

Queensland



Sugar Industry Act 1991

**SUGAR INDUSTRY
(AUTHORISED
TRANSACTION ORDERS)
GUIDELINE 1992**

**Reprinted as in force on 27 October 1993
(includes amendments up to SL No. 123 of 1992)**

Reprint No. 1

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This Act is reprinted as at 27 October 1993. As required by section 5 of the *Reprints Act 1992*, it—

- shows the law as amended by all amendments that commenced on or before that day; and
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind.

As required by section 6 of the *Reprints Act 1992*, the reprint includes a reference to the law by which each amendment was made—see List of legislation and List of annotations in Endnotes.

The opportunity has also been taken, under section 7 of the *Reprints Act 1992*, to do the following—

- use aspects of format and printing style consistent with current legislative drafting practice as permitted by section 35 of that Act.

Also see Endnotes for—

- **details about when provisions commenced; and**
- **any provisions that have not commenced and are not incorporated in the reprint.**

Queensland



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TRANSACTION ORDERS) GUIDELINE
1992**

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SUGAR INDUSTRY (AUTHORISED TRANSACTION ORDERS) GUIDELINE 1992

[as amended by all amendments that commenced on or before 27 October 1993²]

Short title

1. This guideline may be cited as the *Sugar Industry (Authorised Transaction Orders) Guideline 1992*³⁻⁴.

Approved order forms

2. The orders indicated in this guideline are the approved form of orders to be made by a Local Board under sections 9.8 and 9.33 of the Act to give effect to the authorised transactions mentioned in sections 9.7 and 9.32 of the Act.

General orders

3. Subject to section 4, on application to it by the party or parties to an authorised transaction, a Local Board may make orders in the general terms indicated in Schedule 1 to give effect to the authorised transaction.

Application form to specify orders

4.(1) An application to a Local Board for the approved form of orders mentioned in section 3 is to—

- (a) identify each assignment involved, existing or proposed, and state its presently assigned description; and
- (b) state the name and address of each party to the authorised transaction; and
- (c) specify the type of authorised transaction in detail sufficient to identify the matters mentioned in section 9.7 or 9.32 of the Act for which it provides; and

*Sugar Industry (Authorised Transaction
Orders) Guideline 1992*

- (d) set out each of the orders that are to be directed to the Corporation in the way indicated in Schedules 2 and 3; and
- (e) comply with any other guideline issued by the Corporation in relation to the application.

(2) For the purposes of subsection (1)(d), it is sufficient if the orders set out in the application, when read with the application documents, are substantially of the same effect as the orders indicated in the Schedules.

Local Board may make specific orders

5. Despite sections 2, 3 and 4, a Local Board in deciding an application for orders to give effect to an authorised transaction may—

- (a) make orders in the general terms indicated in Schedule 1, subject to any amendment of the orders requested in the application that may be necessary to ensure that the orders give effect to the Local Board's decision; or
- (b) instead of making orders in the general terms indicated in Schedule 1, make specific orders necessary to give effect to the Local Board's decision in the way indicated in Schedules 2 and 3.

Corporation's forms

6. Despite sections 2, 3 and 4, orders made by a Local Board using forms issued by the Corporation for use in relation to a particular type of authorised transaction and substantially of the same effect as the orders indicated in this guideline are sufficient for all purposes.

Instructions

7. Instructions at the end of a Schedule apply in relation to the orders indicated in the Schedule.

SCHEDULE 1

[Note: Transactions involving more than 1 mill require the unanimous consent of the members of each Local Board constituted for the mills.]

To the Queensland Sugar Corporation—

The _____ Local Board approves the attached application and makes all orders necessary to give effect to it.

The orders are subject to the following conditions—

by order of the Local Board

Chairperson

SCHEDULE 2

AUTHORISED TRANSACTION ORDERS

•TRANSACTION INVOLVING ONLY 1 MILL•

Transfer to new holder

Transfer assignment 1 from Party A to Party B

Variation of presently assigned description

Cancel the assignment to the mill of the following land _____

Assign to the mill the following land _____

Transfer of assignment's area

Cancel _____ hectares of assignment 1's area

Allocate _____ hectares of assignment area to assignment 2

Transfer of farm peak from holder to another person

Transfer _____ of farm peak from Party A to Party B

SCHEDULE 2 (continued)

Transfer of farm peak from an assignment to another assignment

Cancel _____ of farm peak existing in relation to assignment 1

Allocate _____ of farm peak to assignment 2

Cancellation of assignment

Cancel assignment 1

Grant of assignment

Grant assignment 2

Instructions

1. Orders of a type set out in this Schedule are to be made so far as relevant to give effect to an authorised transaction mentioned in section 9.7 or 9.32 of the Act if the authorised transaction involves only 1 mill.
2. If abbreviated references to an assignment, party or other matter are used, for example 'Party A' or 'Party B', 'Disponer' or 'Disponee', 'Transferor' or 'Transferee', 'Assignment 1' or 'Assignment 2', the application documents are to clearly identify the subject of the abbreviation.

SCHEDULE 3

AUTHORISED TRANSACTION ORDERS

•TRANSACTION INVOLVING MORE THAN 1 MILL•

A

Transfer of assignment's area

Cancel _____ hectares of assignment 1's area

Transfer of farm peak from holder to another person

Transfer _____ of farm peak from Party A to Party B

Transfer of farm peak from an assignment to another assignment

Cancel _____ of farm peak existing in relation to assignment 1

Cancellation of assignment

Cancel assignment 1

B

Transfer of assignment's area

Allocate _____ hectares of assignment area to assignment 2

Transfer of farm peak from an assignment to another assignment

Allocate _____ of farm peak to assignment 2

Grant of assignment

Grant assignment 2

Instructions

1. Orders of a type set out in this Schedule are to be made so far as relevant to give effect to an authorised transaction mentioned in section 9.7 or 9.32 of the Act if the authorised transaction involves more than 1 mill.
2. If abbreviated references to an assignment, party or other matter are used, for example 'Party A' or 'Party B', 'Disponer' or 'Disponee', 'Transferor' or 'Transferee', or 'Assignment 2', the application documents are to clearly identify the subject of the abbreviation.
3. The orders in Part A are the type of orders to be made by the Local Board for the mill to which is assigned the land of the assignment cancelled or from which is transferred assignment's area or farm peak under the authorised transaction.
4. The orders in Part B are the type of orders to be made by the Local Board for the mill to which will be assigned the land of an assignment created by the authorised transaction or to which will be transferred assignment's area or farm peak under the authorised transaction.

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in section 5(c) of the *Reprints Act 1992*. Accordingly, this reprint includes all amendments that commenced operation on or before 27 October 1993. Future amendments of the *Sugar Industry (Authorised Transaction Orders) Guideline 1992* may be made in accordance with this reprint under section 49 of the *Reprints Act 1992*.

3 List of legislation

Sugar Industry (Authorised Transaction Orders) Guideline 1992 SL No. 45
 pubd Gaz 13 March 1992 pp 1482–90
 commenced on date of publication
 as amended by—

**Sugar Industry (Authorised Transaction Orders) Amendment Guideline (No. 1)
 1992 SL No. 123**
 pubd Gaz 5 June 1992 pp 1113–14
 commenced on date of publication

4 List of annotations

Key to abbreviations in list of annotations

amd	=	amended
Chap	=	Chapter
cl	=	clause
def	=	definition
Div	=	Division
hdg	=	heading
ins	=	inserted
om	=	omitted
prec	=	preceding
pres	=	present
prev	=	previous
(prev)	=	previously
prov	=	provision
Pt	=	Part
RA	=	<i>Reprints Act 1992</i>
renum	=	renumbered
Sdiv	=	Subdivision
sub	=	substituted

Provisions not included in reprint, or amended by amendments not included in reprint, are underlined

Short title

s 1 amd 1992 SL No. 123 s 3

SCHEDULE 1

hdg amd 1992 SL No. 123 s 4