



THE WHEAT BOARD REGULATIONS 1965,
AMENDMENT NO. 10

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 15th day of December
1980

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Wheat Board Act 1965, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Wheat Board Regulations 1965, Amendment No. 10, and shall be read together with and deemed part of the Wheat Board Regulations 1965* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of February 1981.

2. Interpretation—(1) Regulation 2 (1) of the principal regulations is hereby amended by revoking the definition of the term “milling standard wheat” (as substituted by regulation 2 of the Wheat Board Regulations 1965, Amendment No. 4), and substituting the following definition:

“‘Milling standard wheat’ means wheat which—

“(a) Is sound and sweet, free from smut, free from decay, free from damage by insect pests injurious to baking quality, and free from any other blemish or damage; and

*S.R. 1965/227

Amendment No. 1: S.R. 1967/165

Amendment No. 2: S.R. 1968/4

Amendment No. 3: S.R. 1968/235

Amendment No. 4: S.R. 1969/282

Amendment No. 5: S.R. 1974/8

Amendment No. 6: S.R. 1976/6

Amendment No. 7: (Revoked by S.R. 1977/264)

Amendment No. 8: S.R. 1977/264

Amendment No. 9: S.R. 1977/325

“(b) When gristed yields flour with a baking score of 12 or higher as determined by the Mechanical Dough Development testing method equivalent to that used by the Wheat Research Institute in the year 1981; and

“(c) Does not have a sprout index of greater than S1 as determined by the Wheat Research Institute test; and

“(d) Does not contain—

“(i) More than 0.5 percent, by weight, of weed seeds; or

“(ii) More than 5 percent, by weight, of weed seeds and other extraneous matter and broken, immature, or shrivelled grains; or

“(iii) More than 15 percent, by weight, of moisture; or

“(iv) More than 5 percent of visibly sprouted grains.”

(2) Regulation 2 of the Wheat Board Regulations 1965, Amendment No. 4 is hereby consequentially revoked.

3. Brokerage—Regulation 5 of the principal regulations (as amended by regulation 2 of the Wheat Board Regulations 1965, Amendment No. 8) is hereby amended by revoking subclauses (3) and (4), and substituting the following subclause:

“(3) In respect of every contract arranged by an authorised broker on behalf of the Board for the season commencing on the 1st day of February 1981 or for any subsequent season, being—

“(a) A contract for the purchase by the Board of New Zealand grown wheat; or

“(b) A contract for the sale by the Board of New Zealand grown wheat,—

the authorised broker shall—

“(c) If, in the case of a contract to which paragraph (a) of this subclause applies, the contract is performed by the seller; or

“(d) If, in the case of a contract to which paragraph (b) of this subclause applies, the contract is performed by the buyer,—be entitled to receive from the Board, a commission of $1\frac{3}{8}$ percent of the price paid to the grower in respect of the wheat (which price shall not take account of any money paid to the grower by way of premium for the variety of wheat or by way of storage increment payments or take account of the extent to which the variety of wheat has been discounted).”

4. Milling standard wheat—Regulation 6 (7) of the principal regulations (as substituted by regulation 3 of the Wheat Board Regulations 1965, Amendment No. 4) is hereby amended by revoking paragraph (c), and substituting the following paragraph:

“(c) When gristed yields flour with a baking score of less than 12 but not less than 10 as determined by the Mechanical Dough Development testing method equivalent to that used by the Wheat Research Institute in the year 1981—”.

5. Levies—The principal regulations are hereby amended by revoking regulation 33 of the principal regulations (as substituted by regulation 3 (1) of the Wheat Board Regulations 1965, Amendment No. 6 and amended by regulation 2 of the Wheat Board Regulations 1965, Amendment No. 9), and substituting the following regulation:

“33. (1) In respect of all wheat grown in New Zealand and sold to the Board or a grain merchant there shall be paid by the grower of wheat so sold the following levies:

“(a) A levy computed at the rate of 52 cents for every \$100 of—

“(i) The purchase price of the wheat; and

“(ii) Any money payable to the grower by way of storage increment payments:

“(b) A levy computed at the rate of 5 cents for every \$100 of the purchase price of the wheat (which price shall not include any money payable to the grower by way of storage increment payments):

“(c) A levy computed at the rate of 13 cents for every \$100 of the purchase price of the wheat (which price shall not include any money payable to the grower by way of storage increment payments):

“(d) A levy computed at the rate of 3 cents for every tonne.

“(2) The levy paid to the Board under subclause (1) (a) of this regulation shall, at such times as the Board and United Wheatgrowers (N.Z.) Limited agree, be paid to United Wheatgrowers (N.Z.) Limited and shall be used by that company for the purpose of instituting and carrying out compensation schemes and entering into insurance contracts to protect wheatgrowers against loss or damage to crops.

“(3) The levy paid to the Board under subclause (1) (b) of this regulation shall, at such times as the Board and United Wheatgrowers (N.Z.) Limited agree, be paid to United Wheatgrowers (N.Z.) Limited.

“(4) The levy paid to the Board under subclause (1) (c) of this regulation shall, at such times as the Board and United Wheatgrowers (N.Z.) Limited agree, be paid to United Wheatgrowers (N.Z.) Limited and shall be used by the company for the purpose of meeting the costs of conducting economic surveys of wheatgrowers.

“(5) The levy paid to the Board under subclause (1) (d) of this regulation shall, at such times and in such manner as the Board and Federated Farmers of New Zealand Incorporated agree, be paid to Federated Farmers of New Zealand Incorporated for the purpose of conducting the all farmer activities of that organisation.”

6. Revocations—The following regulations are hereby consequentially revoked, namely—

(a) Regulation 3 of the Wheat Board Regulations 1965, Amendment No. 6:

(b) The Wheat Board Regulations 1965, Amendment No. 8:

(c) The Wheat Board Regulations 1965, Amendment No. 9.

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 February 1981, amend the Wheat Board Regulations 1965.

Regulations 2 and 4 reflect a change in the wheat and flour testing methods used by the Wheat Research Institute.

Regulation 3 increases the rate of commission payable to authorised brokers who arrange, on behalf of the New Zealand Wheat Board, contracts for the purchase or sale of wheat. The basis on which the commission is calculated is changed. The commission is to be 1 $\frac{3}{8}$ percent of the basic price paid to the grower for the wheat instead of \$1.20 for every tonne delivered.

Regulation 5 increases the levies payable to the New Zealand Wheat Board by wheatgrowers. Provision is made, in line with sections 4 and 5 of the Wheat Board Amendment Act 1980, for the levies collected in connection with compensation and insurance schemes to be paid by the New Zealand Wheat Board to United Wheatgrowers (N.Z.) Limited.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 18 December 1980.

These regulations are administered in the Department of Trade and Industry.