

New South Wales.



ANNO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 17, 1953.

An Act to make further provision in relation to the marketing of wheat; for that purpose to amend the Wheat Industry Stabilisation Act, 1948-1951; and for purposes connected therewith. [Assented to, 3rd November, 1953.]

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. (1) This Act may be cited as the "Wheat Marketing (Amendment) Act, 1953".

Short title
and
citation.

Wheat Marketing (Amendment).

(2) The Wheat Industry Stabilisation Act, 1948, as amended by subsequent Acts and by this Act, may be cited as the Wheat Marketing Act, 1948-1953.

Commence-
ment.

2. (1) This Act shall commence upon the day on which the Wheat Marketing Act 1953 of the Commonwealth of Australia comes into operation.

(2) The amendments made by paragraphs (b) and (f) of section three of this Act do not apply in relation to wheat of the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-three, or of any previous season.

(3) Where, before the commencement of this Act, wheat harvested after the thirtieth day of September, one thousand nine hundred and fifty-three, was delivered or consigned to a person, firm, company or State Authority who or which was, at the time of the delivery or consignment, a licensed receiver under the Wheat Industry Stabilisation Act, 1948-1951, or under the Wheat Industry Stabilization Act 1948-1953 of the Commonwealth of Australia as in force at the time of the delivery or consignment, the wheat shall be deemed to have been delivered to the Australian Wheat Board in pursuance of the Wheat Industry Stabilisation Act, 1948, as amended by subsequent Acts and by this Act.

Amendment
of Act No.
46, 1948.

Title.

Sec. 3.
(Defini-
tions.)

3. (1) The Wheat Industry Stabilisation Act, 1948-1951, is amended—

(a) by omitting from the title the words “stabilisation of the wheat industry” and by inserting in lieu thereof the words “marketing of wheat”;

(b) (i) by omitting from the definition of “the Commonwealth Act” in section three the words “Wheat Industry Stabilization Act 1948” and by inserting in lieu thereof the words “Wheat Marketing Act 1948-1953”;

(ii) by omitting from the same section the definition of “the guaranteed price”;

(c)

Wheat Marketing (Amendment).

- (c) (i) by omitting from paragraph (a) of section nine the words "or otherwise acquire"; Sec. 9.
(Powers of Board.)
- (ii) by inserting next after the same paragraph the following new paragraph:—
- (aa) accept wheat delivered to it in pursuance of this Act;
- (iii) by omitting from paragraph (b) of the same section the words "purchased or otherwise acquired by" and by inserting in lieu thereof the words "the property of";
- (d) by omitting from subsection five of section eleven the words "calculated on the basis of the guaranteed price" and by inserting in lieu thereof the words "as certified by the Board on the basis of the Board's prices, at the time of the offence, for sales of wheat in the State"; Sec. 11.
(Delivery of wheat.)
- (e) (i) by inserting at the end of paragraph (b) of section twelve the word "or"; Sec. 12.
(Unauthorised dealings with wheat.)
- (ii) by inserting next after the same paragraph the following new paragraph:—
- (c) sell, deliver, part with the possession of or take into his possession wheat other than wheat specified in subsection four of section eleven of this Act.
- (iii) by omitting from the same section the words "calculated on the basis of the guaranteed price" and by inserting in lieu thereof the words "as certified by the Board on the basis of the Board's prices, at the time of the offence, for sales of wheat in the State";
- (f) by omitting section thirteen and by inserting in lieu thereof the following sections:— Subst. sec. 13 and new sec. 13A.
13. (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 Price to be paid for wheat,
- any,

Wheat Marketing (Amendment).

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 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)

Wheat Marketing (Amendment).

(5) If the Board reports to the Minister administering the Commonwealth Act 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 of the laws of the other States of the Commonwealth of Australia, are more or less than the amounts required to meet the costs of shipment of wheat by the Board to Tasmania, that 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 the case of sales other than sales 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 which 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 which the Minister administering the Commonwealth Act certifies to the Board to be the price which 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 cost of production”, in relation to sales made in a year, means the amount notified to the Board by the Minister administering the Commonwealth Act as being the cost per bushel of the production in Australia of wheat of the
season

Wheat Marketing (Amendment).

season which is current at the beginning of that year, being an amount ascertained by that Minister, after consultation with the Minister for the time being administering this Act and with the appropriate Minister of each of the other States of the Commonwealth of Australia, by taking as a basis the sum of eleven shillings and eleven pence as the cost per bushel of the production in Australia of wheat of the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-three, and making such variation as he considers necessary by reason of variations in the cost of the production of wheat affecting wheat of the first-mentioned season;

“the International Wheat Agreement price”, in relation to sales made in a year, means the price which the Minister administering the Commonwealth Act certifies to the Board to be the price which 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 under the International Wheat Agreement of bulk wheat of fair average quality free on rails at the ports of export;

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

18A. (1) Notwithstanding anything contained in this Act but subject to this section, the Board shall keep a separate account of the moneys received by the Board by reason of the operation
of

Special
account for
freight to
Tasmania

Wheat Marketing (Amendment).

of subsection four of section eighteen 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 of the Commonwealth of Australia.

(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, 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 Minister administering the Commonwealth Act, after consultation with the Minister for the time being administering this Act and with the appropriate Minister of each of the other States of the Commonwealth of Australia, directs.

18B. 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 of the Commonwealth of Australia relating to the marketing of wheat.

Use of
funds by
Board.

(h)

Wheat Marketing (Amendment).

Sec. 23.
(Applica-
tion of
Act.)

(h) by omitting from section twenty-three the word "fifty-three" and by inserting in lieu thereof the word "fifty-six".

(2) Notwithstanding the repeal of section eighteen of the Wheat Industry Stabilisation Act, 1948-1951, effected by paragraph (g) of subsection one of this section, the prices applicable under the said section eighteen immediately before the commencement of this Act shall continue to be applicable to sales made before the first day of December, one thousand nine hundred and fifty-three.

By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1953.

[8d.]

(b)

Wheat Marketing (Amendment).

(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 different seasons 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 Minister administering the Commonwealth Act, make from time to time such advance payments as it considers justified.

(5) In this section "the net proceeds", in relation to the disposal of wheat, means the net return from the disposal of the wheat after paying 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 under subsection five of this section the net proceeds of the disposal of wheat, no account shall be taken of moneys to which section 18A of this Act, or the corresponding provision in the Commonwealth Act or an Act of another State of the Commonwealth, applies, or of costs of the Board payable out of those moneys.

13A. (1) The amount payable under this Act in respect of any wheat shall be 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. Payment by Board.

(2) The same rights (if any) shall exist against the person receiving an amount paid by the Board under this Act in respect of any wheat

Wheat Marketing (Amendment).

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 of competent jurisdiction.

(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 shall discharge the Board from any further liability in respect of those moneys.

(g) by omitting section eighteen and by inserting in lieu thereof the following sections:—

18. (1) The price at which the Board shall, in New South Wales, sell wheat (otherwise than for export from Australia or for the manufacture of goods for export from Australia) during a year shall be the appropriate price ascertained in accordance with this section.

(2) Subject to this section, the price in respect of wholesale sales of bulk wheat of fair average quality free on rails at ports shall be—

(a) the International Wheat Agreement price or, if at the beginning of the year, the International Wheat Agreement is not in operation or Australia has not accepted that Agreement, export parity; or

(b) fourteen shillings per bushel, whichever is the lower.

(3) If the price applicable under subsection two of this section is less than the cost of production, the price, in the case of sales to which that subsection applies, shall, subject to subsection four of this section, be an amount per bushel equal to the cost of production.

(4) The price applicable under either of subsections two and three of this section shall be increased by an amount of one penny half-penny per bushel as a contribution towards the reimbursement of the Board for the costs of shipment of wheat to Tasmania.

(5)

Subst. sec.
18 and new
secs. 18A,
18B.

Home con-
sumption
price of
wheat.

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, 27 October, 1953.*

New South Wales



ANNO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 17, 1953.

An Act to make further provision in relation to the marketing of wheat; for that purpose to amend the Wheat Industry Stabilisation Act, 1948-1951; and for purposes connected therewith. [Assented to, 3rd November, 1953.]

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. (1) This Act may be cited as the "Wheat Marketing (Amendment) Act, 1953".

Short title
and
citation.

(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 Marketing (Amendment).

(2) The Wheat Industry Stabilisation Act, 1948, as amended by subsequent Acts and by this Act, may be cited as the Wheat Marketing Act, 1948-1953.

Commence-
ment.

2. (1) This Act shall commence upon the day on which the Wheat Marketing Act 1953 of the Commonwealth of Australia comes into operation.

(2) The amendments made by paragraphs (b) and (f) of section three of this Act do not apply in relation to wheat of the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-three, or of any previous season.

(3) Where, before the commencement of this Act, wheat harvested after the thirtieth day of September, one thousand nine hundred and fifty-three, was delivered or consigned to a person, firm, company or State Authority who or which was, at the time of the delivery or consignment, a licensed receiver under the Wheat Industry Stabilisation Act, 1948-1951, or under the Wheat Industry Stabilization Act 1948-1953 of the Commonwealth of Australia as in force at the time of the delivery or consignment, the wheat shall be deemed to have been delivered to the Australian Wheat Board in pursuance of the Wheat Industry Stabilisation Act, 1948, as amended by subsequent Acts and by this Act.

Amendment
of Act No.
46, 1948.

Title.

Sec. 3.
(Defini-
tions.)

3. (1) The Wheat Industry Stabilisation Act, 1948-1951, is amended—

(a) by omitting from the title the words “stabilisation of the wheat industry” and by inserting in lieu thereof the words “marketing of wheat”;

(b) (i) by omitting from the definition of “the Commonwealth Act” in section three the words “Wheat Industry Stabilization Act 1948” and by inserting in lieu thereof the words “Wheat Marketing Act 1948-1953”;

(ii) by omitting from the same section the definition of “the guaranteed price”;

(c)

Wheat Marketing (Amendment).

- (c) (i) by omitting from paragraph (a) of section nine the words "or otherwise acquire"; Sec. 9.
(Powers of Board.)
- (ii) by inserting next after the same paragraph the following new paragraph:—
- (aa) accept wheat delivered to it in pursuance of this Act;
- (iii) by omitting from paragraph (b) of the same section the words "purchased or otherwise acquired by" and by inserting in lieu thereof the words "the property of";
- (d) by omitting from subsection five of section eleven the words "calculated on the basis of the guaranteed price" and by inserting in lieu thereof the words "as certified by the Board on the basis of the Board's prices, at the time of the offence, for sales of wheat in the State"; Sec. 11.
(Delivery of wheat.)
- (e) (i) by inserting at the end of paragraph (b) of section twelve the word "or"; Sec. 12.
(Unauthorised dealings with wheat.)
- (ii) by inserting next after the same paragraph the following new paragraph:—
- (c) sell, deliver, part with the possession of or take into his possession wheat other than wheat specified in subsection four of section eleven of this Act.
- (iii) by omitting from the same section the words "calculated on the basis of the guaranteed price" and by inserting in lieu thereof the words "as certified by the Board on the basis of the Board's prices, at the time of the offence, for sales of wheat in the State";
- (f) by omitting section thirteen and by inserting in lieu thereof the following sections:— Subst. sec. 13 and new sec. 13A.
Price to be paid for wheat.
13. (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,

Wheat Marketing (Amendment).

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 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)

Wheat Marketing (Amendment).

(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 different seasons 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 Minister administering the Commonwealth Act, make from time to time such advance payments as it considers justified.

(5) In this section "the net proceeds", in relation to the disposal of wheat, means the net return from the disposal of the wheat after paying 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 under subsection five of this section the net proceeds of the disposal of wheat, no account shall be taken of moneys to which section 18A of this Act, or the corresponding provision in the Commonwealth Act or an Act of another State of the Commonwealth, applies, or of costs of the Board payable out of those moneys.

13A. (1) The amount payable under this Act in respect of any wheat shall be 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. ^{Payment by Board.}

(2) The same rights (if any) shall exist against the person receiving an amount paid by the Board under this Act in respect of any wheat

as

Wheat Marketing (Amendment).

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 of competent jurisdiction.

(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 shall discharge the Board from any further liability in respect of those moneys.

(g) by omitting section eighteen and by inserting in lieu thereof the following sections:—

Subst. sec.
18 and new
secs. 18A,
18B.

Home con-
sumption
price of
wheat.

18. (1) The price at which the Board shall, in New South Wales, sell wheat (otherwise than for export from Australia or for the manufacture of goods for export from Australia) during a year shall be the appropriate price ascertained in accordance with this section.

(2) Subject to this section, the price in respect of wholesale sales of bulk wheat of fair average quality free on rails at ports shall be—

(a) the International Wheat Agreement price or, if at the beginning of the year, the International Wheat Agreement is not in operation or Australia has not accepted that Agreement, export parity; or

(b) fourteen shillings per bushel, whichever is the lower.

(3) If the price applicable under subsection two of this section is less than the cost of production, the price, in the case of sales to which that subsection applies, shall, subject to subsection four of this section, be an amount per bushel equal to the cost of production.

(4) The price applicable under either of subsections two and three of this section shall be increased by an amount of one penny half-penny per bushel as a contribution towards the reimbursement of the Board for the costs of shipment of wheat to Tasmania.

(5)

Wheat Marketing (Amendment).

(5) If the Board reports to the Minister administering the Commonwealth Act 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 of the laws of the other States of the Commonwealth of Australia, are more or less than the amounts required to meet the costs of shipment of wheat by the Board to Tasmania, that 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 the case of sales other than sales 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 which 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 which the Minister administering the Commonwealth Act certifies to the Board to be the price which 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 cost of production”, in relation to sales made in a year, means the amount notified to the Board by the Minister administering the Commonwealth Act as being the cost per bushel of the production in Australia of wheat of the
season

Wheat Marketing (Amendment).

season which is current at the beginning of that year, being an amount ascertained by that Minister, after consultation with the Minister for the time being administering this Act and with the appropriate Minister of each of the other States of the Commonwealth of Australia, by taking as a basis the sum of eleven shillings and eleven pence as the cost per bushel of the production in Australia of wheat of the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-three, and making such variation as he considers necessary by reason of variations in the cost of the production of wheat affecting wheat of the first-mentioned season;

“the International Wheat Agreement price”, in relation to sales made in a year, means the price which the Minister administering the Commonwealth Act certifies to the Board to be the price which 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 under the International Wheat Agreement of bulk wheat of fair average quality free on rails at the ports of export;

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

18A. (1) Notwithstanding anything contained in this Act but subject to this section, the Board shall keep a separate account of the moneys received by the Board by reason of the operation of

Special
account for
freight to
Tasmania.

Wheat Marketing (Amendment).

of subsection four of section eighteen 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 of the Commonwealth of Australia.

(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, 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 Minister administering the Commonwealth Act, after consultation with the Minister for the time being administering this Act and with the appropriate Minister of each of the other States of the Commonwealth of Australia, directs.

18B. 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 of the Commonwealth of Australia relating to the marketing of wheat.

Use of
funds by
Board.

(h)

Wheat Marketing (Amendment).

Sec. 23.
(Applica-
tion of
Act.)

(h) by omitting from section twenty-three the word "fifty-three" and by inserting in lieu thereof the word "fifty-six".

(2) Notwithstanding the repeal of section eighteen of the Wheat Industry Stabilisation Act, 1948-1951, effected by paragraph (g) of subsection one of this section, the prices applicable under the said section eighteen immediately before the commencement of this Act shall continue to be applicable to sales made before the first day of December, one thousand nine hundred and fifty-three.

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

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 3rd November, 1953.*

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

H. ROBBINS,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 15 October, 1953.

New South Wales



ANNO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. , 1953.

An Act to make further provision in relation to the marketing of wheat; for that purpose to amend the Wheat Industry Stabilisation Act, 1948-1951; and for purposes connected therewith.

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. (1) This Act may be cited as the "Wheat Marketing (Amendment) Act, 1953".

Short title
and
citation.

Wheat Marketing (Amendment).

(2) The Wheat Industry Stabilisation Act, 1948, as amended by subsequent Acts and by this Act, may be cited as the Wheat Marketing Act, 1948-1953.

2. (1) This Act shall commence upon the day on which
5 the Wheat Marketing Act 1953 of the Commonwealth of Australia comes into operation. Commence-
ment.

(2) The amendments made by paragraphs (b) and (f) of section three of this Act do not apply in relation to wheat of the season that ended on the thirtieth day
10 of September, one thousand nine hundred and fifty-three, or of any previous season.

(3) Where, before the commencement of this Act, wheat harvested after the thirtieth day of September, one thousand nine hundred and fifty-three, was delivered
15 or consigned to a person, firm, company or State Authority who or which was, at the time of the delivery or consignment, a licensed receiver under the Wheat Industry Stabilisation Act, 1948-1951, or under the Wheat Industry Stabilization Act 1948-1953 of the Common-
20 wealth of Australia as in force at the time of the delivery or consignment, the wheat shall be deemed to have been delivered to the Australian Wheat Board in pursuance of the Wheat Industry Stabilisation Act, 1948, as amended by subsequent Acts and by this Act.

25 3. (1) The Wheat Industry Stabilisation Act, 1948-1951, is amended— Amendment
of Act No.
46, 1948.

(a) by omitting from the title the words "stabilisation of the wheat industry" and by inserting in lieu thereof the words "marketing of wheat"; Title.

30 (b) (i) by omitting from the definition of "the Commonwealth Act" in section three the words "Wheat Industry Stabilization Act 1948" and by inserting in lieu thereof the words "Wheat Marketing Act 1948-1953"; Sec. 3.
(Defini-
tions.)

35 (ii) by omitting from the same section the definition of "the guaranteed price";

(c)

Wheat Marketing (Amendment).

- (c) (i) by omitting from paragraph (a) of section Sec. 9.
 nine the words "or otherwise acquire"; (Powers of Board.)
- (ii) by inserting next after the same paragraph
 the following new paragraph:—
- 5 (aa) accept wheat delivered to it in
 pursuance of this Act;
- (iii) by omitting from paragraph (b) of the same
 section the words "purchased or otherwise
 10 acquired by" and by inserting in lieu
 thereof the words "the property of";
- (d) by omitting from subsection five of section Sec. 11.
 eleven the words "calculated on the basis of the (Delivery of wheat.)
 guaranteed price" and by inserting in lieu
 thereof the words "as certified by the Board on
 15 the basis of the Board's prices, at the time of
 the offence, for sales of wheat in the State";
- (e) (i) by inserting at the end of paragraph (b) Sec. 12.
 of section twelve the word "or"; (Unauthorised deal- ings with wheat.)
- 20 (ii) by inserting next after the same paragraph
 the following new paragraph:—
- (c) sell, deliver, part with the possession
 of or take into his possession wheat
 other than wheat specified in sub-
 section four of section eleven of this
 25 Act.
- (iii) by omitting from the same section the words
 "calculated on the basis of the guaranteed
 price" and by inserting in lieu thereof the
 words "as certified by the Board on the
 30 basis of the Board's prices, at the time of
 the offence, for sales of wheat in the
 State";
- (f) by omitting section thirteen and by inserting in Subst. sec. 13 and new sec. 13A.
 lieu thereof the following sections:—
- 35 13. (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,

Wheat Marketing (Amendment).

any, in which the wheat is delivered) an amount determined by the Board in accordance with this section.

5 (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 Minister to have become available for export to places outside Australia; and

20

25 (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.

30

35

(3)

Wheat Marketing (Amendment).

5 (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 different seasons in an equitable manner.

10 (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 Minister administering the Commonwealth Act, make from time to time such advance payments as it considers justified.

15 (5) In this section "the net proceeds", in relation to the disposal of wheat, means the net return from the disposal of the wheat after paying 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).

20 (6) In ascertaining under subsection five of this section the net proceeds of the disposal of wheat, no account shall be taken of moneys to which section 18A of this Act, or the corresponding provision in the Commonwealth Act or an Act of another State of the Commonwealth, applies, or of costs of the Board payable out of those moneys.

25 13A. (1) The amount payable under this Act in respect of any wheat shall be 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.

30 (2) The same rights (if any) shall exist against the person receiving an amount paid by the Board under this Act in respect of any wheat

Payment by Board.

Wheat Marketing (Amendment).

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 of competent jurisdiction.

5 (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 shall discharge the Board from any further liability in respect of those moneys.

10 (g) by omitting section eighteen and by inserting in lieu thereof the following sections:—

Subst. sec. 18 and new secs. 18A, 18B.

15 18. (1) The price at which the Board shall, in New South Wales, sell wheat (otherwise than for export from Australia or for the manufacture of goods for export from Australia) during a year shall be the appropriate price ascertained in accordance with this section.

Home consumption price of wheat.

20 (2) Subject to this section, the price in respect of wholesale sales of bulk wheat of fair average quality free on rails at ports shall be—

25 (a) the International Wheat Agreement price or, if at the beginning of the year, the International Wheat Agreement is not in operation or Australia has not accepted that Agreement, export parity; or

(b) fourteen shillings per bushel, whichever is the lower.

30 (3) If the price applicable under subsection two of this section is less than the cost of production, the price, in the case of sales to which that subsection applies, shall, subject to subsection four of this section, be an amount per bushel equal to the cost of production.

35 (4) The price applicable under either of subsections two and three of this section shall be increased by an amount of one penny half-penny per bushel as a contribution towards the reimbursement of the Board for the costs of shipment of wheat to Tasmania.

40

(5)

Wheat Marketing (Amendment).

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

20 (6) The price, in the case of sales other
than sales 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 which makes a
proper allowance for the quality of the wheat,
the conditions of sale and the place of delivery.

25 (7) In this section—
“export parity”, in relation to sales made
in a year, means the price which the
Minister administering the Common-
wealth Act certifies to the Board to be
30 the price which he is satisfied was the
price (expressed in Australian cur-
rency) per bushel prevailing immedi-
ately before the commencement of that
year for sales by the Board on the
export market of bulk wheat of fair
35 average quality free on rails at the
ports of export;
“the cost of production”, in relation to
sales made in a year, means the amount
40 notified to the Board by the Minister
administering the Commonwealth Act
as being the cost per bushel of the
production in Australia of wheat of the
season

Wheat Marketing (Amendment).

5 season which is current at the beginning
of that year, being an amount ascer-
tained by that Minister, after consulta-
tion with the Minister for the time being
administering this Act and with the
appropriate Minister of each of the
other States of the Commonwealth of
Australia, by taking as a basis the sum
of eleven shillings and eleven pence as
10 the cost per bushel of the production
in Australia of wheat of the season that
ended on the thirtieth day of Septem-
ber, one thousand nine hundred and
fifty-three, and making such variation
15 as he considers necessary by reason of
variations in the cost of the production
of wheat affecting wheat of the first-
mentioned season;

20 “the International Wheat Agreement
price”, in relation to sales made in a
year, means the price which the
Minister administering the Common-
wealth Act certifies to the Board to be
the price which he is satisfied was the
25 price (expressed in Australian cur-
rency) per bushel prevailing immedi-
ately before the commencement of that
year for sales by the Board under the
International Wheat Agreement of bulk
30 wheat of fair average quality free on
rails at the ports of export;

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

18A. (1) Notwithstanding anything contained
in this Act but subject to this section, the Board
shall keep a separate account of the moneys
received by the Board by reason of the operation
40 of
Special
account for
freight to
Tasmania.

Wheat Marketing (Amendment).

of subsection four of section eighteen 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
10 under the law of another State or States of the Commonwealth of Australia.

 (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, and shall not use for that
15 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 Minister administering the Commonwealth Act, after
20 consultation with the Minister for the time being administering this Act and with the appropriate Minister of each of the other States of the Commonwealth of Australia, directs.

30 18B. 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
35 the exercise of its functions under this Act for the purposes of the Commonwealth Act or an Act of another State of the Commonwealth of Australia relating to the marketing of wheat.

Use of funds by Board.

Wheat Marketing (Amendment).

(h) by omitting from section twenty-three the word
“fifty-three” and by inserting in lieu thereof
the word “fifty-six”.

Sec. 23.
(Applica-
tion of
Act.)

(2) Notwithstanding the repeal of section eighteen
5 of the Wheat Industry Stabilisation Act, 1948-1951,
effected by paragraph (g) of subsection one of this
section, the prices applicable under the said section
eighteen immediately before the commencement of this
Act shall continue to be applicable to sales made before
10 the first day of December, one thousand nine hundred
and fifty-three.

[1s.]

Sydney: A. H. Pettifer, Government Printer—1953.

WHEAT MARKETING (AMENDMENT) BILL, 1953.

EXPLANATORY NOTE.

THE object of this Bill is to amend the Wheat Industry Stabilisation Act, 1948-1951—

- (a) to extend the provisions of that Act to the marketing of wheat harvested between 1st October, 1953, and 30th September, 1956;
- (b) by inserting a new provision with respect to the price at which the Australian Wheat Board shall sell wheat in New South Wales;
- (c) by inserting a provision as to the basis upon which wheatgrowers shall be paid for wheat delivered to the Australian Wheat Board; and
- (d) in other minor respects.

1932

THE UNIVERSITY OF CHICAGO
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BY
J. H. VAN VLECK
AND
R. W. WILSON
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PROOF

No. , 1953.

A BILL

To make further provision in relation to the marketing of wheat; for that purpose to amend the Wheat Industry Stabilisation Act, 1948-1951; and for purposes connected therewith.

[MR. GRAHAM;—14 October, 1953.]

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. (1) This Act may be cited as the "Wheat Marketing (Amendment) Act, 1953".

Short title
and
citation.

57365 53—A

(2)

Wheat Marketing (Amendment).

(2) The Wheat Industry Stabilisation Act, 1948, as amended by subsequent Acts and by this Act, may be cited as the Wheat Marketing Act, 1948-1953.

2. (1) This Act shall commence upon the day on which
5 the Wheat Marketing Act 1953 of the Commonwealth of Australia comes into operation. Commence-
ment.

(2) The amendments made by paragraphs (b) and (f) of section three of this Act do not apply in relation to wheat of the season that ended on the thirtieth day
10 of September, one thousand nine hundred and fifty-three, or of any previous season.

(3) Where, before the commencement of this Act, wheat harvested after the thirtieth day of September, one thousand nine hundred and fifty-three, was delivered
15 or consigned to a person, firm, company or State Authority who or which was, at the time of the delivery or consignment, a licensed receiver under the Wheat Industry Stabilisation Act, 1948-1951, or under the Wheat Industry Stabilization Act 1948-1953 of the Common-
20 wealth of Australia as in force at the time of the delivery or consignment, the wheat shall be deemed to have been delivered to the Australian Wheat Board in pursuance of the Wheat Industry Stabilisation Act, 1948, as amended by subsequent Acts and by this Act.

25 3. (1) The Wheat Industry Stabilisation Act, 1948-1951, is amended— Amendment
of Act No.
46, 1948.

(a) by omitting from the title the words "stabilisation of the wheat industry" and by inserting
in lieu thereof the words "marketing of wheat"; Title.

30 (b) (i) by omitting from the definition of "the Commonwealth Act" in section three the words "Wheat Industry Stabilization Act 1948" and by inserting in lieu thereof the words "Wheat Marketing Act 1948-1953"; Sec. 3.
(Defini-
tions.)

35 (ii) by omitting from the same section the definition of "the guaranteed price";

(c)

Wheat Marketing (Amendment).

- (c) (i) by omitting from paragraph (a) of section nine the words "or otherwise acquire"; Sec. 9.
(Powers of Board.)
- (ii) by inserting next after the same paragraph the following new paragraph:—
- 5 (aa) accept wheat delivered to it in pursuance of this Act;
- (iii) by omitting from paragraph (b) of the same section the words "purchased or otherwise acquired by" and by inserting in lieu thereof the words "the property of";
- 10 (d) by omitting from subsection five of section eleven the words "calculated on the basis of the guaranteed price" and by inserting in lieu thereof the words "as certified by the Board on the basis of the Board's prices, at the time of the offence, for sales of wheat in the State"; Sec. 11.
(Delivery of wheat.)
- 15 (e) (i) by inserting at the end of paragraph (b) of section twelve the word "or"; Sec. 12.
(Unauthorised dealings with wheat.)
- (ii) by inserting next after the same paragraph the following new paragraph:—
- 20 (c) sell, deliver, part with the possession of or take into his possession wheat other than wheat specified in subsection four of section eleven of this Act.
- 25 (iii) by omitting from the same section the words "calculated on the basis of the guaranteed price" and by inserting in lieu thereof the words "as certified by the Board on the basis of the Board's prices, at the time of the offence, for sales of wheat in the State";
- 30 (f) by omitting section thirteen and by inserting in lieu thereof the following sections:— Subst. sec. 13 and new sec. 13A.
- 35 13. (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, Price to be paid for wheat.

Wheat Marketing (Amendment).

any, in which the wheat is delivered) an amount determined by the Board in accordance with this section.

5 (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 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 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)

Wheat Marketing (Amendment).

5 (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 different seasons in an equitable manner.

10 (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 Minister administering the Commonwealth Act, make from time to time such advance payments as it
15 considers justified.

20 (5) In this section "the net proceeds", in relation to the disposal of wheat, means the net return from the disposal of the wheat after paying 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).

25 (6) In ascertaining under subsection five of this section the net proceeds of the disposal of wheat, no account shall be taken of moneys to which section 18A of this Act, or the corresponding provision in the Commonwealth Act or an Act of another State of the Commonwealth, applies, or of costs of the Board payable out of
30 those moneys.

35 13A. (1) The amount payable under this Act in respect of any wheat shall be 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. Payment by Board.

40 (2) The same rights (if any) shall exist against the person receiving an amount paid by the Board under this Act in respect of any wheat
as

Wheat Marketing (Amendment).

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 of competent jurisdiction.

5 (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 shall discharge the Board from any further liability in respect of those moneys.

10 (g) by omitting section eighteen and by inserting in lieu thereof the following sections:—

Subst. sec.
18 and new
secs. 18A,
18B.

15 18. (1) The price at which the Board shall, in New South Wales, sell wheat (otherwise than for export from Australia or for the manufacture of goods for export from Australia) during a year shall be the appropriate price ascertained in accordance with this section.

Home con-
sumption
price of
wheat.

20 (2) Subject to this section, the price in respect of wholesale sales of bulk wheat or fair average quality free on rails at ports shall be—

25 (a) the International Wheat Agreement price or, if at the beginning of the year, the International Wheat Agreement is not in operation or Australia has not accepted that Agreement, export parity; or

(b) fourteen shillings per bushel, whichever is the lower.

30 (3) If the price applicable under subsection two of this section is less than the cost of production, the price, in the case of sales to which that subsection applies, shall, subject to subsection four of this section, be an amount per bushel equal to the cost of production.

35 (4) The price applicable under either of subsections two and three of this section shall be increased by an amount of one penny half-penny per bushel as a contribution towards the reimbursement of the Board for the costs of shipment of wheat to Tasmania. . (5)

40

Wheat Marketing (Amendment).

5 (5) If the Board reports to the Minister
administering the Commonwealth Act 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 Common-
wealth Act and of the laws of the other States
10 of the Commonwealth of Australia, are more or
less than the amounts required to meet the costs
of shipment of wheat by the Board to Tasmania,
that 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.

15 (6) The price, in the case of sales other
than sales 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 which makes a
20 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
25 in a year, means the price which the
Minister administering the Common-
wealth Act certifies to the Board to be
the price which he is satisfied was the
price (expressed in Australian cur-
30 rency) per bushel prevailing immedi-
ately 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;

35 “the cost of production”, in relation to
sales made in a year, means the amount
notified to the Board by the Minister
administering the Commonwealth Act
40 as being the cost per bushel of the
production in Australia of wheat of the
season

Wheat Marketing (Amendment).

5 season which is current at the beginning
of that year, being an amount ascer-
tained by that Minister, after consulta-
tion with the Minister for the time being
administering this Act and with the
appropriate Minister of each of the
10 other States of the Commonwealth of
Australia, by taking as a basis the sum
of eleven shillings and eleven pence as
the cost per bushel of the production
in Australia of wheat of the season that
ended on the thirtieth day of Septem-
ber, one thousand nine hundred and
15 fifty-three, and making such variation
as he considers necessary by reason of
variations in the cost of the production
of wheat affecting wheat of the first-
mentioned season;

20 “the International Wheat Agreement
price”, in relation to sales made in a
year, means the price which the
Minister administering the Common-
wealth Act certifies to the Board to be
the price which he is satisfied was the
25 price (expressed in Australian cur-
rency) per bushel prevailing immedi-
ately before the commencement of that
year for sales by the Board under the
International Wheat Agreement of bulk
30 wheat of fair average quality free on
rails at the ports of export;

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

18A. (1) Notwithstanding anything contained
in this Act but subject to this section, the Board
shall keep a separate account of the moneys
40 received by the Board by reason of the operation
of
Special
account for
freight to
Tasmania.

Wheat Marketing (Amendment).

of subsection four of section eighteen 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
10 under the law of another State or States of the
Commonwealth of Australia.

 (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, and shall not use for that
15 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 subsec-
20 tion 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 Minister
25 administering the Commonwealth Act, after
consultation with the Minister for the time being
administering this Act and with the appropriate
Minister of each of the other States of the
Commonwealth of Australia, directs.

30 18B. 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
35 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 of the Commonwealth of
Australia relating to the marketing of wheat.

Use of
funds by
Board.

Wheat Marketing (Amendment).

(h) by omitting from section twenty-three the word "fifty-three" and by inserting in lieu thereof the word "fifty-six".

Sec. 23.
(Applica-
tion of
Act.)

(2) Notwithstanding the repeal of section eighteen
5 of the Wheat Industry Stabilisation Act, 1948-1951,
effected by paragraph (g) of subsection one of this
section, the prices applicable under the said section
eighteen immediately before the commencement of this
Act shall continue to be applicable to sales made before
10 the first day of December, one thousand nine hundred
and fifty-three.