

No. , 1954.

A BILL

To make certain provisions in relation to the stabilization of the wheat industry; to repeal the Wheat Industry Stabilisation Act, 1948, the Wheat Industry Stabilisation (Amendment) Act, 1951, and the Wheat Marketing (Amendment) Act, 1953; to amend the Grain Elevators Act, 1954; and for purposes connected therewith.

[MR. GRAHAM;—30 November, 1954.]

BE it enacted by the Queen'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
5 the same, as follows:—

1. This Act may be cited as the "Wheat Industry Short Title.
Stabilization Act, 1954."

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2.

Wheat Industry Stabilization.

2. This Act shall be deemed to have commenced upon the thirtieth day of November, one thousand nine hundred and fifty-four. Commence-
ment.

3. (1) (a) The Wheat Industry Stabilisation Act, 1948, the Wheat Industry Stabilisation (Amendment) Act, 1951, and the Wheat Marketing (Amendment) Act, 1953, are hereby repealed. Repeals.
Act No. 46,
1948.
Act No. 51,
1951.
Act No. 17,
1953.

(b) The Grain Elevators Act, 1954, is amended— Grain
Elevators
Act, 1954.

10 (i) by inserting in section three at the end of the definition of "Australian Wheat Board" the words "and continued in existence by the Wheat Industry Stabilization Act 1954 of the Parliament of the Commonwealth"; Sec. 3.
(Definitions.)

15 (ii) by omitting sections five and six; Secs. 5 and 6.
(Amendments
of Act No. 46,
1948.)

(iii) by omitting from section twenty-one the words and figures "Wheat Marketing Act, 1948-1954" and by inserting in lieu thereof the words and figures "Wheat Industry Stabilization Act, 1954". Sec. 21.
(Board may
make
charges.)

20 (2) Notwithstanding the repeals effected by paragraph (a) of subsection one of this section but subject to subsection three of this section, the provisions of the repealed Acts shall continue to apply, as if this **25** Act had not been passed, in relation to wheat harvested before the first day of October, one thousand nine hundred and fifty-three.

(3) A reference in the provisions referred to in subsection two of this section to the Australian Wheat **30** Board established by the Wheat Marketing Act 1948-1953 of the Commonwealth shall, in relation to things done or to be done after the commencement of this Act, be read as a reference to that Board as continued in existence by the Commonwealth Act and conducting its **35** proceedings in accordance with the Commonwealth Act.

(4)

Wheat Industry Stabilization.

(4) Wheat harvested on or after the first day of October, one thousand nine hundred and fifty-three, and delivered to the Board before the commencement of this Act (including wheat delivered to a person who was a licensed receiver for the purposes of the Acts repealed by this Act) shall be deemed to have been delivered in pursuance of section eight of this Act, and any advance payment made by the Board in respect of any such wheat before the commencement of this Act shall be deemed to have been made in pursuance of this Act.

4. In this Act, unless the context or subject matter otherwise indicates or requires—

15 “licensed receiver” means a person, firm, company or State authority licensed by the Board to receive wheat on behalf of the Board;

“season”, in relation to wheat, means the period of twelve months, commencing on the first day of October in any year, during which the wheat was harvested;

20 “the Board” means the Australian Wheat Board continued in existence by the Commonwealth Act;

25 “the Commonwealth Act” means the Wheat Industry Stabilization Act 1954 of the Commonwealth;

“the Commonwealth Minister” means the Minister of State administering the Commonwealth Act, or another Minister of State of the Commonwealth acting for and on behalf of that Minister;

30 “the cost of production” means—

35 (a) in relation to wheat of the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-four—twelve shillings and seven pence per bushel; and

(b)

Wheat Industry Stabilization.

5 (b) in relation to wheat of a subsequent season—the cost of production per bushel of wheat of that season as determined in pursuance of section five of the Commonwealth Act;

“the guaranteed price”, in relation to wheat of a season, means an amount equal to the cost of production of wheat of that season.

10 5. (1) If, by reason of the Constitution, a provision of this Act, or a notice under a provision of this Act, cannot validly apply in relation to any particular wheat or class of wheat, that provision or notice shall be construed as intended to operate in relation to all wheat in relation to which it purports to apply, being wheat in
15 relation to which it can validly apply.

Act to apply subject to Constitution.

(2) Subsection one of this section is in addition to, and not in substitution for, any other provision relating to the construction of Acts and statutory instruments subject to the Constitution.

20 6. (1) Subject to this section the Board may license, subject to such conditions as are specified in the license, a person, firm, company or State authority to receive wheat on behalf of the Board, and may cancel or suspend any such license.

Licensed receivers.

25 (2) The person by whom the control and administration of the Government Grain Elevators is for the time being exercisable shall be entitled to a license under this section.

30 (3) A license to receive wheat on behalf of the Board that was in force immediately before the commencement of this Act shall be deemed to have been granted under this section.

(4) As from a day to be appointed by the Governor and notified by proclamation published in the Gazette—

35 (a) all licenses granted or deemed to have been granted under this section (other than the license

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license granted to the person referred to in subsection two of this section) and in force in this State shall be deemed to be cancelled;

5 (b) all wheat to be delivered to the Board in this State shall be delivered to the person referred to in subsection two of this section as the sole licensed receiver of wheat on behalf of the Board in this State.

10 (5) The remuneration payable to the person referred to in subsection two of this section as a licensed receiver shall be as agreed between the Minister and the Commonwealth Minister.

7. (1) The Board may—

Powers of Board.

15 (a) purchase wheat, wheaten flour, semolina, corn sacks, jute or jute products;

(b) accept wheat delivered to it;

(c) sell or dispose of wheat, wheaten flour, semolina, corn sacks, jute or jute products the property of the Board;

20 (d) grist or arrange for the gristing of wheat, and sell or otherwise dispose of the products of the gristing;

25 (e) manage and control all matters connected with the handling, storage, protection, treatment, transfer or shipment of wheat or other things purchased or otherwise acquired by the Board or sold or otherwise disposed of by the Board:

30 Provided that the exercise of this power shall be subject to the provisions of any Act and the regulations thereunder with respect to the conditions under which wheat is received for storage in the Government Grain Elevators; and

35 (f) do all things that it is required or permitted by this Act to do or that are necessary or convenient to be done by the Board for giving effect to this Act.

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(2) The Commonwealth Minister may give directions to the Board concerning the performance of its functions and the exercise of its powers, and the Board shall comply with those directions.

5 **8.** (1) Subject to this section, a person who is in possession of wheat— Delivery of
wheat.

(a) may deliver that wheat to the Board; and

(b) shall deliver that wheat to the Board on demand made by or on behalf of the Board.

10 (2) Upon delivery of wheat to the Board under this section, the wheat becomes the absolute property of the Board, freed from all mortgages, charges, liens, pledges, interests and trusts affecting the wheat.

(3) A demand under this section may be made—

15 (a) by notice in writing served personally on the person to whom it is addressed, or served on that person by post at his usual or last-known place of abode or business; or

20 (b) by notice published in the Gazette, in which case it may be addressed to persons generally, or to persons included in a class of persons.

(4) Nothing in this section shall apply to—

(a) wheat harvested before the first day of October, one thousand nine hundred and fifty-three;

25 (b) wheat retained by the grower for use on the farm where it is grown;

(c) wheat that has been sold by the Board; or

(d) wheat sold or delivered to a person with the approval of the Board.

30 (5) A person shall not—

(a) refuse or fail to comply with a demand made under this section; or

(b) deliver to the Board wheat which has previously been sold by the Board.

Any

Wheat Industry Stabilization.

Any person guilty of an offence against the provisions of this subsection shall be liable to a penalty not exceeding thrice the value of the wheat in respect of which the offence is committed, calculated at the guaranteed price 5 for wheat of the season that is current at the time of the offence, or imprisonment for six months, or both.

9. (1) Delivery of wheat to the Board may be made by delivering or consigning the wheat to a licensed receiver. ^{Delivery to licensed receiver.}

10 (2) A person who delivers or consigns wheat to a licensed receiver shall, at the same time, furnish to the licensed receiver in writing the names and addresses of all persons known by him to have or to claim an interest in the wheat or in the payment to be made for the wheat, 15 and all particulars known to him of those interests.

10. Except as provided in sections eight and nine of this Act, or with the consent of the Board, a person shall not— ^{Unauthorised dealings with wheat.}

- 20** (a) sell, deliver or part with the possession of, or take into his possession, wheat other than wheat specified in subsection four of section eight of this Act;
- 25** (b) part with the possession of, or take into his possession, wheat that is the property of the Board; or
- (c) purport to sell or offer for sale, or purport to purchase or offer to purchase (otherwise than from the Board), wheat that is the property of the Board.

30 Any person guilty of an offence against the provisions of this section shall be liable to a penalty not exceeding thrice the value of the wheat in respect of which the offence is committed, calculated at the guaranteed price for wheat of the season that is current at the time of the 35 offence, or imprisonment for six months, or both.

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11. (1) Where wheat is delivered to the Board in pursuance of this Act, the Board shall pay for that wheat (including the corn sacks, if any, in which the wheat is delivered) an amount determined by the Board in accordance with this section. Price to be paid for wheat.

(2) The Board shall determine amounts payable under subsection one of this section in respect of wheat of a season by—

- 10 (a) ascertaining the net proceeds of the disposal by the Board of all wheat of that season delivered to the Board in Australia (whether in pursuance of this Act or otherwise);
- 15 (b) deducting from the amount so ascertained an amount calculated at the rate of three pence for each bushel of so much of the wheat of that season grown in the State of Western Australia as the Board certifies to the Commonwealth Minister to have become available for export to places outside Australia; and
- 20 (c) ascertaining the share in the remaining amount of each person entitled to payment under this section by apportioning that remaining amount amongst the persons who delivered wheat of that season to the Board in Australia (whether in pursuance of this Act or otherwise) on the
- 25 basis of the number of bushels of wheat so delivered by each such person, with proper allowance for differences in the quality of wheat and for transport charges for the carriage of
- 30 wheat to the terminal port from the place at which the wheat was delivered to the Board, corn sacks in which wheat was supplied to the Board, and other necessary adjustments in particular cases.

35 (3) For the purposes of this section, the Board is not bound to preserve the identity of wheat of a season, and may keep its accounts in respect of sales in such manner as will, in its judgment, attribute sales to wheat of

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of different seasons (including the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-four) in an equitable manner.

(4) The Board is not bound to make a final payment in respect of wheat of a season until it has disposed of the whole of the wheat of that season delivered to it in Australia (whether in pursuance of this Act or otherwise), but the Board may, with the approval of the Commonwealth Minister, make from time to time such advance payments as it considers justified.

(5) Subject to this section, the net proceeds of the disposal of wheat shall, for the purposes of this section, be deemed to be the net return from the disposal of the wheat (including corn sacks in which the wheat was sold) after paying the charge imposed by the Wheat Export Charge Act 1954 of the Commonwealth and administration, interest, transport, storage and other charges incurred by the Board (other than charges for transport to the terminal port from the place at which the wheat is delivered to the Board).

(6) In ascertaining the net proceeds of the disposal of any wheat, no account shall be taken of moneys to which section eighteen of this Act, section 18A of the Wheat Marketing Act, 1948-1953, or a corresponding provision of a Commonwealth Act or an Act of another State, applies or applied or of costs of the Board payable out of those moneys.

(7) Where the average price per bushel obtained by the Board for wheat of a season exported by the Board, or sold by the Board for export, is less than the guaranteed price, the net proceeds from the disposal of wheat of that season by the Board shall, for the purposes of this section, be deemed to be increased by the amount that becomes payable to the Board under the Commonwealth Act out of the Wheat Prices Stabilization Fund established by that Act, that is to say an amount ascertained by multiplying the amount of the difference between that average price and the guaranteed price by a number equal to the number of bushels of wheat of the season

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season exported by the Board, or sold by the Board for export, or by one hundred million, whichever is the less.

(8) In ascertaining the average price for the purposes of subsection seven of this section the price
5 obtained in respect of a sale other than a sale of fair average quality bulk wheat free on rails at the port of export shall be deemed to be the price which would have been the corresponding price for a sale of the same quantity of fair average quality bulk wheat free on rails
10 at the port of export.

12. (1) The amount payable under this Act in respect of any wheat is payable to the person who would have been entitled to receive the price of the wheat if the wheat had been lawfully sold to the Board at the
15 time of the delivery of the wheat. Payment
by Board.

(2) The same rights (if any) exist against the person receiving an amount paid by the Board under this Act in respect of wheat as would exist if the moneys so paid were the proceeds of a sale or purported sale of the
20 wheat by him, and any such rights may be enforced by action in any court that would have had jurisdiction if the moneys were the proceeds of such a sale or purported sale.

(3) Payment in good faith by the Board of any
25 moneys payable under this Act to the person appearing to the Board to be entitled to receive them discharges the Board from any further liability in respect of those moneys.

(4) Subject to subsection five of this section, an
30 assignment of moneys payable by the Board in respect of wheat delivered to the Board (not including a registered crop lien) executed after the commencement of this Act is void as against the Board.

(5) Where a person assigns moneys payable to
35 him by the Board in respect of wheat delivered or to be delivered to the Board in payment of, or as security for payment of, an amount payable by that person for corn sacks supplied to him, the Board may pay those moneys to the assignee.

13.

Wheat Industry Stabilization.

13. (1) A person who—

(a) consigns or delivers to a licensed receiver wheat harvested before the fifteenth day of September, one thousand nine hundred and fifty-four; or

(b) consigns or delivers to a licensed receiver, after the final delivery day in respect of a season, wheat harvested in that season,

shall make and forward to the licensed receiver a declaration correctly stating the season during which the wheat was harvested.

(2) For the purposes of this section, the final delivery day in respect of a season is the day declared to be the final delivery day in respect of that season by notice published in the Commonwealth of Australia Gazette under the Commonwealth Act.

14. (1) Any person who is authorised by the Board or the Chairman of the Board to act under this section may—

(a) at all reasonable times, enter premises and inspect any stock of wheat or corn sacks, and any accounts, books and documents relating to wheat or corn sacks; and

(b) take possession of and remove any wheat that is the property of the Board or the delivery of which has been lawfully demanded by the Board, or any corn sacks that are the property of the Board.

(2) A person shall not hinder or obstruct a person in the exercise of powers under this section.

(3) Wheat, other than wheat which is the property of the Board, of which possession is taken under subsection one of this section shall, for the purposes of this Act, but without affecting the liability of a person for an offence, be deemed to be delivered to the Board under this Act.

Declaration to be furnished as to old season's wheat.

Entry of premises, seizure of wheat, etc.

Wheat Industry Stabilization.

15. (1) For the purposes of this Act the Board may, Board may require returns. by notice in writing served on the person to whom it is addressed either—

(a) personally; or

5 (b) by post at his last-known place of abode or business,

require a person to furnish in writing to the Board, within the time specified in the notice, such information relating to wheat, wheaten flour, semolina, corn sacks, 10 jute or jute products as is specified in the notice.

(2) A person shall not, without reasonable excuse—

(a) refuse or fail to comply with a requirement under this section; or

15 (b) furnish to the Board any information which is false or misleading in a particular.

16. A person having wheat the property of the Board in his possession or under his care shall exercise proper care and take all proper and reasonable precautions to 20 preserve and safeguard that wheat and to keep it free from damage or deterioration. Proper care to be taken of wheat owned by Board.

17. (1) The price at which the Board shall sell wheat for manufacture into wheat products for human consumption in Australia, or wheat for consumption 25 in Australia by pigs, poultry or dairy stock, is the appropriate price ascertained in accordance with this section. Home consumption price of wheat.

(2) Subject to this section, the price per bushel in respect of a wholesale sale of bulk wheat of fair 30 average quality free on rails at a port of export shall be—

(a) the International Wheat Agreement price or, if, at the beginning of the year in which the sale

Wheat Industry Stabilization.

sale is made, there is not in operation an International Wheat Agreement that has been accepted by Australia, export parity; or

(b) fourteen shillings,

5 whichever is the less.

(3) If the price applicable to a sale under subsection two of this section is less than the cost of production of wheat of the season that is current at the beginning of the year in which the sale is made, the price shall, subject 10 to subsection four of this section, be an amount per bushel equal to that cost of production.

(4) The price applicable under subsection two or three of this section shall be increased by an amount of one penny half-penny per bushel for the purpose of 15 reimbursing the Board for the costs of shipment of wheat to Tasmania.

(5) If the Board reports to the Commonwealth Minister that the amounts being received by the Board by reason of the operation of subsection four of this 20 section, together with amounts being received under corresponding provisions of the Commonwealth Act and the laws of the other States, are more or less than the amounts required to meet the costs of shipment of wheat by the Board to Tasmania, the Commonwealth Minister 25 may direct the Board that the amount per bushel specified in that subsection shall be reduced or increased to such extent as he considers necessary.

(6) The price in respect of a sale other than a sale specified in subsection two of this section shall be a 30 price ascertained by adding to or deducting from the price applicable to sales so specified an amount that makes a proper allowance for the quality of the wheat, the conditions of sale and the place of delivery.

(7) In this section—

35 “export parity”, in relation to sales made in a year, means the price that the Commonwealth Minister certifies to the Board to be the price which

he

Wheat Industry Stabilization.

5 he is satisfied was the price (expressed in Australian currency) per bushel prevailing immediately before the commencement of that year for sales by the Board on the export market of bulk wheat of fair average quality free on rails at the ports of export;

10 “the International Wheat Agreement price”, in relation to sales made in a year, means the amount which the Commonwealth Minister certifies to the Board to be the amount which he is satisfied is the equivalent, in Australian
15 currency and on the basis of sales free on rails at the ports of export, of the price per bushel prevailing immediately before the commencement of that year for sales by the Board under an International Wheat Agreement of bulk wheat of fair average quality;

20 “year” means the period of twelve months commencing on the first day of December, one thousand nine hundred and fifty-four, and each subsequent period of twelve months.

(8) Notwithstanding the repeal of section eighteen of the Wheat Marketing Act, 1948-1953,—

25 (a) the prices for sales of wheat by the Board that were applicable under that section immediately before the commencement of this Act continue to be applicable to sales made before the first day of December, one thousand nine hundred and fifty-four; and

30 (b) all moneys received by the Board in respect of such sales by reason of the operation of subsection four or five of that section shall be deemed to be moneys to which subsection one of section eighteen of this Act applies.

35 **18.** (1) Notwithstanding any other provision of this Act but subject to this section, the Board shall keep a separate account of the moneys received by the Board by
Special
account for
freight to
Tasmania.

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by reason of the operation of subsections four and five of section seventeen of this Act, and of payments made out of those moneys, and shall not apply those moneys except in accordance with this section.

- 5** (2) The Board may combine the account required to be kept under subsection one of this section with any similar account or accounts to be kept by it under the Commonwealth Act or under the law of another State or States.
- 10** (3) The Board shall use the moneys referred to in subsection one of this section in meeting the costs of shipment of wheat by the Board to Tasmania on and after the first day of December, one thousand nine and fifty-three, and shall not use for that purpose any
- 15** other moneys derived by it from the sale of wheat delivered to it in pursuance of this Act.
- (4) Any moneys referred to in subsection one of this section which remain unexpended after the Board has disposed of the whole of the wheat of the last season to
- 20** which this Act applies delivered to the Board in Australia shall be applied by the Board for the benefit of the wheat industry in such manner as the Commonwealth Minister, after consultation with the appropriate Minister of each State, directs.
- 25** (5) Any moneys paid by the Board, before the commencement of this Act, in pursuance of section 18A of the Wheat Marketing Act, 1948-1953, to the credit of the account kept for the purposes of that section and not expended before the commencement of this Act shall
- 30** be deemed to be moneys to which subsection one of this section applies.

19. Subject to the Board's paying or making provision Use of funds by Board. for the payment of amounts required to be paid by it under this Act, nothing in this Act shall be deemed to

35 prevent the Board from applying moneys received by it by reason of the exercise of its functions under this Act for the purposes of the Commonwealth Act or an Act of another State relating to the marketing of wheat.

20.

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20. (1) In this section "the area" means the South West Marginal Wheat Area comprising the County of Dowling and such of the Parishes and parts of Parishes of the Counties of Cooper, Sturt, Gipps, and Nicholson as 5 are set out in the Schedule to this Act.

South West
Marginal
Wheat Area.

(2) Where the Minister is satisfied that any farm within the area has been reconstructed as an economic farming unit pursuant to plans approved therefor by the Rural Reconstruction Board and is of the opinion that 10 it is desirable for the furtherance of such plans that the growing of wheat on the farm be restricted, he may by notification published in the Gazette declare that the farm shall not be sown to wheat except in accordance with such conditions as may be imposed by the Rural Reconstruc- 15 tion Board for the preservation of the farm as an economic farming unit. Any such notification may be revoked or varied by any subsequent notification.

Conditions
applicable
to the area.

Any notification under section twenty of the Wheat Marketing Act, 1948-1953, and in force at the commence- 20 ment of this Act shall be deemed to have been made under this Act.

(3) As from a date to be appointed by the Minister and notified by notice published in the Gazette the functions conferred by subsection two of this section 25 upon the Rural Reconstruction Board in respect of the imposition of conditions for the preservation of farms as economic farming units shall be transferred to and be discharged by such authority as the Minister may specify in such notice.

30 Any conditions imposed in respect of any farm by the Rural Reconstruction Board before the date so appointed shall continue to apply to such farm for the period for which they have been so imposed but may be varied by such authority.

35 (4) The conditions imposed pursuant to this section—

- (a) may include provisions as to the period during which such conditions are to apply to the farm;
- (b)

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- (b) may include provisions as to the maximum area of the farm which may be sown to wheat in each season during such period;
- (c) may be varied from time to time.
- 5 (5) Any person who uses any farm to which any notification under subsection two of this section relates for the growing of wheat otherwise than in accordance with the conditions imposed by the Rural Reconstruction Board or other authority under this section and for the
10 time being in force shall be guilty of an offence against this Act.

21. (1) A person who contravenes, or fails to comply with, any provision of this Act shall be guilty of an offence against this Act and where no other penalty is
15 provided shall be liable to a penalty not exceeding one hundred pounds or imprisonment for six months or both.

(2) All proceedings for offences against this Act or the regulations shall be disposed of summarily before a court of petty sessions.

20 22. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

25 (2) The regulations may prescribe penalties not exceeding one hundred pounds or imprisonment for six months, or both, for offences against the regulations.

(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 therein; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then in session, and if not, then within
35 fourteen sitting days after the commencement of the next session.

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(4) If either House of Parliament passes a resolution of which notice has been given within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

23. This Act does not apply in relation to wheat harvested after the thirtieth day of September, one thousand nine hundred and fifty-eight. Application of Act.

SCHEDULE.
COUNTY OF COOPER.

Sec. 20

Parish.	Parish.
Ariah.	Moombooldool North—Part
Barellan North—Part North of Temora-Griffith Railway Line.	North of Temora-Griffith Railway Line.
Bingar.	Munduburra.
Binya — Part North of Temora-Griffith Railway Line.	Narriah.
Bourke.	Oxley.
Bygoo.	Patterson—Part North of Temora-Griffith Railway Line.
Cocoparra.	Pulletop.
Conapaira.	Sandy Creek.
Conapaira East.	Sims Gap.
Conapaira South.	Stanley.
Dowling.	Tabbita.
Euratha.	Tabbita North.
Euratha South.	The Bluff.
Garoolgan.	The Peak.
Gurragong.	Wallandry.
Kolkilbertoo.	Wallandry North.
Kolkilbertoo East.	Yalgogoring—Part West of Travelling Stock Route 2510 traversing the Parish.
Kolkilbertoo South.	
Lewes.	

COUNTY OF STURT.

Parish.	Parish.
Denny.	Munro.
Kooba.	North Bringagee.
Livingstone.	O'Brien.
Maiden.	Tabbita.
Mirrool.	

COUNTY

Wheat Industry Stabilization.

COUNTY OF GIPPS.

Parish.	Parish.
Bena.	Mildil.
Bibbivolee.	Murrengreen.
Bimbeen.	Nerang Cowal.
Bolagamy.	Pulligal.
Brolga.	Thulloo.
Bygalore.	Ugalong.
Cookaburagong.	Ungarie.
Crown Camp.	Wallaroi.
Currah.	Wamboyne.
Euglo.	Wardry.
Euglo South.	Weelah.
Gorman's Hill.	Wilga.
Goobothery.	Wilga South.
Kalingan.	Wollongough.
Livingstone.	Youngareen.
Merribooka.	Younger Plain.
Milbee.	

COUNTY OF NICHOLSON.

Parish.	Parish.
Beaconsfield.	Lachlan.
Bellingerambil.	Langtree.
Bellingerambil East.	Loughnan.
Bellingerambil South.	Mea Mia South.
Bogia.	Melbergen.
Bolton.	Melbergen South.
Bootheragandra.	Molesworth.
Bunda Bunda.	Moncton.
Bunda Bunda East.	Mullion.
Bunda Bunda North.	Naradhun.
Burgess.	Parker.
Carilla.	Redbank.
Chirnside.	Russell.
East Marowie.	South Marowie.
Elliott.	Stackpoole.
Fox.	Synnot.
Goolgowi.	Townsend.
Goolgowi South.	Wallanthery.
Goolgowi West.	Warrabalong.
Griffiths.	Weenya.
Huntawong.	Weerie.
Ivanhoe.	

The Board of Directors of the
 Bank of America, N.Y. & C.
 has the honor to acknowledge the
 receipt of your letter of the
 10th inst. in relation to the
 above mentioned matter.

The Board has considered your
 letter and the same has been
 referred to the appropriate
 committees of the Board for
 their consideration. The Board
 is of the opinion that the
 same should be handled in
 accordance with the policy
 of the Board in similar
 cases.

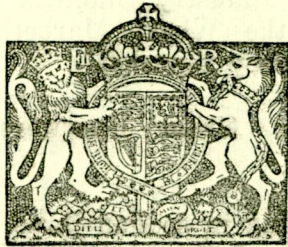
Very truly yours,

J. P. Morgan & Co.
 President

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New South Wales



ANNO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 49, 1954.

An Act to make certain provisions in relation to the stabilization of the wheat industry; to repeal the Wheat Industry Stabilisation Act, 1948, the Wheat Industry Stabilisation (Amendment) Act, 1951, and the Wheat Marketing (Amendment) Act, 1953; to amend the Grain Elevators Act, 1954; and for purposes connected therewith. [Assented to, 16th December, 1954.]

BE it enacted by the Queen'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. This Act may be cited as the "Wheat Industry Stabilization Act, 1954." Short title.

Wheat Industry Stabilization.

Commencement.

2. This Act shall be deemed to have commenced upon the thirtieth day of November, one thousand nine hundred and fifty-four.

Repeals.

Act No. 46,
1948.
Act No. 51,
1951.
Act No. 17,
1953.

3. (1) (a) The Wheat Industry Stabilisation Act, 1948, the Wheat Industry Stabilisation (Amendment) Act, 1951, and the Wheat Marketing (Amendment) Act, 1953, are hereby repealed.

Grain
Elevators
Act, 1954.

(b) The Grain Elevators Act, 1954, is amended—

Sec. 3.
(Definitions.)

(i) by inserting in section three at the end of the definition of "Australian Wheat Board" the words "and continued in existence by the Wheat Industry Stabilization Act 1954 of the Parliament of the Commonwealth";

Secs. 5 and 6.
(Amendments
of Act No. 46,
1948.)

(ii) by omitting sections five and six;

Sec. 21.
(Board may
make
charges.)

(iii) by omitting from section twenty-one the words and figures "Wheat Marketing Act, 1948-1954" and by inserting in lieu thereof the words and figures "Wheat Industry Stabilization Act, 1954".

(2) Notwithstanding the repeals effected by paragraph (a) of subsection one of this section but subject to subsection three of this section, the provisions of the repealed Acts shall continue to apply, as if this Act had not been passed, in relation to wheat harvested before the first day of October, one thousand nine hundred and fifty-three.

(3) A reference in the provisions referred to in subsection two of this section to the Australian Wheat Board established by the Wheat Marketing Act 1948-1953 of the Commonwealth shall, in relation to things done or to be done after the commencement of this Act, be read as a reference to that Board as continued in existence by the Commonwealth Act and conducting its proceedings in accordance with the Commonwealth Act.

(4)

Wheat Industry Stabilization.

(4) Wheat harvested on or after the first day of October, one thousand nine hundred and fifty-three, and delivered to the Board before the commencement of this Act (including wheat delivered to a person who was a licensed receiver for the purposes of the Acts repealed by this Act) shall be deemed to have been delivered in pursuance of section eight of this Act, and any advance payment made by the Board in respect of any such wheat before the commencement of this Act shall be deemed to have been made in pursuance of this Act.

4. In this Act, unless the context or subject matter otherwise indicates or requires—

“licensed receiver” means a person, firm, company or State authority licensed by the Board to receive wheat on behalf of the Board;

“season”, in relation to wheat, means the period of twelve months, commencing on the first day of October in any year, during which the wheat was harvested;

“the Board” means the Australian Wheat Board continued in existence by the Commonwealth Act;

“the Commonwealth Act” means the Wheat Industry Stabilization Act 1954 of the Commonwealth;

“the Commonwealth Minister” means the Minister of State administering the Commonwealth Act, or another Minister of State of the Commonwealth acting for and on behalf of that Minister;

“the cost of production” means—

(a) in relation to wheat of the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-four—twelve shillings and seven pence per bushel; and

(b)

Wheat Industry Stabilization.

(b) in relation to wheat of a subsequent season—the cost of production per bushel of wheat of that season as determined in pursuance of section five of the Commonwealth Act;

“the guaranteed price”, in relation to wheat of a season, means an amount equal to the cost of production of wheat of that season.

Act to
apply
subject to
Constitution.

5. (1) If, by reason of the Constitution, a provision of this Act, or a notice under a provision of this Act, cannot validly apply in relation to any particular wheat or class of wheat, that provision or notice shall be construed as intended to operate in relation to all wheat in relation to which it purports to apply, being wheat in relation to which it can validly apply.

(2) Subsection one of this section is in addition to, and not in substitution for, any other provision relating to the construction of Acts and statutory instruments subject to the Constitution.

Licensed
receivers.

6. (1) Subject to this section the Board may license, subject to such conditions as are specified in the license, a person, firm, company or State authority to receive wheat on behalf of the Board, and may cancel or suspend any such license.

(2) The person by whom the control and administration of the Government Grain Elevators is for the time being exercisable shall be entitled to a license under this section.

(3) A license to receive wheat on behalf of the Board that was in force immediately before the commencement of this Act shall be deemed to have been granted under this section.

(4) As from a day to be appointed by the Governor and notified by proclamation published in the Gazette—

(a) all licenses granted or deemed to have been granted under this section (other than the license

Wheat Industry Stabilization.

license granted to the person referred to in subsection two of this section) and in force in this State shall be deemed to be cancelled;

- (b) all wheat to be delivered to the Board in this State shall be delivered to the person referred to in subsection two of this section as the sole licensed receiver of wheat on behalf of the Board in this State.

(5) The remuneration payable to the person referred to in subsection two of this section as a licensed receiver shall be as agreed between the Minister and the Commonwealth Minister.

7. (1) The Board may—

Powers of Board.

- (a) purchase wheat, wheaten flour, semolina, corn sacks, jute or jute products;
- (b) accept wheat delivered to it;
- (c) sell or dispose of wheat, wheaten flour, semolina, corn sacks, jute or jute products the property of the Board;
- (d) grist or arrange for the gristing of wheat, and sell or otherwise dispose of the products of the gristing;
- (e) manage and control all matters connected with the handling, storage, protection, treatment, transfer or shipment of wheat or other things purchased or otherwise acquired by the Board or sold or otherwise disposed of by the Board:

Provided that the exercise of this power shall be subject to the provisions of any Act and the regulations thereunder with respect to the conditions under which wheat is received for storage in the Government Grain Elevators; and

- (f) do all things that it is required or permitted by this Act to do or that are necessary or convenient to be done by the Board for giving effect to this Act.

Wheat Industry Stabilization.

(2) The Commonwealth Minister may give directions to the Board concerning the performance of its functions and the exercise of its powers, and the Board shall comply with those directions.

**Delivery of
wheat.**

8. (1) Subject to this section, a person who is in possession of wheat—

- (a) may deliver that wheat to the Board; and
- (b) shall deliver that wheat to the Board on demand made by or on behalf of the Board.

(2) Upon delivery of wheat to the Board under this section, the wheat becomes the absolute property of the Board, freed from all mortgages, charges, liens, pledges, interests and trusts affecting the wheat.

(3) A demand under this section may be made—

- (a) by notice in writing served personally on the person to whom it is addressed, or served on that person by post at his usual or last-known place of abode or business; or
- (b) by notice published in the Gazette, in which case it may be addressed to persons generally, or to persons included in a class of persons.

(4) Nothing in this section shall apply to—

- (a) wheat harvested before the first day of October, one thousand nine hundred and fifty-three;
- (b) wheat retained by the grower for use on the farm where it is grown;
- (c) wheat that has been sold by the Board; or approval of the Board.

(5) A person shall not—

- (a) refuse or fail to comply with a demand made under this section; or
- (b) deliver to the Board wheat which has previously been sold by the Board.

Any

Wheat Industry Stabilization Act, 1954, No. 49

CORRECTION NOTICE

Please attach this slip to page 6 of the Act, or to page 366 of the 1954 Volume of Statutes of New South Wales.

Subsection four of section eight should read:—

- (4) Nothing in this section shall apply to—
 - (a) wheat harvested before the first day of October, one thousand nine hundred and fifty-three;
 - (b) wheat retained by the grower for use on the farm where it is grown;
 - (c) wheat that has been sold by the Board; or
 - (d) wheat sold or delivered to a person with the approval of the Board.

CORRECTION NOTICE

The following information was received from the
Department of Corrections, State of California

It is noted that the information was received from the
Department of Corrections, State of California
regarding the following individual:
Name: [Name]
Date of Birth: [Date]
Date of Admission: [Date]
Institution: [Institution]
Classification: [Classification]
Sentence: [Sentence]
Parole Date: [Parole Date]

Wheat Industry Stabilization.

Any person guilty of an offence against the provisions of this subsection shall be liable to a penalty not exceeding thrice the value of the wheat in respect of which the offence is committed, calculated at the guaranteed price for wheat of the season that is current at the time of the offence, or imprisonment for six months, or both.

9. (1) Delivery of wheat to the Board may be made by delivering or consigning the wheat to a licensed receiver. Delivery to
licensed
receiver.

(2) A person who delivers or consigns wheat to a licensed receiver shall, at the same time, furnish to the licensed receiver in writing the names and addresses of all persons known by him to have or to claim an interest in the wheat or in the payment to be made for the wheat, and all particulars known to him of those interests.

10. Except as provided in sections eight and nine of this Act, or with the consent of the Board, a person shall not— Unauthorised
dealings
with wheat.

- (a) sell, deliver or part with the possession of, or take into his possession, wheat other than wheat specified in subsection four of section eight of this Act;
- (b) part with the possession of, or take into his possession, wheat that is the property of the Board; or
- (c) purport to sell or offer for sale, or purport to purchase or offer to purchase (otherwise than from the Board), wheat that is the property of the Board.

Any person guilty of an offence against the provisions of this section shall be liable to a penalty not exceeding thrice the value of the wheat in respect of which the offence is committed, calculated at the guaranteed price for wheat of the season that is current at the time of the offence, or imprisonment for six months, or both.

11.

Wheat Industry Stabilization.

Price to
be paid
for wheat.

11. (1) Where wheat is delivered to the Board in pursuance of this Act, the Board shall pay for that wheat (including the corn sacks, if any, in which the wheat is delivered) an amount determined by the Board in accordance with this section.

(2) The Board shall determine amounts payable under subsection one of this section in respect of wheat of a season by—

- (a) ascertaining the net proceeds of the disposal by the Board of all wheat of that season delivered to the Board in Australia (whether in pursuance of this Act or otherwise);
- (b) deducting from the amount so ascertained an amount calculated at the rate of three pence for each bushel of so much of the wheat of that season grown in the State of Western Australia as the Board certifies to the Commonwealth Minister to have become available for export to places outside Australia; and
- (c) ascertaining the share in the remaining amount of each person entitled to payment under this section by apportioning that remaining amount amongst the persons who delivered wheat of that season to the Board in Australia (whether in pursuance of this Act or otherwise) on the basis of the number of bushels of wheat so delivered by each such person, with proper allowance for differences in the quality of wheat and for transport charges for the carriage of wheat to the terminal port from the place at which the wheat was delivered to the Board, corn sacks in which wheat was supplied to the Board, and other necessary adjustments in particular cases.

(3) For the purposes of this section, the Board is not bound to preserve the identity of wheat of a season, and may keep its accounts in respect of sales in such manner as will, in its judgment, attribute sales to wheat
of

Wheat Industry Stabilization.

of different seasons (including the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-four) in an equitable manner.

(4) The Board is not bound to make a final payment in respect of wheat of a season until it has disposed of the whole of the wheat of that season delivered to it in Australia (whether in pursuance of this Act or otherwise), but the Board may, with the approval of the Commonwealth Minister, make from time to time such advance payments as it considers justified.

(5) Subject to this section, the net proceeds of the disposal of wheat shall, for the purposes of this section, be deemed to be the net return from the disposal of the wheat (including corn sacks in which the wheat was sold) after paying the charge imposed by the Wheat Export Charge Act 1954 of the Commonwealth and administration, interest, transport, storage and other charges incurred by the Board (other than charges for transport to the terminal port from the place at which the wheat is delivered to the Board).

(6) In ascertaining the net proceeds of the disposal of any wheat, no account shall be taken of moneys to which section eighteen of this Act, section 18A of the Wheat Marketing Act, 1948-1953, or a corresponding provision of a Commonwealth Act or an Act of another State, applies or applied or of costs of the Board payable out of those moneys.

(7) Where the average price per bushel obtained by the Board for wheat of a season exported by the Board, or sold by the Board for export, is less than the guaranteed price, the net proceeds from the disposal of wheat of that season by the Board shall, for the purposes of this section, be deemed to be increased by the amount that becomes payable to the Board under the Commonwealth Act out of the Wheat Prices Stabilization Fund established by that Act, that is to say an amount ascertained by multiplying the amount of the difference between that average price and the guaranteed price by a number equal to the number of bushels of wheat of the
season

Wheat Industry Stabilization.

season exported by the Board, or sold by the Board for export, or by one hundred million, whichever is the less.

(8) In ascertaining the average price for the purposes of subsection seven of this section the price obtained in respect of a sale other than a sale of fair average quality bulk wheat free on rails at the port of export shall be deemed to be the price which would have been the corresponding price for a sale of the same quantity of fair average quality bulk wheat free on rails at the port of export.

Payment
by Board.

12. (1) The amount payable under this Act in respect of any wheat is payable to the person who would have been entitled to receive the price of the wheat if the wheat had been lawfully sold to the Board at the time of the delivery of the wheat.

(2) The same rights (if any) exist against the person receiving an amount paid by the Board under this Act in respect of wheat as would exist if the moneys so paid were the proceeds of a sale or purported sale of the wheat by him, and any such rights may be enforced by action in any court that would have had jurisdiction if the moneys were the proceeds of such a sale or purported sale.

(3) Payment in good faith by the Board of any moneys payable under this Act to the person appearing to the Board to be entitled to receive them discharges the Board from any further liability in respect of those moneys.

(4) Subject to subsection five of this section, an assignment of moneys payable by the Board in respect of wheat delivered to the Board (not including a registered crop lien) executed after the commencement of this Act is void as against the Board.

(5) Where a person assigns moneys payable to him by the Board in respect of wheat delivered or to be delivered to the Board in payment of, or as security for payment of, an amount payable by that person for corn sacks supplied to him, the Board may pay those moneys to the assignee.

Wheat Industry Stabilization.

13. (1) A person who—

- (a) consigns or delivers to a licensed receiver wheat harvested before the fifteenth day of September, one thousand nine hundred and fifty-four; or
- (b) consigns or delivers to a licensed receiver, after the final delivery day in respect of a season, wheat harvested in that season,

Declaration
to be
furnished
as to old
season's
wheat.

shall make and forward to the licensed receiver a declaration correctly stating the season during which the wheat was harvested.

(2) For the purposes of this section, the final delivery day in respect of a season is the day declared to be the final delivery day in respect of that season by notice published in the Commonwealth of Australia Gazette under the Commonwealth Act.

14. (1) Any person who is authorised by the Board or the Chairman of the Board to act under this section may—

Entry of
premises,
seizure of
wheat, etc.

- (a) at all reasonable times, enter premises and inspect any stock of wheat or corn sacks, and any accounts, books and documents relating to wheat or corn sacks; and
- (b) take possession of and remove any wheat that is the property of the Board or the delivery of which has been lawfully demanded by the Board, or any corn sacks that are the property of the Board.

(2) A person shall not hinder or obstruct a person in the exercise of powers under this section.

(3) Wheat, other than wheat which is the property of the Board, of which possession is taken under subsection one of this section shall, for the purposes of this Act, but without affecting the liability of a person for an offence, be deemed to be delivered to the Board under this Act.

15.

Wheat Industry Stabilization.

Board may
require
returns.

15. (1) For the purposes of this Act the Board may, by notice in writing served on the person to whom it is addressed either—

- (a) personally; or
- (b) by post at his last-known place of abode or business,

require a person to furnish in writing to the Board, within the time specified in the notice, such information relating to wheat, wheaten flour, semolina, corn sacks, jute or jute products as is specified in the notice.

(2) A person shall not, without reasonable excuse—

- (a) refuse or fail to comply with a requirement under this section; or
- (b) furnish to the Board any information which is false or misleading in a particular.

Proper care
to be taken
of wheat
owned by
Board.

16. A person having wheat the property of the Board in his possession or under his care shall exercise proper care and take all proper and reasonable precautions to preserve and safeguard that wheat and to keep it free from damage or deterioration.

Home con-
sumption
price of
wheat.

17. (1) The price at which the Board shall sell wheat for manufacture into wheat products for human consumption in Australia, or wheat for consumption in Australia by pigs, poultry or dairy stock, is the appropriate price ascertained in accordance with this section.

(2) Subject to this section, the price per bushel in respect of a wholesale sale of bulk wheat of fair average quality free on rails at a port of export shall be—

- (a) the International Wheat Agreement price or, if, at the beginning of the year in which the
sale

Wheat Industry Stabilization.

sale is made, there is not in operation an International Wheat Agreement that has been accepted by Australia, export parity; or

(b) fourteen shillings,

whichever is the less.

(3) If the price applicable to a sale under subsection two of this section is less than the cost of production of wheat of the season that is current at the beginning of the year in which the sale is made, the price shall, subject to subsection four of this section, be an amount per bushel equal to that cost of production.

(4) The price applicable under subsection two or three of this section shall be increased by an amount of one penny half-penny per bushel for the purpose of reimbursing the Board for the costs of shipment of wheat to Tasmania.

(5) If the Board reports to the Commonwealth Minister that the amounts being received by the Board by reason of the operation of subsection four of this section, together with amounts being received under corresponding provisions of the Commonwealth Act and the laws of the other States, are more or less than the amounts required to meet the costs of shipment of wheat by the Board to Tasmania, the Commonwealth Minister may direct the Board that the amount per bushel specified in that subsection shall be reduced or increased to such extent as he considers necessary.

(6) The price in respect of a sale other than a sale specified in subsection two of this section shall be a price ascertained by adding to or deducting from the price applicable to sales so specified an amount that makes a proper allowance for the quality of the wheat, the conditions of sale and the place of delivery.

(7) In this section—

“export parity”, in relation to sales made in a year, means the price that the Commonwealth Minister certifies to the Board to be the price which
he

Wheat Industry Stabilization.

he is satisfied was the price (expressed in Australian currency) per bushel prevailing immediately before the commencement of that year for sales by the Board on the export market of bulk wheat of fair average quality free on rails at the ports of export;

“the International Wheat Agreement price”, in relation to sales made in a year, means the amount which the Commonwealth Minister certifies to the Board to be the amount which he is satisfied is the equivalent, in Australian currency and on the basis of sales free on rails at the ports of export, of the price per bushel prevailing immediately before the commencement of that year for sales by the Board under an International Wheat Agreement of bulk wheat of fair average quality;

“year” means the period of twelve months commencing on the first day of December, one thousand nine hundred and fifty-four, and each subsequent period of twelve months.

(8) Notwithstanding the repeal of section eighteen of the Wheat Marketing Act, 1948-1953,—

- (a) the prices for sales of wheat by the Board that were applicable under that section immediately before the commencement of this Act continue to be applicable to sales made before the first day of December, one thousand nine hundred and fifty-four; and
- (b) all moneys received by the Board in respect of such sales by reason of the operation of subsection four or five of that section shall be deemed to be moneys to which subsection one of section eighteen of this Act applies.

Special
account for
freight to
Tasmania.

18. (1) Notwithstanding any other provision of this Act but subject to this section, the Board shall keep a separate account of the moneys received by the Board
by

Wheat Industry Stabilization.

by reason of the operation of subsections four and five of section seventeen of this Act, and of payments made out of those moneys, and shall not apply those moneys except in accordance with this section.

(2) The Board may combine the account required to be kept under subsection one of this section with any similar account or accounts to be kept by it under the Commonwealth Act or under the law of another State or States.

(3) The Board shall use the moneys referred to in subsection one of this section in meeting the costs of shipment of wheat by the Board to Tasmania on and after the first day of December, one thousand nine and fifty-three, and shall not use for that purpose any other moneys derived by it from the sale of wheat delivered to it in pursuance of this Act.

(4) Any moneys referred to in subsection one of this section which remain unexpended after the Board has disposed of the whole of the wheat of the last season to which this Act applies delivered to the Board in Australia shall be applied by the Board for the benefit of the wheat industry in such manner as the Commonwealth Minister, after consultation with the appropriate Minister of each State, directs.

(5) Any moneys paid by the Board, before the commencement of this Act, in pursuance of section 18A of the Wheat Marketing Act, 1948-1953, to the credit of the account kept for the purposes of that section and not expended before the commencement of this Act shall be deemed to be moneys to which subsection one of this section applies.

19. Subject to the Board's paying or making provision for the payment of amounts required to be paid by it under this Act, nothing in this Act shall be deemed to prevent the Board from applying moneys received by it by reason of the exercise of its functions under this Act for the purposes of the Commonwealth Act or an Act of another State relating to the marketing of wheat.

Use of funds
by Board.

Wheat Industry Stabilization.

South West
Marginal
Wheat Area.

20. (1) In this section "the area" means the South West Marginal Wheat Area comprising the County of Dowling and such of the Parishes and parts of Parishes of the Counties of Cooper, Sturt, Gipps, and Nicholson as are set out in the Schedule to this Act.

Conditions
applicable
to the area.

(2) Where the Minister is satisfied that any farm within the area has been reconstructed as an economic farming unit pursuant to plans approved therefor by the Rural Reconstruction Board and is of the opinion that it is desirable for the furtherance of such plans that the growing of wheat on the farm be restricted, he may by notification published in the Gazette declare that the farm shall not be sown to wheat except in accordance with such conditions as may be imposed by the Rural Reconstruction Board for the preservation of the farm as an economic farming unit. Any such notification may be revoked or varied by any subsequent notification.

Any notification under section twenty of the Wheat Marketing Act, 1948-1953, and in force at the commencement of this Act shall be deemed to have been made under this Act.

(3) As from a date to be appointed by the Minister and notified by notice published in the Gazette the functions conferred by subsection two of this section upon the Rural Reconstruction Board in respect of the imposition of conditions for the preservation of farms as economic farming units shall be transferred to and be discharged by such authority as the Minister may specify in such notice.

Any conditions imposed in respect of any farm by the Rural Reconstruction Board before the date so appointed shall continue to apply to such farm for the period for which they have been so imposed but may be varied by such authority.

(4) The conditions imposed pursuant to this section—

- (a) may include provisions as to the period during which such conditions are to apply to the farm;
- (b)

Wheat Industry Stabilization.

(b) may include provisions as to the maximum area of the farm which may be sown to wheat in each season during such period;

(c) may be varied from time to time.

(5) Any person who uses any farm to which any notification under subsection two of this section relates for the growing of wheat otherwise than in accordance with the conditions imposed by the Rural Reconstruction Board or other authority under this section and for the time being in force shall be guilty of an offence against this Act.

21. (1) A person who contravenes, or fails to comply with, any provision of this Act shall be guilty of an offence against this Act and where no other penalty is provided shall be liable to a penalty not exceeding one hundred pounds or imprisonment for six months or both.

(2) All proceedings for offences against this Act or the regulations shall be disposed of summarily before a court of petty sessions.

22. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) The regulations may prescribe penalties not exceeding one hundred pounds or imprisonment for six months, or both, for offences against the regulations.

(3) The regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified therein; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

Wheat Industry Stabilization.

(4) If either House of Parliament passes a resolution of which notice has been given within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

Application
of Act.

23. This Act does not apply in relation to wheat harvested after the thirtieth day of September, one thousand nine hundred and fifty-eight.

Sec. 20.

SCHEDULE.
COUNTY OF COOPER.

Parish.	Parish.
Ariah.	Moombooldool North—Part
Barellan North—Part North of Temora-Griffith Rail- way Line.	North of Temora-Griffith Railway Line.
Bingar.	Munduburra.
Binya — Part North of Temora-Griffith Railway Line.	Narriah.
Bourke.	Oxley.
Bygoo.	Patterson—Part North of Temora-Griffith Railway Line.
Cocoparra.	Pulletop.
Conapaira.	Sandy Creek.
Conapaira East.	Sims Gap.
Conapaira South.	Stanley.
Dowling.	Tabbita.
Euratha.	Tabbita North.
Euratha South.	The Bluff.
Garoolgan.	The Peak.
Gurragong.	Wallandry.
Kolkilbertoo.	Wallandry North.
Kolkilbertoo East.	Yalgogoring—Part West of Travelling Stock Route 2510 traversing the Parish.
Kolkilbertoo South.	
Lewes.	

COUNTY OF STURT.

Parish.	Parish.
Denny.	Munro.
Kooba.	North Bringagee.
Livingstone.	O'Brien.
Maiden.	Tabbita.
Mirrool.	

COUNTY

Wheat Industry Stabilization.

COUNTY OF GIPPS.

Parish.	Parish.
Bena.	Mildil.
Bibbijolee.	Murrengreen.
Bimbeen.	Nerang Cowal.
Bolagamy.	Pulligal.
Brolga.	Thulloo.
Bygalore.	Ugalong.
Cookaburagong.	Ungarie.
Crown Camp.	Wallaroi.
Currah.	Wamboyne.
Euglo.	Wardry.
Euglo South.	Weelah.
Gorman's Hill.	Wilga.
Goobothery.	Wilga South.
Kalingan.	Wollongough.
Livingstone.	Youngareen.
Merribooka.	Younger Plain.
Milbee.	

COUNTY OF NICHOLSON.

Parish.	Parish.
Beaconsfield.	Lachlan.
Bellingerambil.	Langtree.
Bellingerambil East.	Loughnan.
Bellingerambil South.	Mea Mia South.
Bogia.	Melbergen.
Bolton.	Melbergen South.
Bootheragandra.	Molesworth.
Bunda Bunda.	Moncton.
Bunda Bunda East.	Mullion.
Bunda Bunda North.	Naradhun.
Burgess.	Parker.
Carilla.	Redbank.
Chirnside.	Russell.
East Marowie.	South Marowie.
Elliott.	Stackpoole.
Fox.	Synnot.
Goolgowi.	Townsend.
Goolgowi South.	Wallanthery.
Goolgowi West.	Warrabalong.
Griffiths.	Weenya.
Huntawong.	Weerie.
Ivanhoe.	

BY AUTHORITY:

A. H. PETTIFER, Government Printer, Sydney, 1955.

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.

H. ROBBINS,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 7 December, 1954.*

New South Wales



ANNO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 49, 1954.

An Act to make certain provisions in relation to the stabilization of the wheat industry; to repeal the Wheat Industry Stabilisation Act, 1948, the Wheat Industry Stabilisation (Amendment) Act, 1951, and the Wheat Marketing (Amendment) Act, 1953; to amend the Grain Elevators Act, 1954; and for purposes connected therewith. [Assented to, 16th December, 1954.]

BE it enacted by the Queen'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. This Act may be cited as the "Wheat Industry Stabilization Act, 1954." 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.

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Wheat Industry Stabilization.

Commence-
ment. **2.** This Act shall be deemed to have commenced upon the thirtieth day of November, one thousand nine hundred and fifty-four.

Repeals.
Act No. 46,
1948.
Act No. 51,
1951.
Act No. 17,
1953.
3. (1) (a) The Wheat Industry Stabilisation Act, 1948, the Wheat Industry Stabilisation (Amendment) Act, 1951, and the Wheat Marketing (Amendment) Act, 1953, are hereby repealed.

Grain
Elevators
Act, 1954. (b) The Grain Elevators Act, 1954, is amended—

Sec. 3.
(Definitions.) (i) by inserting in section three at the end of the definition of "Australian Wheat Board" the words "and continued in existence by the Wheat Industry Stabilization Act 1954 of the Parliament of the Commonwealth";

Secs. 5 and 6.
(Amendments
of Act No. 46,
1948.) (ii) by omitting sections five and six;

Sec. 21.
(Board may
make
charges.) (iii) by omitting from section twenty-one the words and figures "Wheat Marketing Act, 1948-1954" and by inserting in lieu thereof the words and figures "Wheat Industry Stabilization Act, 1954".

(2) Notwithstanding the repeals effected by paragraph (a) of subsection one of this section but subject to subsection three of this section, the provisions of the repealed Acts shall continue to apply, as if this Act had not been passed, in relation to wheat harvested before the first day of October, one thousand nine hundred and fifty-three.

(3) A reference in the provisions referred to in subsection two of this section to the Australian Wheat Board established by the Wheat Marketing Act 1948-1953 of the Commonwealth shall, in relation to things done or to be done after the commencement of this Act, be read as a reference to that Board as continued in existence by the Commonwealth Act and conducting its proceedings in accordance with the Commonwealth Act.

(4)

Wheat Industry Stabilization.

(4) Wheat harvested on or after the first day of October, one thousand nine hundred and fifty-three, and delivered to the Board before the commencement of this Act (including wheat delivered to a person who was a licensed receiver for the purposes of the Acts repealed by this Act) shall be deemed to have been delivered in pursuance of section eight of this Act, and any advance payment made by the Board in respect of any such wheat before the commencement of this Act shall be deemed to have been made in pursuance of this Act.

4. In this Act, unless the context or subject matter otherwise indicates or requires—

“licensed receiver” means a person, firm, company or State authority licensed by the Board to receive wheat on behalf of the Board;

“season”, in relation to wheat, means the period of twelve months, commencing on the first day of October in any year, during which the wheat was harvested;

“the Board” means the Australian Wheat Board continued in existence by the Commonwealth Act;

“the Commonwealth Act” means the Wheat Industry Stabilization Act 1954 of the Commonwealth;

“the Commonwealth Minister” means the Minister of State administering the Commonwealth Act, or another Minister of State of the Commonwealth acting for and on behalf of that Minister;

“the cost of production” means—

(a) in relation to wheat of the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-four—twelve shillings and seven pence per bushel; and

(b)

Wheat Industry Stabilization.

(b) in relation to wheat of a subsequent season—the cost of production per bushel of wheat of that season as determined in pursuance of section five of the Commonwealth Act;

“the guaranteed price”, in relation to wheat of a season, means an amount equal to the cost of production of wheat of that season.

Act to
apply
subject to
Constitution.

5. (1) If, by reason of the Constitution, a provision of this Act, or a notice under a provision of this Act, cannot validly apply in relation to any particular wheat or class of wheat, that provision or notice shall be construed as intended to operate in relation to all wheat in relation to which it purports to apply, being wheat in relation to which it can validly apply.

(2) Subsection one of this section is in addition to, and not in substitution for, any other provision relating to the construction of Acts and statutory instruments subject to the Constitution.

Licensed
receivers.

6. (1) Subject to this section the Board may license, subject to such conditions as are specified in the license, a person, firm, company or State authority to receive wheat on behalf of the Board, and may cancel or suspend any such license.

(2) The person by whom the control and administration of the Government Grain Elevators is for the time being exercisable shall be entitled to a license under this section.

(3) A license to receive wheat on behalf of the Board that was in force immediately before the commencement of this Act shall be deemed to have been granted under this section.

(4) As from a day to be appointed by the Governor and notified by proclamation published in the Gazette—

(a) all licenses granted or deemed to have been granted under this section (other than the license

Wheat Industry Stabilization.

license granted to the person referred to in subsection two of this section) and in force in this State shall be deemed to be cancelled;

- (b) all wheat to be delivered to the Board in this State shall be delivered to the person referred to in subsection two of this section as the sole licensed receiver of wheat on behalf of the Board in this State.

(5) The remuneration payable to the person referred to in subsection two of this section as a licensed receiver shall be as agreed between the Minister and the Commonwealth Minister.

7. (1) The Board may—

**Powers of
Board.**

- (a) purchase wheat, wheaten flour, semolina, corn sacks, jute or jute products;
- (b) accept wheat delivered to it;
- (c) sell or dispose of wheat, wheaten flour, semolina, corn sacks, jute or jute products the property of the Board;
- (d) grist or arrange for the gristing of wheat, and sell or otherwise dispose of the products of the gristing;
- (e) manage and control all matters connected with the handling, storage, protection, treatment, transfer or shipment of wheat or other things purchased or otherwise acquired by the Board or sold or otherwise disposed of by the Board:

Provided that the exercise of this power shall be subject to the provisions of any Act and the regulations thereunder with respect to the conditions under which wheat is received for storage in the Government Grain Elevators; and

- (f) do all things that it is required or permitted by this Act to do or that are necessary or convenient to be done by the Board for giving effect to this Act.

(2)

Wheat Industry Stabilization.

(2) The Commonwealth Minister may give directions to the Board concerning the performance of its functions and the exercise of its powers, and the Board shall comply with those directions.

Delivery of
wheat.

8. (1) Subject to this section, a person who is in possession of wheat—

- (a) may deliver that wheat to the Board; and
- (b) shall deliver that wheat to the Board on demand made by or on behalf of the Board.

(2) Upon delivery of wheat to the Board under this section, the wheat becomes the absolute property of the Board, freed from all mortgages, charges, liens, pledges, interests and trusts affecting the wheat.

(3) A demand under this section may be made—

- (a) by notice in writing served personally on the person to whom it is addressed, or served on that person by post at his usual or last-known place of abode or business; or
- (b) by notice published in the Gazette, in which case it may be addressed to persons generally, or to persons included in a class of persons.

(4) Nothing in this section shall apply to—

- (a) wheat harvested before the first day of October, one thousand nine hundred and fifty-three;
- (b) wheat retained by the grower for use on the farm where it is grown;
- (c) wheat that has been sold by the Board; or approval of the Board.

(5) A person shall not—

- (a) refuse or fail to comply with a demand made under this section; or
- (b) deliver to the Board wheat which has previously been sold by the Board.

Any

Wheat Industry Stabilization.

Any person guilty of an offence against the provisions of this subsection shall be liable to a penalty not exceeding thrice the value of the wheat in respect of which the offence is committed, calculated at the guaranteed price for wheat of the season that is current at the time of the offence, or imprisonment for six months, or both.

9. (1) Delivery of wheat to the Board may be made by delivering or consigning the wheat to a licensed receiver. ^{Delivery to licensed receiver.}

(2) A person who delivers or consigns wheat to a licensed receiver shall, at the same time, furnish to the licensed receiver in writing the names and addresses of all persons known by him to have or to claim an interest in the wheat or in the payment to be made for the wheat, and all particulars known to him of those interests.

10. Except as provided in sections eight and nine of this Act, or with the consent of the Board, a person shall not— ^{Unauthorised dealings with wheat.}

- (a) sell, deliver or part with the possession of, or take into his possession, wheat other than wheat specified in subsection four of section eight of this Act;
- (b) part with the possession of, or take into his possession, wheat that is the property of the Board; or
- (c) purport to sell or offer for sale, or purport to purchase or offer to purchase (otherwise than from the Board), wheat that is the property of the Board.

Any person guilty of an offence against the provisions of this section shall be liable to a penalty not exceeding thrice the value of the wheat in respect of which the offence is committed, calculated at the guaranteed price for wheat of the season that is current at the time of the offence, or imprisonment for six months, or both.

11.

Wheat Industry Stabilization.

Price to
be paid
for wheat.

11. (1) Where wheat is delivered to the Board in pursuance of this Act, the Board shall pay for that wheat (including the corn sacks, if any, in which the wheat is delivered) an amount determined by the Board in accordance with this section.

(2) The Board shall determine amounts payable under subsection one of this section in respect of wheat of a season by—

- (a) ascertaining the net proceeds of the disposal by the Board of all wheat of that season delivered to the Board in Australia (whether in pursuance of this Act or otherwise);
- (b) deducting from the amount so ascertained an amount calculated at the rate of three pence for each bushel of so much of the wheat of that season grown in the State of Western Australia as the Board certifies to the Commonwealth Minister to have become available for export to places outside Australia; and
- (c) ascertaining the share in the remaining amount of each person entitled to payment under this section by apportioning that remaining amount amongst the persons who delivered wheat of that season to the Board in Australia (whether in pursuance of this Act or otherwise) on the basis of the number of bushels of wheat so delivered by each such person, with proper allowance for differences in the quality of wheat and for transport charges for the carriage of wheat to the terminal port from the place at which the wheat was delivered to the Board, corn sacks in which wheat was supplied to the Board, and other necessary adjustments in particular cases.

(3) For the purposes of this section, the Board is not bound to preserve the identity of wheat of a season, and may keep its accounts in respect of sales in such manner as will, in its judgment, attribute sales to wheat
of

Wheat Industry Stabilization.

of different seasons (including the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-four) in an equitable manner.

(4) The Board is not bound to make a final payment in respect of wheat of a season until it has disposed of the whole of the wheat of that season delivered to it in Australia (whether in pursuance of this Act or otherwise), but the Board may, with the approval of the Commonwealth Minister, make from time to time such advance payments as it considers justified.

(5) Subject to this section, the net proceeds of the disposal of wheat shall, for the purposes of this section, be deemed to be the net return from the disposal of the wheat (including corn sacks in which the wheat was sold) after paying the charge imposed by the Wheat Export Charge Act 1954 of the Commonwealth and administration, interest, transport, storage and other charges incurred by the Board (other than charges for transport to the terminal port from the place at which the wheat is delivered to the Board).

(6) In ascertaining the net proceeds of the disposal of any wheat, no account shall be taken of moneys to which section eighteen of this Act, section 18A of the Wheat Marketing Act, 1948-1953, or a corresponding provision of a Commonwealth Act or an Act of another State, applies or applied or of costs of the Board payable out of those moneys.

(7) Where the average price per bushel obtained by the Board for wheat of a season exported by the Board, or sold by the Board for export, is less than the guaranteed price, the net proceeds from the disposal of wheat of that season by the Board shall, for the purposes of this section, be deemed to be increased by the amount that becomes payable to the Board under the Commonwealth Act out of the Wheat Prices Stabilization Fund established by that Act, that is to say an amount ascertained by multiplying the amount of the difference between that average price and the guaranteed price by a number equal to the number of bushels of wheat of the
season

Wheat Industry Stabilization.

season exported by the Board, or sold by the Board for export, or by one hundred million, whichever is the less.

(8) In ascertaining the average price for the purposes of subsection seven of this section the price obtained in respect of a sale other than a sale of fair average quality bulk wheat free on rails at the port of export shall be deemed to be the price which would have been the corresponding price for a sale of the same quantity of fair average quality bulk wheat free on rails at the port of export.

Payment
by Board.

12. (1) The amount payable under this Act in respect of any wheat is payable to the person who would have been entitled to receive the price of the wheat if the wheat had been lawfully sold to the Board at the time of the delivery of the wheat.

(2) The same rights (if any) exist against the person receiving an amount paid by the Board under this Act in respect of wheat as would exist if the moneys so paid were the proceeds of a sale or purported sale of the wheat by him, and any such rights may be enforced by action in any court that would have had jurisdiction if the moneys were the proceeds of such a sale or purported sale.

(3) Payment in good faith by the Board of any moneys payable under this Act to the person appearing to the Board to be entitled to receive them discharges the Board from any further liability in respect of those moneys.

(4) Subject to subsection five of this section, an assignment of moneys payable by the Board in respect of wheat delivered to the Board (not including a registered crop lien) executed after the commencement of this Act is void as against the Board.

(5) Where a person assigns moneys payable to him by the Board in respect of wheat delivered or to be delivered to the Board in payment of, or as security for payment of, an amount payable by that person for corn sacks supplied to him, the Board may pay those moneys to the assignee.

13.

Wheat Industry Stabilization.

13. (1) A person who—

- (a) consigns or delivers to a licensed receiver wheat harvested before the fifteenth day of September, one thousand nine hundred and fifty-four; or
- (b) consigns or delivers to a licensed receiver, after the final delivery day in respect of a season, wheat harvested in that season,

Declaration
to be
furnished
as to old
season's
wheat.

shall make and forward to the licensed receiver a declaration correctly stating the season during which the wheat was harvested.

(2) For the purposes of this section, the final delivery day in respect of a season is the day declared to be the final delivery day in respect of that season by notice published in the Commonwealth of Australia Gazette under the Commonwealth Act.

14. (1) Any person who is authorised by the Board or the Chairman of the Board to act under this section may—

Entry of
premises,
seizure of
wheat, etc.

- (a) at all reasonable times, enter premises and inspect any stock of wheat or corn sacks, and any accounts, books and documents relating to wheat or corn sacks; and
- (b) take possession of and remove any wheat that is the property of the Board or the delivery of which has been lawfully demanded by the Board, or any corn sacks that are the property of the Board.

(2) A person shall not hinder or obstruct a person in the exercise of powers under this section.

(3) Wheat, other than wheat which is the property of the Board, of which possession is taken under subsection one of this section shall, for the purposes of this Act, but without affecting the liability of a person for an offence, be deemed to be delivered to the Board under this Act.

15.

Wheat Industry Stabilization.

Board may
require
returns.

15. (1) For the purposes of this Act the Board may, by notice in writing served on the person to whom it is addressed either—

- (a) personally; or
- (b) by post at his last-known place of abode or business,

require a person to furnish in writing to the Board, within the time specified in the notice, such information relating to wheat, wheaten flour, semolina, corn sacks, jute or jute products as is specified in the notice.

(2) A person shall not, without reasonable excuse—

- (a) refuse or fail to comply with a requirement under this section; or
- (b) furnish to the Board any information which is false or misleading in a particular.

Proper care
to be taken
of wheat
owned by
Board.

16. A person having wheat the property of the Board in his possession or under his care shall exercise proper care and take all proper and reasonable precautions to preserve and safeguard that wheat and to keep it free from damage or deterioration.

Home con-
sumption
price of
wheat.

17. (1) The price at which the Board shall sell wheat for manufacture into wheat products for human consumption in Australia, or wheat for consumption in Australia by pigs, poultry or dairy stock, is the appropriate price ascertained in accordance with this section.

(2) Subject to this section, the price per bushel in respect of a wholesale sale of bulk wheat of fair average quality free on rails at a port of export shall be—

- (a) the International Wheat Agreement price or, if, at the beginning of the year in which the
sale

Wheat Industry Stabilization.

sale is made, there is not in operation an International Wheat Agreement that has been accepted by Australia, export parity; or

(b) fourteen shillings,

whichever is the less.

(3) If the price applicable to a sale under subsection two of this section is less than the cost of production of wheat of the season that is current at the beginning of the year in which the sale is made, the price shall, subject to subsection four of this section, be an amount per bushel equal to that cost of production.

(4) The price applicable under subsection two or three of this section shall be increased by an amount of one penny half-penny per bushel for the purpose of reimbursing the Board for the costs of shipment of wheat to Tasmania.

(5) If the Board reports to the Commonwealth Minister that the amounts being received by the Board by reason of the operation of subsection four of this section, together with amounts being received under corresponding provisions of the Commonwealth Act and the laws of the other States, are more or less than the amounts required to meet the costs of shipment of wheat by the Board to Tasmania, the Commonwealth Minister may direct the Board that the amount per bushel specified in that subsection shall be reduced or increased to such extent as he considers necessary.

(6) The price in respect of a sale other than a sale specified in subsection two of this section shall be a price ascertained by adding to or deducting from the price applicable to sales so specified an amount that makes a proper allowance for the quality of the wheat, the conditions of sale and the place of delivery.

(7) In this section—

“export parity”, in relation to sales made in a year, means the price that the Commonwealth Minister certifies to the Board to be the price which
he

Wheat Industry Stabilization.

he is satisfied was the price (expressed in Australian currency) per bushel prevailing immediately before the commencement of that year for sales by the Board on the export market of bulk wheat of fair average quality free on rails at the ports of export;

“the International Wheat Agreement price”, in relation to sales made in a year, means the amount which the Commonwealth Minister certifies to the Board to be the amount which he is satisfied is the equivalent, in Australian currency and on the basis of sales free on rails at the ports of export, of the price per bushel prevailing immediately before the commencement of that year for sales by the Board under an International Wheat Agreement of bulk wheat of fair average quality;

“year” means the period of twelve months commencing on the first day of December, one thousand nine hundred and fifty-four, and each subsequent period of twelve months.

(8) Notwithstanding the repeal of section eighteen of the Wheat Marketing Act, 1948-1953,—

- (a) the prices for sales of wheat by the Board that were applicable under that section immediately before the commencement of this Act continue to be applicable to sales made before the first day of December, one thousand nine hundred and fifty-four; and
- (b) all moneys received by the Board in respect of such sales by reason of the operation of subsection four or five of that section shall be deemed to be moneys to which subsection one of section eighteen of this Act applies.

Special
account for
freight to
Tasmania.

18. (1) Notwithstanding any other provision of this Act but subject to this section, the Board shall keep a separate account of the moneys received by the Board
by

Wheat Industry Stabilization.

by reason of the operation of subsections four and five of section seventeen of this Act, and of payments made out of those moneys, and shall not apply those moneys except in accordance with this section.

(2) The Board may combine the account required to be kept under subsection one of this section with any similar account or accounts to be kept by it under the Commonwealth Act or under the law of another State or States.

(3) The Board shall use the moneys referred to in subsection one of this section in meeting the costs of shipment of wheat by the Board to Tasmania on and after the first day of December, one thousand nine and fifty-three, and shall not use for that purpose any other moneys derived by it from the sale of wheat delivered to it in pursuance of this Act.

(4) Any moneys referred to in subsection one of this section which remain unexpended after the Board has disposed of the whole of the wheat of the last season to which this Act applies delivered to the Board in Australia shall be applied by the Board for the benefit of the wheat industry in such manner as the Commonwealth Minister, after consultation with the appropriate Minister of each State, directs.

(5) Any moneys paid by the Board, before the commencement of this Act, in pursuance of section 18A of the Wheat Marketing Act, 1948-1953, to the credit of the account kept for the purposes of that section and not expended before the commencement of this Act shall be deemed to be moneys to which subsection one of this section applies.

19. Subject to the Board's paying or making provision for the payment of amounts required to be paid by it under this Act, nothing in this Act shall be deemed to prevent the Board from applying moneys received by it by reason of the exercise of its functions under this Act for the purposes of the Commonwealth Act or an Act of another State relating to the marketing of wheat.

Use of funds
by Board.

Wheat Industry Stabilization.

South West
Marginal
Wheat Area.

20. (1) In this section "the area" means the South West Marginal Wheat Area comprising the County of Dowling and such of the Parishes and parts of Parishes of the Counties of Cooper, Sturt, Gipps, and Nicholson as are set out in the Schedule to this Act.

Conditions
applicable
to the area.

(2) Where the Minister is satisfied that any farm within the area has been reconstructed as an economic farming unit pursuant to plans approved therefor by the Rural Reconstruction Board and is of the opinion that it is desirable for the furtherance of such plans that the growing of wheat on the farm be restricted, he may by notification published in the Gazette declare that the farm shall not be sown to wheat except in accordance with such conditions as may be imposed by the Rural Reconstruction Board for the preservation of the farm as an economic farming unit. Any such notification may be revoked or varied by any subsequent notification.

Any notification under section twenty of the Wheat Marketing Act, 1948-1953, and in force at the commencement of this Act shall be deemed to have been made under this Act.

(3) As from a date to be appointed by the Minister and notified by notice published in the Gazette the functions conferred by subsection two of this section upon the Rural Reconstruction Board in respect of the imposition of conditions for the preservation of farms as economic farming units shall be transferred to and be discharged by such authority as the Minister may specify in such notice.

Any conditions imposed in respect of any farm by the Rural Reconstruction Board before the date so appointed shall continue to apply to such farm for the period for which they have been so imposed but may be varied by such authority.

(4) The conditions imposed pursuant to this section—

- (a) may include provisions as to the period during which such conditions are to apply to the farm;
- (b)

Wheat Industry Stabilization.

(b) may include provisions as to the maximum area of the farm which may be sown to wheat in each season during such period;

(c) may be varied from time to time.

(5) Any person who uses any farm to which any notification under subsection two of this section relates for the growing of wheat otherwise than in accordance with the conditions imposed by the Rural Reconstruction Board or other authority under this section and for the time being in force shall be guilty of an offence against this Act.

21. (1) A person who contravenes, or fails to comply **Offences.** with, any provision of this Act shall be guilty of an offence against this Act and where no other penalty is provided shall be liable to a penalty not exceeding one hundred pounds or imprisonment for six months or both.

(2) All proceedings for offences against this Act or the regulations shall be disposed of summarily before a court of petty sessions.

22. (1) The Governor may make regulations not **Regulations.** inconsistent with this Act prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) The regulations may prescribe penalties not exceeding one hundred pounds or imprisonment for six months, or both, for offences against the regulations.

(3) The regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified therein; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

(4)

Wheat Industry Stabilization.

(4) If either House of Parliament passes a resolution of which notice has been given within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

Application
of Act.

23. This Act does not apply in relation to wheat harvested after the thirtieth day of September, one thousand nine hundred and fifty-eight.

Sec. 20.

SCHEDULE.
COUNTY OF COOPER.

Parish.	Parish.
Ariah.	Moombooldool North—Part
Barellan North—Part North	North of Temora-Griffith
of Temora-Griffith Rail-	Railway Line.
way Line.	Munduburra.
Bingar.	Narriah.
Binya — Part North of	Oxley.
Temora-Griffith Railway	Patterson—Part North of
Line.	Temora-Griffith Railway
Bourke.	Line.
Bygoo.	Pulletop.
Cocoparra.	Sandy Creek.
Conapaira.	Sims Gap.
Conapaira East.	Stanley.
Conapaira South.	Tabbita.
Dowling.	Tabbita North.
Euratha.	The Bluff.
Euratha South.	The Peak.
Garoolgan.	Wallandry.
Gurragong.	Wallandry North.
Kolkilbertoo.	Yalgogoring—Part West of
Kolkilbertoo East.	Travelling Stock Route
Kolkilbertoo South.	2510 traversing the
Lewes.	Parish.

COUNTY OF STURT.

Parish.	Parish.
Denny.	Munro.
Kooba.	North Bringagee.
Livingstone.	O'Brien.
Maiden.	Tabbita.
Mirrool.	

 COUNTY

Wheat Industry Stabilization.

COUNTY OF GIPPS.

Parish.	Parish.
Bena.	Mildil.
Bibbijolee.	Murrengreen.
Bimbeen.	Nerang Cowal.
Bolagamy.	Pulligal.
Brolga.	Thulloo.
Bygalore.	Ugalong.
Cookaburagong.	Ungarie.
Crown Camp.	Wallaroi.
Currah.	Wamboyne.
Euglo.	Wardry.
Euglo South.	Weelah.
Gorman's Hill.	Wilga.
Goobothery.	Wilga South.
Kalingan.	Wollongough.
Livingstone.	Youngareen.
Merribooka.	Younger Plain.
Milbee.	

COUNTY OF NICHOLSON.

Parish.	Parish.
Beaconsfield.	Lachlan.
Bellingerambil.	Langtree.
Bellingerambil East.	Loughnan.
Bellingerambil South.	Mea Mia South.
Bogia.	Melbergen.
Bolton.	Melbergen South.
Bootheragandra.	Molesworth.
Bunda Bunda.	Moncton.
Bunda Bunda East.	Mullion.
Bunda Bunda North.	Naradhun.
Burgess.	Parker.
Carilla.	Redbank.
Chirnside.	Russell.
East Marowie.	South Marowie.
Elliott.	Stackpoole.
Fox.	Synnot.
Goolgowi.	Townsend.
Goolgowi South.	Wallanthery.
Goolgowi West.	Warrabalong.
Griffiths.	Weenya.
Huntawong.	Weerie.
Ivanhoe.	

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

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 16th December, 1954.*

