

STOCK FOODS ACT AMENDMENT ACT, 1972¹

being

Stock Foods Act Amendment Act, 1972, No. 75 of 1972 [Assented to 21st September, 1972]¹.

An Act to amend the Stock Foods Act, 1941-1948, as amended by the Stock Licks Act Repeal Act, 1956.

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

1. (1) This Act may be cited as the "Stock Foods Act Amendment Act, 1972". Short titles.

(2) The Stock Foods Act, 1941-1948, as amended by the Stock Licks Act Repeal Act, 1956, and by this Act, may be cited as the "Stock Foods Act, 1941-1972".

(3) The Stock Foods Act, 1941-1948, as amended by the Stock Licks Act Repeal Act, 1956, is hereinafter referred to as "the principal Act".

2. This Act shall come into operation on a day to be fixed by proclamation¹. Commencement.

3. Section 3 of the principal Act is amended—

Amendment of
principal Act,
s. 3—

(a) by striking out the word "and" immediately following paragraph (a) of the definition of "manufactured stock food"; Interpretation.

(b) by striking out paragraph (b) from the definition of "manufactured stock food";

and

(c) by inserting after the definition of "package" the following definition:—

"seed grain" means any grain that has been treated with a prescribed substance or treated in a prescribed manner for the purposes of enhancing its use as seed.

4. Section 7 of the principal Act is amended—

Amendment of
principal Act,
s. 7—

(a) by inserting in subsection (1) immediately after paragraph (a) the following paragraphs:— Power to
prescribe
standards.

(ab) prescribe any substance as a prescribed substance used for the treatment of grain for the purposes of enhancing its use as seed;

¹ As on 3rd February, 1976, this Act had not come into operation.

(ac) prescribe any manner of treatment as a prescribed manner of treatment of grain for the purposes of enhancing its use as seed;

and

(b) by striking out from subsection (2) the passage "twenty pounds" and inserting in lieu thereof the passage "one hundred dollars".

Amendment of principal Act, s. 8—
Penalties for breach of duty by seller.

5. Section 8 of the principal Act is amended by striking out from subsection (1) the passage "twenty pounds" and inserting in lieu thereof the passage "one hundred dollars".

Enactment of s. 8a of principal Act—

6. The following section is enacted and inserted in the principal Act immediately after section 8 thereof:—

Offences in relation to seed grain.

8a. (1) A person shall not feed seed grain to stock or suffer or permit any seed grain to be fed to stock.

Penalty: One hundred dollars.

(2) A person shall not sell or deliver any seed grain for use for a purpose other than as seed.

Penalty: One hundred dollars.

(3) Subject to subsection (5) of this section in proceedings for an offence that is a contravention of subsection (2) of this section it shall lie upon the defendant to prove that he had reasonable grounds for believing and did in fact believe that after the sale or delivery in question the seed grain would be used as seed.

(4) Except for the purposes of using the resultant mixture as seed, a person shall not mix seed grain with any grain that is not seed grain.

Penalty: Fifty dollars.

(5) In proceedings for an offence that is a contravention of a provision of this section it shall be a defence for the defendant to prove that he did not know and that he could not, by the exercise of reasonable diligence, have been expected to know, that the grain in question was seed grain.

Amendment of principal Act, s. 9—

7. Section 9 of the principal Act is amended—

Powers of Inspectors.

(a) by inserting in subsection (1) after the passage "stock food" the passage "or seed grain";

and

(b) by inserting in subsection (2) after the passage "stock food" the passage "or seed grain".

Amendment of principal Act, s. 10—
Publication of results of analysis.

8. Section 10 of the principal Act is amended by inserting after the passage "stock food" the passage "or seed grain".

Amendment of principal Act, s. 11—

9. Section 11 of the principal Act is amended—

Tampering with sample.

(a) by inserting in paragraph (a) after the passage "stock food" the passage "or seed grain";

and

(b) by striking out the passage "twenty pounds" and inserting in lieu thereof the passage "one hundred dollars".

10. Section 12 of the principal Act is amended by striking out from subsection (1) the passage "1908-1939" and inserting in lieu thereof the passage "1908, as amended".

Amendment of
principal Act,
s. 12—
Certificate of
analyst.