



Beef Industry (Incentive Payments) Amendment Act 1981

No. 49 of 1981

An Act to amend the *Beef Industry (Incentive Payments) Act 1977*

[Assented to 25 May 1981]

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

Short title, &c.

1. (1) This Act may be cited as the *Beef Industry (Incentive Payments) Amendment Act 1981*.

(2) The *Beef Industry (Incentive Payments) Act 1977*¹ is in this Act referred to as the Principal Act.

Commencement

2. (1) Subject to sub-section (2), this Act shall come into operation on the day on which it receives the Royal Assent.

(2) Sub-section 3 (1) shall be deemed to have come into operation on 10 November 1977.

3. (1) After section 9 of the Principal Act the following section is inserted:

“Payments to be calculated so as to maximize benefits

“9A. If, but for this section, the total of the amounts of 2 or more incentive payments payable under this Act would vary according to the order in which the payments are made, the payments shall be made in such order as would maximize the total of the amounts of those payments.”.

(2) Where a person had, before the commencement of this section, been paid an incentive payment the amount of which, or incentive payments the sum of the amounts of which, is less than the amount or sum (in this sub-section referred to as “his full entitlement”) that he would have received if all incentive payments made under the Principal Act before the commencement of this section had been made in accordance with that Act as amended by this Act, there is payable to that person under that Act as so amended such further incentive payment or incentive payments as will, when aggregated with the amount or sum previously paid to him, be equal to his full entitlement.

(3) Notwithstanding the amendment made by sub-section (1), where, before the commencement of this section, there was duly paid to a person, in accordance with the Principal Act, an incentive payment the amount of which, or incentive payments the sum of the amounts of which, is greater than the amount or sum that that person would have been entitled to receive if section 9A of the Principal Act as amended by this Act had been in force when the payment was or payments were made, the payment or payments shall be deemed to have been lawfully made.

NOTE

1. No. 155, 1977.