

SOUTH AUSTRALIA

DAIRY INDUSTRY ASSISTANCE (SPECIAL PROVISIONS) ACT, 1978

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DAIRY INDUSTRY ASSISTANCE (SPECIAL PROVISIONS) ACT, 1978

being

Dairy Industry Assistance (Special Provisions) Act, 1978,
No. 16 of 1978 [Assented to 23 March 1978]¹

¹ Act not yet in operation.

2.

An Act to facilitate provision of financial assistance to certain sections of the dairy industry and for other purposes.

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

PART I

PRELIMINARY

Short title

1. This Act may be cited as the *Dairy Industry Assistance (Special Provisions) Act, 1978*.

Commencement

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

Interpretation

3. In this Act, unless the contrary intention appears—

"Commonwealth Grants Moneys" means moneys granted by way of financial assistance to the State by the Parliament of the Commonwealth under section 96 of the *Constitution of the Commonwealth of Australia*:

"proclaimed dairy factory" means a dairy factory, or a dairy factory of a class or kind, declared to be a proclaimed dairy factory under section 6 of this Act:

"proclaimed dairy producer" means a dairy producer, or a dairy producer of a class or kind, declared to be a proclaimed dairy producer under section 7 of this Act.

Arrangement of Act

4. This Act is arranged as follows:—

PART I—PRELIMINARY

PART II—ASSISTANCE TO PROCLAIMED DAIRY FACTORIES

PART III—ASSISTANCE TO PROCLAIMED DAIRY PRODUCERS

PART IV—MISCELLANEOUS.

Treasurer may act as agent of the Commonwealth

5. The Treasurer is hereby authorized on behalf of the Government of the State to enter into and do all things necessary to carry out and give effect to any agreement with the Government of the Commonwealth to enable the Government of the State to perform, on behalf of the Government of the Commonwealth, any act in relation to the collection or receipt of any tax or levy that may be imposed on any section of the dairy industry by an Act of the Parliament of the Commonwealth.

3.

PART II

ASSISTANCE TO PROCLAIMED DAIRY FACTORIES

Treasurer may give grants to proclaimed dairy factories

6. (1) The Treasurer may, out of any Commonwealth Grants Moneys available to him for the purpose, make such grants to proclaimed dairy factories as are recommended to him in accordance with subsection (2) of this section.

(2) The Minister may recommend to the Treasurer that, out of any Commonwealth Grants Moneys available to him for the purpose, he make such grants to proclaimed dairy factories as are specified in the recommendation.

(3) The Minister shall so exercise his powers under subsection (2) of this section as to ensure that each proclaimed dairy factory receives an equitable share of the moneys available for the purpose.

(4) For the purposes of this section, the Governor may, by proclamation, declare any dairy factory, or dairy factory of a class or kind, to be a proclaimed dairy factory and may, by subsequent proclamation, vary or revoke such proclamation.

4.

PART III

ASSISTANCE TO PROCLAIMED DAIRY PRODUCERS

Treasurer may give grants to proclaimed dairy producers

7. (1) The Treasurer may, out of any Commonwealth Grants Moneys available to him for the purpose, make such grants to proclaimed dairy producers as are recommended to him in accordance with subsection (2) of this section.

(2) The Minister may recommend to the Treasurer that, out of any Commonwealth Grants Moneys available to him for the purpose, he make such grants to proclaimed dairy producers as are specified in the recommendation.

(3) For the purpose of the exercise of his powers under subsection (2) of this section the Minister may, if he considers it necessary or desirable so to do, establish a system in the prescribed manner and form for the allocation to proclaimed dairy producers of entitlements to grants under this section.

(4) For the purposes of this section and section 9 of this Act, the Governor may, by proclamation, declare any dairy producer, or dairy producer of a class or kind, to be a proclaimed dairy producer and may, by subsequent proclamation, vary or revoke such proclamation.

PART IV

MISCELLANEOUS

Offences

8. Proceedings for offences against this Act shall be disposed of summarily.

Regulations

9. (1) The Governor may make such regulations as are necessary or expedient for the purposes of giving effect to the provisions or objects of this Act.

(2) Without limiting the generality of the provisions of subsection (1) of this section, the regulations may—

- (a) establish the total number of grant entitlements that will be available for allocation to proclaimed dairy producers in the State;
- (b) create an authority and charge it with the responsibility of allocating grant entitlements to proclaimed dairy producers;
- (c) provide for and prescribe criteria for the allocation of grant entitlements to proclaimed dairy producers;
- (d) provide for a system of appeals against decisions of the allocating authority;
- (e) provide for and prescribe penalties, in each case, not exceeding five hundred dollars for contravention of or failure to comply with any regulation.