

1976

VICTORIA.



ANNO VICESIMO QUINTO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 8897.

An Act to amend the *Barley Marketing Act 1958* and to make an Amendment to the *Magistrates (Summary Proceedings) Act 1975*.

[30th November, 1976.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title

1. (1) This Act may be cited as the *Barley Marketing (Amendment) Act 1976*.

Principal Act
No. 6206.
Amended by
Nos. 6886, 6955,
7397, 7564, 8128,
8421.

(2) In this Act the *Barley Marketing Act 1958* is called the Principal Act.

Commence-
ment.

(3) This Act shall come into operation on the day on which it receives the Royal Assent.

Amendment of
No. 6206, s. 13.

2. (1) In section 13 (3) of the Principal Act—

(a) in paragraph (a) the expression “(a)” appearing after the expression “(3)” is repealed ;

(b) in paragraph (b) for the words “ This sub-section ” there shall be substituted the words “ This section ” ;

(2) In

(2) In the Principal Act, section 13 (3), paragraph (b) is renumbered as section 13, sub-section (4).

3. After section 18 of the Principal Act there shall be inserted the following section :—

“ 18A. (1) The Treasurer of Victoria may execute a guarantee Guarantee. in favour of any bank with which the Board has arranged to borrow money pursuant to paragraph (b) of section 8 for the purpose of making first advance payments in each season to growers of barley in Victoria and for associated operating expenses in respect of barley received by the Board in Victoria.

(2) A guarantee shall be in such form and subject to such terms and conditions as the Treasurer of Victoria from time to time determines.

(3) Such sums as may from time to time become due and payable by the Treasurer of Victoria under a guarantee given pursuant to sub-section (1) shall be paid out of the Consolidated Fund (which is to the necessary extent appropriated accordingly) and any sums received or recovered by the Treasurer from the Board or otherwise in respect of any sum so paid by the Treasurer shall be paid into the Consolidated Fund.”

4. In section 19A of the Principal Act—

Amendment of
No. 6206, s. 19A.

(a) After the expression “ 19A ” there shall be inserted the expression “ (1) ” ;

(b) At the end of the section there shall be inserted the following sub-section :—

“ (2) In any proceedings for an offence against this Act a document purporting to be signed by the Secretary or the Assistant Secretary to the Board, stating—

(a) that a person is a grower of barley ; and

(b) that barley bought from that grower was bought without the approval of the Board—

shall be *prima facie* evidence of the correctness of the statements therein.”

5. In section 21 of the Principal Act for the expression “ 1975-76 ” there shall be substituted the expression “ 1978-79 ”.

Amendment of
No. 6206, s. 21.

6. In

Amendment of
No. 8731,
Schedule One.
Act No. 6206
included in
Acts where
summonses
may be served
by registered
post.

6. In the *Magistrates (Summary Proceedings) Act 1975* in Schedule One before the expression "*Commercial Goods Vehicles Act 1958*" there shall be inserted the expression "*Barley Marketing Act 1958*".