



Statutory Rules

1980 No. 237

REGULATIONS UNDER THE WHEAT MARKETING ACT 1979¹

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Wheat Marketing Act 1979*.

Dated this nineteenth day of August 1980.

ZELMAN COWEN
Governor-General

By His Excellency's Command,

PETER NIXON
Minister of State for Primary Industry

AMENDMENTS OF THE WHEAT INDUSTRY STABILIZATION (ELECTION OF BOARD) REGULATIONS²

Principal Regulations

1. In these Regulations, the Wheat Industry Stabilization (Election of Board) Regulations continued in force under sub-section 63 (2) of the *Wheat Marketing Act 1979* are referred to as the Principal Regulations.

Parts

2. Regulation 2 of the Principal Regulations is repealed.

Interpretation

3. Regulation 3 of the Principal Regulations is amended by omitting the definition of "voter" and substituting the following definition:
" 'voter' means a person who is entitled under regulation 8A to vote at an election."

Preparation of rolls

4. Regulation 6 of the Principal Regulations is amended —
- (a) by omitting from sub-regulation (1) “The Deputy” and substituting “Subject to these Regulations, the Deputy”;
 - (b) by omitting from sub-regulation (2) “Subject to the next succeeding regulation, the” and substituting “The”;
 - (c) by omitting from sub-regulation (2) “with the next succeeding sub-regulation” and substituting “with sub-regulation (3)”;
 - (d) by omitting from paragraph (a) of sub-regulation (2) “the last preceding regulation” and substituting “regulation 5”; and
 - (e) by omitting sub-regulations (3) and (4) and substituting the following sub-regulations:

“(3) A person (other than a company) whose name has not, under sub-regulation (2), been included in a roll of wheat growers for a State and who claims to be entitled to have his name included in that roll shall submit to the Deputy Returning Officer for that State a duly completed claim for enrolment in accordance with Form A.

“(4) A company, the name of which has not, under sub-regulation (2), been included in a roll of wheat growers for a State and which claims to be entitled to have its name included in that roll, shall submit to the Deputy Returning Officer for that State a duly completed claim for enrolment in accordance with Form AA together with evidence in writing that it is a company.”.

Companies to appoint representative

5. Regulation 7 of the Principal Regulations is amended —
- (a) by omitting from sub-regulation (1) “person who is enrolled as an elector under Part VII of the *Commonwealth Electoral Act* 1918 (whether or not for a sub-division in the State)” and substituting “wheat grower who is a director, office holder, shareholder or employee of the company and who will be not less than 18 years of age on the date fixed under sub-regulation 11 (2) in relation to that election”; and
 - (b) by inserting in paragraph (a) of sub-regulation (2) “Part 1,” after “with”.

Enrolment

6. Regulation 8 of the Principal Regulations is amended —
- (a) by omitting sub-regulations (1), (2), (3) and (4) and substituting the following sub-regulation:

“(1) Where under sub-regulation 7 (2) a Deputy Returning Officer has been furnished with an appointment by a company of a person and he does not note on the roll the name of the person, he shall forthwith, by instrument in writing, notify that company of his reason for not noting that name on the roll.”; and

- (b) by omitting sub-regulation (6) and substituting the following sub-regulation:

“(6) Where a Deputy Returning Officer is required under sub-regulation (1) to notify a company of a matter, the notice may be sent by post to the address of the company, being the address referred to in Part 1 of the form in accordance with Form AA that was submitted under sub-regulation 6 (4) or furnished under sub-regulation 7 (2), as the case may be, by the company to the Deputy Returning Officer.”.

Persons entitled to vote at an election

7. Regulation 8A of the Principal Regulations is amended by inserting “is a wheat grower who will be not less than 18 years of age on the date fixed under sub-regulation 11 (2) in relation to that election and if he” after “he”.

Voting papers and form of declaration

8. Regulation 19 of the Principal Regulations is amended by omitting from sub-regulation (1) “voter” and substituting “person (other than a company) whose name is included under regulation 6 in the roll of wheat growers for a State for the purposes of the election and to each person whose name is noted under sub-regulation 7 (3) on that roll for the purposes of the election.”.

Particulars to be inserted in voting papers and declarations

9. Regulation 20 of the Principal Regulations is amended —
 - (a) by omitting from paragraph (a) “voter” and substituting “person to whom a ballot-paper and that envelope is to be posted”; and
 - (b) by omitting from paragraph (b) “the voter” and substituting “that person”.

Ballot-papers not received lost or destroyed

10. Regulation 23 of the Principal Regulations is amended —
 - (a) by omitting “If a voter makes and transmits to the Deputy Returning Officer” and substituting “If a Deputy Returning Officer receives from a person whose name is included under regulation 6 in the roll of wheat growers for a State for the purposes of an election or whose name is noted under sub-regulation 7 (3) on the roll of wheat growers for a State for the purposes of an election”; and
 - (b) by inserting “and declaring that he is entitled to vote at the election” after “address”.

Scrutiny of votes and declarations

11. Regulation 27 of the Principal Regulations is amended by omitting from paragraph (b) “whose name is included in the roll for that election, or whose name is, under sub-regulation 7 (3), noted on the roll,” and substituting “who is entitled under regulation 8A to vote at the election”.

Offences in connection with polling

12. Regulation 48 of the Principal Regulations is amended —
 - (a) by omitting from paragraph (b) “or” (last occurring); and
 - (b) by adding at the end thereof the following word and paragraph:
“; or
 - (d) vote at an election unless he is entitled to vote at that election.”.

The Schedules

13. The Schedule to the Principal Regulations is amended —
 - (a) by omitting from Form A “am enrolled as an elector under Part VII of the Commonwealth Electoral Act 1918-1962” and substituting “will be not less than 18 years of age on (*here insert date*), being the date fixed under

- sub-regulation 11 (2) of the Wheat Industry Stabilization (Election of Board) Regulations as the date on or before which nominations shall be lodged for the purpose of that election”;
- (b) by omitting from Part 2 of Form AA “person” and substituting “wheat grower (who is a director, office holder, shareholder or employee of the company described in Part 1)”;
 - (c) by omitting from Part 4 of Form AA “enrolled as an elector under Part VII of the *Commonwealth Electoral Act 1918*” and substituting “a wheat grower and a (*here insert “director”, “office holder”, “shareholder” or “employee”, as the case may be*) of that company and that I will be not less than 18 years of age on (*here insert date*), being the date fixed under sub-regulation 11 (2) of the Wheat Industry Stabilization (Election of Board) Regulations as the date on or before which nominations shall be lodged for the purpose of that election”; and
 - (d) by omitting from Form D “or that my name has been noted, under sub-regulation 7 (3), on the roll of wheat growers and that I” and substituting “(other than a company) and that I am not less than 18 years of age and”.

Further amendments

14. The Principal Regulations are further amended as set out in the Schedule.

SCHEDULE

Regulation 14

FURTHER AMENDMENTS OF THE PRINCIPAL REGULATIONS

Provision amended	Amendment
Paragraph 6 (2) (b)	Omit “Fifty acres”, substitute “20 hectares”.
Regulation 37	Omit “Fifty pounds”, substitute “\$100”.
Regulation 44	Omit “Fifty pounds”, substitute “\$100”.
Regulation 45	Omit “Fifty pounds”, substitute “\$100”.
Regulation 46	Omit “Fifty pounds”, substitute “\$100”.
Regulation 47	Omit “Twenty pounds”, substitute “\$40”.
Regulation 48	Omit “Fifty pounds”, substitute “\$100”.
The Schedule	<ul style="list-style-type: none"> (a) Omit from Form A “fifty acres”, substitute “20 hectares”. (b) Omit from Part 3 of Form AA “50 acres”, substitute “20 hectares”. (c) Omit from Part 4 of Form AA “for the State”, substitute “to represent wheat growers in the State”. (d) Omit from Form E “for the State” (wherever occurring), substitute “in the State”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 22 August 1980.
2. Statutory Rules 1950 No. 19 as amended to date. For previous amendments *see* Note 2 to Statutory Rules 1980 No. 191 and *see also* Statutory Rules 1980 No. 191.