



Wheat Marketing Amendment Act 1984

No. 142 of 1984

An Act to amend the *Wheat Marketing Act 1979*

[Assented to 25 October 1984]

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 *Wheat Marketing Amendment Act 1984*.

(2) The *Wheat Marketing Act 1979*¹ is in this Act referred to as the Principal Act.

Commencement

2. This Act shall be deemed to have come into operation immediately before the *Wheat Marketing Act 1984* comes into operation.

Net pool return

3. Section 9 of the Principal Act is amended—

(a) by omitting from paragraph (3) (g) “and”; and

- (b) by adding at the end of sub-section (3) the following word and paragraph:

“; and (j) any amount payable to the Board by a person under sub-section 22A (4) or the corresponding provision of a State Act that should, in the opinion of the Board, having regard to whether or not that amount may reasonably be recovered by action taken under sub-section 22A (5) or (6) or a corresponding provision of a State Act, be written off by the Board as a bad debt in relation to that season shall be deemed to be a cost referred to in sub-section (2) of this section.”.

Net pool return rate

4. Section 10 of the Principal Act is amended by omitting sub-section (1) and substituting the following sub-section:

“(1) For the purposes of this Act, the Minister shall determine the net pool return rate for wheat of a season acquired by the Board by—

- (a) adding to the net pool return for that wheat the amount of all allowances referred to in sub-section 21 (2) or the corresponding provision of a State Act as finally ascertained by the Board in respect of the quality of so much of that wheat as is inferior to Australian standard white wheat;
- (b) deducting from the amount calculated under paragraph (a) the amount of all allowances referred to in sub-section 21 (2) or the corresponding provision of a State Act as finally ascertained by the Board in respect of the quality of so much of that wheat as is superior to Australian standard white wheat; and
- (c) dividing the amount calculated under paragraph (b) by the total number of tonnes of that wheat.”.

Adjustments for allowances made under section 21

5. Section 22A of the Principal Act is amended by omitting sub-section (5) and substituting the following sub-section:

“(5) The Board may deduct the whole or a part of an amount payable (including an amount that became payable before the commencement of this sub-section) by a person to the Board under sub-section (4) from an amount payable by the Board to the person under section 22 or a corresponding provision of a State Act.”.

Application of excess moneys in Fund

6. Section 43 of the Principal Act is amended—

- (a) by omitting sub-sections (1) and (2) and substituting the following sub-sections:

“(1) All moneys standing to the credit of the Fund shall, as soon as practicable after 30 June 1985, be paid to the Board out of the Fund.

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“(2) Where, at a time before all the moneys standing to the credit of the Fund are paid to the Board under sub-section (1), those moneys exceed \$100,000,000, the excess shall be paid to the Board out of the Fund.”; and

(b) by omitting sub-section (6).

Payment to Board where guaranteed minimum price exceeds net pool return rate

7. Section 49 of the Principal Act is amended by omitting sub-section (1) and substituting the following sub-section:

“(1) Where the guaranteed minimum price for wheat of a season exceeds the net pool return rate for wheat of that season, there is payable to the Board an amount equal to the amount obtained by multiplying the amount of that excess by the number of tonnes of wheat of that season acquired by the Board (whether under this Act or a State Act).”.

NOTE

1. No. 166, 1979, as amended. For previous amendments, see Nos. 48 and 150, 1982; and No. 24, 1983.