

DRIED VINE FRUITS STABILIZATION AMENDMENT ACT 1978

No. 135 of 1978

An Act to amend the *Dried Vine Fruits Stabilization Act 1971*.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

1. (1) This Act may be cited as the *Dried Vine Fruits Stabilization Amendment Act 1978*.¹ Short title,
&c.
- (2) The *Dried Vine Fruits Stabilization Act 1971*² is in this Act referred to as the Principal Act.
2. This Act shall come into operation on the day on which it receives the Royal Assent.¹ Commence-
ment
3. Section 5 of the Principal Act is amended— Dried fruit to
which Act
applies
 - (a) by omitting “This Act” and substituting “(1) Subject to sub-section (2), this Act”; and
 - (b) by adding at the end thereof the following sub-section:

“(2) This Act does not apply to currants or raisins received for packing during a season commencing on or after 1 January 1978.”
4. Section 6 of the Principal Act is amended by omitting from sub-section (1) “five succeeding seasons” and substituting “5 succeeding seasons and in relation to the season that commenced on 1 January 1978 and to each of the next 2 succeeding seasons”. Seasons to
which Act
applies
5. Section 10 of the Principal Act is amended— Base price
 - (a) by inserting after sub-section (1) the following sub-section:

“(1A) The base price in respect of sultanas for the season that commenced 1 January 1978 is \$515 per tonne.”; and
 - (b) by omitting from sub-section (2) “the season referred to in the last preceding sub-section” and substituting “a season referred to in sub-section (1) or (1A)”.
6. Section 14 of the Principal Act is amended— Rate of
stabilization
payment
 - (a) by inserting in the definition of “the Commonwealth limit” in sub-section (1) “that commenced before 1 January 1978” after “season”;

- (b) by adding at the end of the definition of “the Commonwealth limit” in sub-section (1)—
 - “, and, in relation to dried fruit received for packing during any other season—
 - (c) where the specified factor in relation to that dried fruit is less than one—an amount equal to the product of \$25 and the specified factor; or
 - (d) in any other case—\$25”;
- (c) by inserting in paragraph (b) of the definition of “maximum quantity” in sub-section (1) “received for packing during a season that commenced before 1 January 1978” after “sultanas”; and
- (d) by inserting after paragraph (b) in the definition of “maximum quantity” in sub-section (1) the following paragraph:
 - “(ba) in relation to sultanas received for packing during the season that commenced on 1 January 1978 or during either of the next 2 succeeding seasons—60,000 tonnes.”.

Refund from
stabilization
funds

7. Section 22 of the Principal Act is amended—

- (a) by omitting sub-section (3) and substituting the following sub-section:
 - “(3) Where the making of a repayment to the Consolidated Revenue Fund out of a stabilization fund would permit the rate of a stabilization payment payable out of the stabilization fund to exceed—
 - (a) in relation to a season that commenced before 1 January 1978—\$23 per tonne; or
 - (b) in relation to the season that commenced on 1 January 1978 or either of the next 2 succeeding seasons—\$25 per tonne,

the Minister shall make that repayment.”;
- (b) by inserting after sub-section (4) the following sub-section:
 - “(4A) Sub-section (4) applies in relation to the Currants Stabilization Fund and the Raisins Stabilization Fund as if the last season to which this Act applies were the season that commenced on 1 January 1976.”; and
- (c) by inserting after sub-section (5) the following sub-section:
 - “(5A) For the purposes of the application of sub-section (5) in relation to the making of payments out of a stabilization fund after the date of commencement of this sub-section, any moneys paid into that fund before that date shall be disregarded.”.

8. The Principal Act is amended as set out in the Schedule.

Formal
amendments

SCHEDULE

Section 8

FORMAL AMENDMENTS

Provision	Amendment
Sub-section 6 (2)	Omit "twelve", substitute "12".
Sub-section 14 (1) (definition of "the maximum quantity")	(a) Omit "Thirteen thousand five hundred", substitute "13,500". (b) Omit "Seventy-five thousand", substitute "75,000". (c) Omit "Eleven thousand", substitute "11,000".
Sub-section 27 (1)	Omit "six" (wherever occurring), substitute "6".
Sub-section 27 (2)	Omit "three", substitute "3".

NOTES

1. Act No. 135, 1978; assented to 11 November 1978.
2. Act No. 133, 1971, as amended. For previous amendment *see* Act No. 12, 1976.