

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE]

*House of Representatives, 26 March 1974.*

Words struck out by the Committee are shown with black rule at the beginning and after last line; words inserted are shown with double rule before first line and after last line.

*Hon. Mr Moyle*

## WHEAT RESEARCH LEVY

### ANALYSIS

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### A BILL INTITULED

An Act to authorise the levying of persons and organisations engaged in wheat growing, flourmilling, baking, and related industries to provide money for research  
5 into the growing of wheat and the manufacture of wheat into flour and bread

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

10 *Struck Out*

**1. Short Title**—This Act may be cited as the Wheat Research Levy Act 1973.

*New*

15 **1. Short Title and commencement**—(1) This Act may be cited as the Wheat Research Levy Act 1974.

(2) This Act shall come into force on the 1st day of April 1974.

20 **2. Interpretation**—In this Act, unless the context otherwise requires,—

“Minister” means the Minister of Science:

“Director-General” means the Director-General of the Department of Scientific and Industrial Research:

“Committee” means the Wheat Research Committee appointed pursuant to section 6 of this Act:

No. 69—2

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“Grain merchant” means a person whose business or part of whose business is the buying and selling of wheat and who purchases more than 50 tonnes of wheat in any year.

**3. Minister may impose levies—**(1) Subject to the provisions of this Act, the Minister may from time to time on the recommendation of the Wheat Research Committee and after consultation with representatives of persons having a proprietary interest in the industries of wheat growing, flourmilling, and baking, impose, by notice in the *Gazette*, levies on—

- (a) The producers of any wheat grown in New Zealand and sold or delivered to a flourmiller or to a grain merchant; and
- (b) Persons carrying on business as flourmillers; and
- (c) The purchasers or other persons taking delivery of flour or wheatmeal from a flourmill.

(2) All levies imposed pursuant to this section shall be apportioned, in such manner as may be specified by the Minister in the notice, among the classes of contributories referred to in subsection (1) of this section, and shall be computed as follows:

- (a) In respect of the levy payable by any producer of wheat, it shall be computed by reference to the quantity of wheat sold or delivered by him to any grain merchant or flourmiller:
- (b) In respect of the levy payable by a flourmiller, it shall be computed by reference to the quantity of flour or wheatmeal delivered by the flourmiller from his flourmill:
- (c) In respect of the levy payable by a purchaser or other person taking delivery of flour or wheatmeal from a flourmill, it shall be computed by reference to the quantity of that flour or wheatmeal.

(3) The amount of the levies imposed under this section shall not exceed:

- (a) In the case of a producer of wheat, 20 cents for every tonne of wheat delivered by him to a flourmiller or grain merchant:
- (b) In the case of a flourmiller, 30 cents for every tonne of flour or wheatmeal delivered from the flourmill:

(c) In the case of a person taking delivery of flour or wheatmeal from a flourmill, 30 cents for every tonne of that flour or wheatmeal.

(4) Any notice under subsection (1) of this section may be in like manner amended or revoked at any time.

(5) Every notice under this section shall come into force on such date as may be specified therein, being not less than 14 days after the date of the publication of the notice in the *Gazette*.

**10 4. Recovery and collection—**(1) All levies imposed under section 3 of this Act shall be recoverable in any Court of competent jurisdiction as a debt due to the Crown. Unless otherwise provided pursuant to subsection (2) of this section the amount of any levy payable in respect of any wheat  
**15** may be recoverable in the first place from the grain merchant or flourmiller to whom that wheat has been delivered by the producer, and the amount of any levy payable by a person taking delivery of any flour or wheatmeal from a flourmill may be recoverable in the first place  
**20** from the flourmiller. On payment by a grain merchant or flourmiller of the amount of any levy on behalf of any other person that grain merchant or flourmiller shall be entitled to recover the amount of that levy from the person on whose behalf the levy was so paid, as a debt due to  
**25** him, and may deduct the said amount from any money at any time owing by him to any such person.

(2) Levies imposed under section 3 of this Act shall be collected and paid into a separate account within the Trust Account of the Public Account in such manner as the  
**30** Director-General, after consultation with the Committee, may from time to time approve.

(3) Any grain merchant or other person authorised by the Director-General may deduct from any such levies a collection fee or rate of commission of such amount as may  
**35** for the time being be specified by the Minister after consultation with the Committee.

(4) Every person who collects levies imposed under section 3 of this Act shall, at or within such times as may for the time being be specified by the Director-General,  
**40** forward to him a statement containing such particulars with respect to those levies as the Director-General may from time to time require.

(5) Every person who acts in contravention of or fails to comply in any respect with subsection (2) or subsection (4) of this section commits an offence and shall be liable on summary conviction to a fine not exceeding \$50.

**5. Expenditure of levies—**(1) All money received from levies imposed under section 3 of this Act shall be applied by the Minister, and without further appropriation than this section, for the purpose of promoting and conducting research and other scientific work in connection with the wheat growing, flourmilling, and baking industries. 5 10

(2) Without limiting the generality of subsection (1) of this section, money applied under that subsection may be used for all or any of the following purposes:

- (a) Maintaining and servicing laboratories and other facilities: 15
- (b) Prosecuting research into all phases of the wheat growing, flourmilling, and baking industries:
- (c) Investigating and reporting upon problems in any of those industries with a view to recommending measures designed to overcome those problems or to reduce or eliminate losses caused by them: 20
- (d) Co-ordinating research activities including co-ordinating those carried out in New Zealand with those carried out elsewhere:
- (e) Facilitating, commissioning, or subsidising research work and rendering its benefits available: 25
- (f) Taking such action as the Minister deems necessary to promote research into problems of the wheat-growing, flourmilling, and baking industries:
- (g) Compiling, publishing, and circulating information of value to the industries and maintaining a bureau of information. 30

**6. Wheat Research Committee—**(1) For the purpose of assisting the Minister and the Director-General in the exercise of the functions conferred on them by this Act there shall be established a committee to be known as the Wheat Research Committee. 35

(2) The Committee shall be appointed by the Minister under section 5A of the Scientific and Industrial Research Act 1952. 40

- (3) The Committee shall comprise:
- (a) Two persons appointed as representatives of flour-millers:
  - (b) Two persons appointed as representatives of bakers:
  - 5 (c) Two persons appointed as representatives of wheat-growers:
  - (d) One person appointed as a representative of grain merchants:
  - (e) One person appointed as a representative of the New Zealand Wheat Board:
  - 10 (f) Up to 3 other persons, being such representatives of Government Departments and such other suitably qualified persons as the Minister may from time to time determine.
- 15 (4) The Committee is empowered to form an executive committee and to appoint subcommittees. Such subcommittees may comprise or include persons who are not members of the Committee.
- (5) The Committee shall elect its own chairman and  
20 vice-chairman.

**7. Repeals**—The following enactments are hereby repealed—

- (a) Section 17 of the Scientific and Industrial Research Act 1952:
- 25 (b) The Scientific and Industrial Research Amendment Act 1965:
- (c) The Scientific and Industrial Research Amendment Act 1966:

**8. Revocations**—(1) The following regulations are hereby  
30 revoked—

- (a) The Wheat Research Regulations 1966:
- (b) The Wheat Research Regulations 1966, Amendment No. 1:
- 35 (c) The Wheat Research Regulations 1966, Amendment No. 4.

(2) Notwithstanding the repeals effected by section 7 of this Act and the revocations effected by subsection (1) of this section—

(a) The levies imposed by the regulations specified in subsection (1) of this section shall continue to be imposed until such time as levies are imposed under section 3 of this Act, and for that purpose those regulations shall continue to have effect according to their tenor; and 5

(b) The Wheat Research Committee, in office at the commencement of this Act and referred to in the Wheat Research Regulations 1966, shall continue in office until a new Wheat Research Committee constituted as provided in section 6 of this Act is appointed by the Minister. 10 15