



ANNO VICESIMO SECUNDO

**ELIZABETHAE II REGINAE**

A.D. 1973

\*\*\*\*\*

**No. 81 of 1973**

**An Act to amend the Wheat Delivery Quotas Act, 1969,  
as amended.**

*[Assented to 6th December, 1973]*

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

**Short titles.**

1. (1) This Act may be cited as the "Wheat Delivery Quotas Act Amendment Act, 1973".

(2) The Wheat Delivery Quotas Act, 1969-1972, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Wheat Delivery Quotas Act, 1969-1973".

**Commence-  
ment.**

2. This Act shall come into operation on a day to be fixed by proclamation.

**Amendment of  
principal Act,  
s. 3—  
Arrangement  
of Act.**

3. Section 3 of the principal Act is amended by striking out from the heading relating to Division 2 of Part II the figures and letter "25d" and inserting in lieu thereof the figures and letter "25e".

**Amendment of  
principal Act,  
s. 19—  
Application for  
a wheat  
delivery quota.**

4. Section 19 of the principal Act is amended—

(a) by striking out from paragraph (e) of subsection (2) the passage "(expressed in bushels)";

and

(b) by inserting in subsection (3) after the passage "of this section" the passage "or an application referred to in subsection (2) of section 24g of this Act".

5. The following section is enacted and inserted in the principal Act immediately after section 22 thereof:—

Enactment of  
s. 22a of  
principal Act—

22a. (1) The owner of any production unit, in respect of which, but for this section, a wheat delivery quota could, pursuant to this Act, be allocated in relation to a quota season may, by notice in writing to the Advisory Committee, indicate that he does not desire to have such a wheat delivery quota so allocated.

Owner may  
request that  
wheat delivery  
quotas be not  
allocated for  
quota season.

(2) On receipt of a notice under subsection (1) of this section the Advisory Committee shall—

(a) if a wheat delivery quota has already been allocated in respect of the production unit referred to in the notice for the quota season, cancel that wheat delivery quota;

or

(b) in any other case, not allocate a wheat delivery quota in respect of that production unit for that quota season.

(3) Nothing in the preceding provisions of this section shall affect the allocation of a wheat delivery quota in respect of a production unit, the subject of a notice under subsection (1) of this section, in relation to any quota season succeeding a quota season referred to in such a notice.

6. The following section is enacted and inserted in the principal Act immediately after section 24f thereof:—

Enactment of  
s. 24g of  
principal Act—

24g. (1) This section applies to a production unit—

Special nominal  
quota.

(a) for which a nominal quota had not been established before the commencement of the Wheat Delivery Quotas Act Amendment Act, 1973;

(b) from which no wheat had been produced and delivered to a licensed receiver during any season comprised in the prescribed period;

and

(c) from which wheat had been produced and delivered to a licensed receiver during two or more of the ten consecutive seasons concluding on the thirtieth day of September, 1964.

(2) The owner of a production unit to which this section applies may, at any time before the thirtieth day of September, 1974, or such later day as is determined by the Advisory Committee, make application, in a form approved of by the Advisory Committee, to that Committee for the establishment of a special nominal quota for that production unit.

(3) On receipt of an application under and in accordance with subsection (2) of this section the Advisory Committee may, subject to subsection (4) of this section, establish a special nominal quota for the production unit, the subject of the application, in respect of a quota season.

(4) A special nominal quota established under this section shall not exceed an amount ascertained by reference to the following formula—

$$Q = \frac{A}{3} \times HA$$

or an amount of 109 tonnes whichever is the lesser amount where—

Q = the special nominal quota expressed in tonnes:

A = is the number of arable hectares as determined by the Advisory Committee comprised in the production unit:

HA = is a figure, expressed in tonnes, as representing, in the opinion of the Advisory Committee, the average production of wheat per hectare in the Hundred within which the production unit, or half or more of the production unit, is situated.

(5) A special nominal quota established for a production unit under this section shall in relation to the quota season in respect of which it is established and in relation to each succeeding quota season have effect for all purposes as if it were a nominal quota established for that production unit under section 24a of this Act.

Enactment of  
s. 25e of  
principal Act—

Transfer of  
quotas.

7. The following section is enacted and inserted in Division 2 of Part II of the principal Act immediately after section 25d thereof:—

25e. (1) In this section—

“prescribed production unit” means a production unit in respect of which the Advisory Committee is satisfied that—

(a) at the time an application under this section was made no wheat, delivered from that production unit in respect of any quota season prior to the relevant season, was regarded as over quota wheat;

and

(b) no wheat that will be delivered from that production unit in respect of the relevant season will be regarded as over quota wheat:

“relevant season” means the quota season in relation to which an application under this section is made.

(2) The holder of a wheat delivery quota in respect of a prescribed production unit may, in relation to a quota season, make application, in a form approved of by the Advisory Committee to that Committee to transfer all or part of that wheat delivery quota to the holder of another wheat delivery quota.

(3) On receipt of an application under and in accordance with subsection (2) of this section the Advisory Committee may approve that application.

(4) Where the Advisory Committee approves an application under this section the Advisory Committee shall take such steps as are necessary to adjust the wheat delivery quotas, in respect of the relevant season, affected by increasing or decreasing the amounts represented by those quotas so as to reflect the transfer.

(5) Upon the adjustment referred to in subsection (4) of this section the wheat delivery quotas as so adjusted shall, except as is provided by subsection (8) of section 49 of this Act, be deemed to be the wheat delivery quotas allocated pursuant to this Act, in respect of the relevant season, in respect of the production units to which they are expressed to relate.

8. Section 49 of the principal Act is amended by inserting immediately after subsection (7) the following subsection:—

Amendment of  
principal Act,  
s. 49—  
Short falls.

(8) In the application of this section to a wheat delivery quota that has in consequence of a transfer pursuant to section 25e of this Act been increased, where the amount of wheat delivered against that quota is less than the amount by which that wheat delivery quota was so increased, the difference between the amount so delivered and the amount by which the wheat delivery quota was so increased shall not be taken into account in determining the amount of any short fall under this section.

9. Section 54b of the principal Act is amended by striking out from paragraph (b) of subsection (3) the passage “due in” and inserting in lieu thereof the word “during”.

Amendment of  
principal Act,  
s. 54b—  
Hard wheat  
allowances.

In the name and on behalf of Her Majesty, I hereby assent  
to this Bill.

M. L. OLIPHANT, Governor