

GRAIN HANDLING (AMENDMENT) BILL 1987

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Grain Handling Act 1954 so as—

- (a) to remove provisions requiring the Grain Handling Authority to give preference to wheat; and
- (b) to require the Authority to handle all kinds of grains on an equitable basis.

Clause 1 specifies the short title of the proposed Act.

Clause 2 is a formal provision that gives effect to the Schedule of amendments.

Schedule 1 (1) amends section 12 of the Principal Act (general powers of Authority) by omitting subsection (3) and substituting new subsections (3) and (4).

The new section 12 (3) re-enacts the old subsection (3), but without words requiring the Authority to give preference to wheat as opposed to other grains.

The new section 12 (4) requires the Authority to exercise its functions in relation to all grains on an equitable basis. It is recognised that there may be circumstances in which it will not be possible to deal with all grains equally, and for this reason the new subsection (4) includes a provision that the requirement is to be observed to the extent that it is reasonably practicable to do so having regard to the Authority's resources, facilities and commitments.

Grain Handling (Amendment) 1987

Schedule 1 (2) amends section 23 of the Principal Act (contracts) by removing words that also indicate that the Authority is to give preference to wheat.

GRAIN HANDLING (AMENDMENT) BILL 1987

NEW SOUTH WALES



TABLE OF PROVISIONS

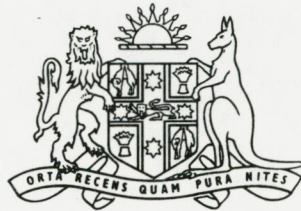
1. Short title
2. Amendment of Act No. 36, 1954

SCHEDULE 1—AMENDMENTS TO THE GRAIN HANDLING ACT 1954



GRAIN HANDLING (AMENDMENT) BILL 1987

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend the Grain Handling Act 1954 with respect to the functions of the Grain Handling Authority of New South Wales in relation to wheat and other grains.

Grain Handling (Amendment) 1987

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:

5 Short title

1. This Act may be cited as the "Grain Handling (Amendment) Act 1987".

Amendment of Act No. 36, 1954

2. The Grain Handling Act 1954 is amended in the manner set forth in
10 Schedule 1.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE GRAIN HANDLING ACT 1954

(1) Section 12 (**General powers of Authority**)—

15 Section 12 (3), (4)—

Omit section 12 (3), insert instead:

(3) The Authority shall, in the exercise of its functions in relation to grains other than wheat, have the same objectives as it has under subsection (2) in relation to wheat.

20 (4) The Authority shall, to the extent that it is reasonably practicable to do so having regard to its resources, facilities and commitments, exercise its functions under this Act in relation to the various kinds of grains on an equitable basis.

(2) Section 23 (**Contracts**)—

25 Section 23 (1A)—

Omit " , subject to this Act and so as not to prejudice the exercise of the functions otherwise imposed upon it by this Act,".





GRAIN HANDLING (AMENDMENT) ACT 1987 No. 65

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Amendment of Act No. 36, 1954

SCHEDULE 1—AMENDMENTS TO THE GRAIN HANDLING ACT 1954

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GRAIN HANDLING (AMENDMENT) ACT 1987 No. 65

NEW SOUTH WALES



Act No. 65, 1987

An Act to amend the Grain Handling Act 1954 with respect to the functions of the Grain Handling Authority of New South Wales in relation to wheat and other grains. [Assented to 3 June 1987]

Grain Handling (Amendment) 1987

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:

Short title

1. This Act may be cited as the "Grain Handling (Amendment) Act 1987".

Amendment of Act No. 36, 1954

2. The Grain Handling Act 1954 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE GRAIN HANDLING ACT 1954

(1) Section 12 (General powers of Authority)—

Section 12 (3), (4)—

Omit section 12 (3), insert instead:

(3) The Authority shall, in the exercise of its functions in relation to grains other than wheat, have the same objectives as it has under subsection (2) in relation to wheat.

(4) The Authority shall, to the extent that it is reasonably practicable to do so having regard to its resources, facilities and commitments, exercise its functions under this Act in relation to the various kinds of grains on an equitable basis.

Grain Handling (Amendment) 1987

SCHEDULE 1—*continued*

AMENDMENTS TO THE GRAIN HANDLING ACT 1954—*continued*

(2) Section 23 (**Contracts**)—

Section 23 (1A)—

Omit “, subject to this Act and so as not to prejudice the exercise of the functions otherwise imposed upon it by this Act,”.

