Wheat Marketing Amendment Bill 2006
No. , 2006
(Agriculture, Fisheries and Forestry)

A Bill for an Act to amend the Wheat Marketing Act 1989, and for related purposes
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Schedule 1—Amendment of the Wheat Marketing Act 1989 3
A Bill for an Act to amend the Wheat Marketing Act 1989, and for related purposes

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the Wheat Marketing Amendment Act 2006.

2 Commencement

This Act commences on the day after it receives the Royal Assent.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule.
concerned, and any other item in a Schedule to this Act has effect according to its terms.
Schedule 1—Amendment of the Wheat Marketing Act 1989

1 After subsection 57(3B)

Insert:

Note: Section 61 provides that this subsection does not apply to the making of a decision during the temporary period within the meaning of Part 5.

2 After Part 4

Insert:

Part 5—Special rules relating to the application of Part 4 during the temporary period

60 Authority not to give or refuse consent during temporary period without agreement of Minister

(1) During the temporary period, the Authority must not make a decision under section 57 to give a bulk-export consent unless the Minister has agreed in writing to the giving of the consent.

(2) During the temporary period, the Authority must not make a decision under section 57 to refuse to give a bulk-export consent unless the Minister has agreed in writing to the refusal to give the consent.

(3) This section applies to a decision of the Authority made during the temporary period whether the application to which the decision relates was made before or after the beginning of the temporary period.

(4) The Authority must provide to the Minister such information relating to an application as the Minister requests.

61 Operation of subsection 57(3B) during temporary period

Subsection 57(3B) does not apply to the making of a decision by the Authority during the temporary period, whether the application
to which the decision relates was made before or after the beginning of the temporary period.

62 Minister may give directions

(1) During the temporary period, the Minister may, by written notice given to the Authority, direct the Authority:
   (a) to give a bulk-export consent to a person who has made an application to export wheat under section 57; or
   (b) to refuse to give a bulk-export consent to a person who has made an application to export wheat under section 57.

(2) If the Minister gives a direction to the Authority under subsection (1), the Authority must comply with the direction.

(3) This section has effect despite any other provision of this Act.

(4) The Minister may give a direction under this section in respect of an application whether the application was made before or after the beginning of the temporary period.

63 Minister to have regard to public interest

The Minister must have regard to the public interest for the purposes of the following:
   (a) deciding whether to agree under subsection 60(1) to the giving of a consent;
   (b) deciding whether to refuse to agree under subsection 60(2) to the giving of a consent;
   (c) deciding whether to give a direction under section 62.

64 Applications decided by the Authority before commencement

To avoid doubt, nothing in this Part affects an application for a consent under section 57 if, before the beginning of the temporary period, the Authority had made a decision to give or refuse the consent.

65 Definitions

In this Part:
bulk-export consent has the same meaning as in subsection 57(3B).

commencement day means the day on which this section commences.

temporary period means the period:
(a) beginning on the commencement day; and
(b) ending at the end of 30 June 2007.