of this section";
- (ii) by omitting from the same subsection the words "subsection one of this section" and by inserting in lieu thereof the words "this Act";

Sec. 14.

- (c) by omitting from subsection one of section fourteen the words "as is specified" and by inserting in lieu thereof the words "or from time to time at such intervals as may be specified";

(d)

Flour Acquisition (Amendment).

- (d) by inserting after section sixteen the following new section :—

16A. In any action, suit, or proceeding the production by or on behalf of His Majesty, the Attorney-General, or the Minister, or by or on behalf of any person taking a prosecution or other proceeding with the consent of the Attorney-General, of a certificate purporting to be signed by the Wheat Commissioner appointed under the Wheat Act, 1927—

Certificate
of Wheat
Commissioner
to be prima
facie
evidence.

- (a) that flour of a quantity stated in the certificate belonging to a person named therein was at a time stated therein vested in or acquired by His Majesty under this Act; and/or
 - (b) that the sum therein stated is the compensation to be paid to a person named therein for any quantity of flour mentioned therein vested in or acquired by His Majesty under this Act; and/or
 - (c) that flour vested in or acquired by His Majesty under this Act has been to the quantity stated in the certificate, sold or disposed of by the person named therein at the time or during the period stated in the certificate; and/or
 - (d) that the balance of the purchase money to be paid to the Minister in accordance with the provisions of subsection five of section six of this Act by the person named in the certificate amounts to a sum specified in the certificate and has become due and payable by such person on a day specified in the certificate,
- shall be prima facie evidence of the facts and matters so certified.

In the name and on behalf of His Majesty I assent to this Act.

PHILIP GAME,

Government House,

Sydney, 7th October, 1931.

Governor.

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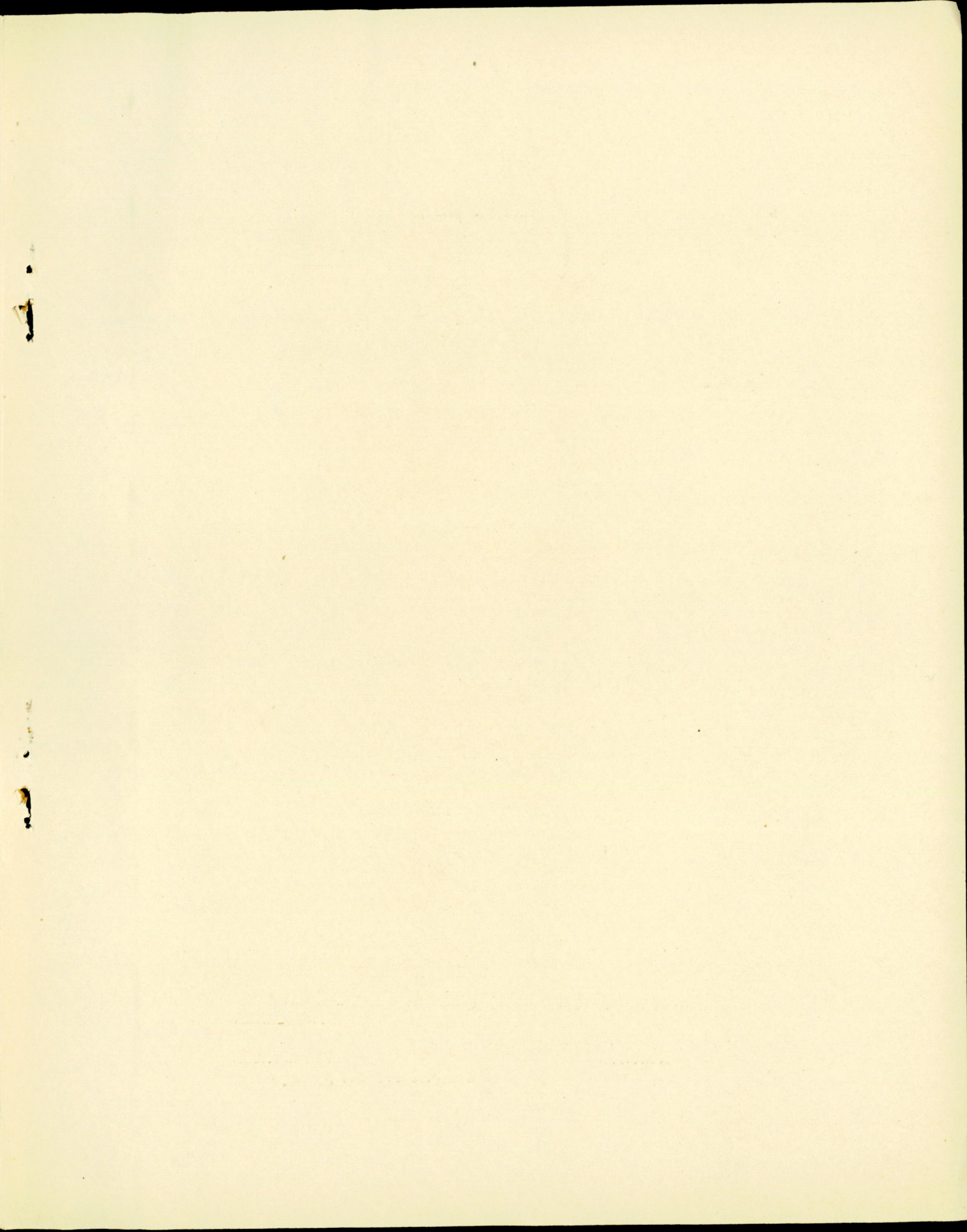
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I certify that the foregoing is a true and correct copy of the original as the same appears in the records of the Legislative Assembly of the Province of Ontario.

W. H. McGOVERN,
Clerk of the Legislative Assembly.

Witness my hand and the Seal of the Legislative Assembly at Toronto, this 1st day of October, 1951.

It is the order of the Legislative Assembly that the same be printed and bound in the form of a book, and that the same be distributed to the members of the Assembly.

2. (3) This Act may be cited as the "Riot Act" and shall be read and construed with the Riot Act Amendment Act, 1951.

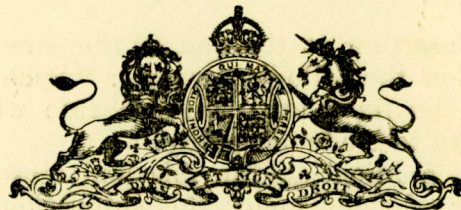
Enacted at the City of Toronto, this 1st day of October, 1951.

H. H. CORNELL,
Speaker of the Legislative Assembly.

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. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 30 September, 1931, A.M.

New South Wales.



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GEORGII V REGIS.

Act No. , 1931.

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Flour Acquisition (Amendment).

(2) The Flour Acquisition Act, 1931, is in this Act referred to as the Principal Act.

2. (1) The Principal Act is amended—

Amendment of
c No 10, 1931.

5 (a) (i) by omitting from subsection one of section **See 5.**
five the words "of a similar grade or
quality at the date of vesting or acquisition
as fixed" and by inserting in lieu
thereof the words "as fixed from time to
time";

10 (ii) by inserting at the end of the same sub-
section the following words: "Such price
may be fixed at a uniform rate without
regard to grade or quality.

15 A fixation of the fair and reasonable
price of flour under this subsection shall
not have any force or effect unless and
until a notification thereof is published in
the Gazette.

20 Every such notification shall come into
force upon the date of the publication
thereof in the Gazette, and shall remain in
force until rescinded or varied by a further
notification published in like manner.

25 The price specified in a notification shall
be the fair and reasonable price of flour
for the purpose of ascertaining the compen-
sation to be paid in respect of any flour
acquired by or vested in His Majesty under
this Act at any time during the period in
30 which the notification remains in force."

35 The production of a copy of the Gazette
purporting to contain any such notification
or any notification deemed to have been
made under this subsection shall be con-
clusive evidence of the matters contained
in the notification and of the price of flour
thereby fixed.

(iii) by omitting subsection three of the same
section;

(iv)

Flour Acquisition (Amendment).

- (iv) by inserting in subsection four of the same section immediately before the words "Such compensation" the words "Subject to this Act";
- 5 (b) by omitting from paragraph (b) of subsection Sec. 6. four of section six the words "compensation fixed by the committee, for flour of a similar grade or quality" and by inserting in lieu thereof the words "price specified in a
- 10 notification of the fair and reasonable price fixed by the committee under subsection one of section five of this Act in force at the date of vesting by or acquisition under this Act of the flour."

15 (2) Subsection one of this section shall be deemed to have commenced on the thirtieth day of March, one thousand nine hundred and thirty-one.

(3) The fixation by the committee on the twenty-fourth day of March, one thousand nine hundred and

20 thirty-one, of the price of seven pounds five shillings per ton of flour and the notification thereof published in the Government Gazette number forty of the twenty-seventh day of March, one thousand nine hundred and thirty-one, are hereby validated and shall be deemed to

25 have been validly made under subsection one of section five of the Principal Act as amended by this Act.

(4) The fixation by the Governor of the standard price of flour at ten pounds per ton and the proclamation thereof published in the Government Gazette number

30 forty of the twenty-seventh day of March, one thousand nine hundred and thirty-one, are hereby validated and shall be deemed to have been validly made under subsection four of section six of the Principal Act as amended by this Act.

35 **3.** The Principal Act is further amended—

- (a) by inserting at the end of subsection five of section six the following paragraph :—

If such balance of purchase money remains unpaid after the expiration of twenty-eight days

Further amend
ment of Act
No. 10, 1931.
Sec. 6 (5).

Flour Acquisition (Amendment).

5 days from the time prescribed under this subsection for the payment thereof, the person liable to pay such balance shall be guilty of an offence and shall be liable upon summary conviction before a stipendiary or police magistrate, or two justices, to a penalty of not less than twenty-five pounds and not exceeding five hundred pounds.

10 Where a prosecution is taken under this subsection by or on behalf of the Attorney-General, or by any person with the consent of the Attorney-General, the court before which the offender is convicted may, in addition to the penalty imposed under the foregoing provisions, order the offender to pay to the Minister in such manner as the court directs the balance of purchase money in respect of the non-payment of which the offence was committed, and such order shall be enforceable in the same manner as an order of the court.

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Nothing in this provision shall affect any remedy of the Attorney-General against the offender or any other person for recovery of the said balance of purchase money.

25 (b) (i) by omitting from subsection three of section thirteen the words "For the purpose of ascertaining whether any offence has been committed against the provisions of this section";

30 (ii) by omitting from the same subsection the words "subsection one of this section" and by inserting in lieu thereof the words "this Act";

35 (c) by omitting from subsection one of section fourteen the words "as is specified" and by inserting in lieu thereof the words "or from time to time at such intervals as may be specified";

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Flour Acquisition (Amendment).

- (d) by inserting after section sixteen the following new section :— cw s. 16A.

16A. In any action, suit, or proceeding the
production by or on behalf of His Majesty,
the Attorney-General, or the Minister, or by
or on behalf of any person taking a prosecu-
tion or other proceeding with the consent of
the Attorney-General, of a certificate purport-
ing to be signed by the Wheat Commissioner
appointed under the Wheat Act, 1927—

Certificate
of Wheat
Commissioner
to be prima
facie
evidence.

(a) that flour of a quantity stated in the
certificate belonging to a person named
therein was at a time stated therein
vested in or acquired by His Majesty
under this Act; and/or

(b) that the sum therein stated is the com-
pensation to be paid to a person named
therein for any quantity of flour
mentioned therein vested in or acquired
by His Majesty under this Act; and/or

(c) that flour vested in or acquired by His
Majesty under this Act has been to the
quantity stated in the certificate, sold
or disposed of by the person named
therein at the time or during the period
stated in the certificate; and/or

(d) that the balance of the purchase money
to be paid to the Minister in accordance
with the provisions of subsection five of
section six of this Act by the person
named in the certificate amounts to a
sum specified in the certificate and has
become due and payable by such person
on a day specified in the certificate,

shall be prima facie evidence of the facts and
matters so certified.

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