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## PRIMARY PRODUCERS RELIEF.

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No. 47 of 1935.

An Act to provide for Financial Assistance to the States in the provision of Relief to Primary Producers, and for other purposes.

[Assented to 4th November, 1935.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, Preamble. and the House of Representatives of the Commonwealth of Australia, for the purpose of appropriating the grant originated in the House of Representatives, as follows:—

1.—(1.) This Act may be cited as the *Primary Producers Relief Act* 1935. Short title.

(2.) The *Financial Relief Act* 1932–1933\*, as amended by this Act, may be cited as the *Financial Relief Act* 1932–1935.

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\* Act No. 64, 1932, as amended by No. 17, 1933.

(3.) The *Financial Relief Act 1934*†, as amended by the *Financial Relief Act 1935*‡ and by this Act, may be cited as the *Financial Relief Act 1934-1935*.

## Definitions.

2. In this Act, unless the contrary intention appears—

“artificial manure” means any substance—

- (a) which contains nitrogen, phosphoric acid or potash ;
- (b) which has been manufactured, produced or prepared in any manner for the purpose of fertilizing the soil or supplying nutriment to plants ; and
- (c) in respect of which, if used in a State, the laws of that State in relation to the preparation and sale of that substance as a fertilizer have been complied with,

but does not include—

- (d) any animal or vegetable matter which has not been subjected to process or manufacture ;
- (e) agricultural lime or other soil amendment ; or
- (f) any product prepared primarily for supplying lime to the soil ;

“Territory” means a Territory of the Commonwealth situated within the Commonwealth

Appropriation  
of £275,000 for  
relief to  
primary  
producers.

3. Subject to this Act, there shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, the sum of Two hundred and seventy-five thousand pounds for the purposes of financial assistance to the States in the provision of relief to primary producers in respect of the production of primary produce other than wheat and for the purposes of providing relief to primary producers in any Territory in respect of that production.

Amount  
payable to  
each State.

4. The amount which may be paid under the last preceding section to any State shall be such as represents payments made by the State to primary producers in respect of the production of primary produce other than wheat, in that State, at the rate of fifteen shillings for each ton of artificial manure used in that State, in respect of that production, by primary producers during the year ending on the thirtieth day of June, One thousand nine hundred and thirty-six :

Provided that, in calculating the amount which may be paid to a State under this section in respect of artificial manure used by any primary producer during that year, fractions of a ton less than one-half of a ton shall be excluded and fractions of a ton greater than one-half of a ton shall be excluded to the extent by which they exceed one-half of a ton.

† Act No. 16, 1934.  
‡ Act No. 36, 1935.

5. No payment made by a State to a primary producer shall be taken into account in calculating the amount which may be paid to that State under this Act unless—

Conditions of payment.

(a) the primary producer has obtained, upon application lodged by him with the Secretary of the Department of Commerce of the Commonwealth on or before the thirty-first day of October, One thousand nine hundred and thirty-six, a certificate in writing from the Secretary of that Department stating that the primary producer has furnished satisfactory evidence that he has used in that State, during the year ending on the thirtieth day of June, One thousand nine hundred and thirty-six, in the production of primary produce other than wheat, the quantity of artificial manure stated in the certificate; and

(b) the amount of the payment is calculated at the rate of fifteen shillings for each ton of artificial manure stated in the certificate.

6. There shall be payable, out of the amount appropriated by this Act, to each primary producer in respect of the production of primary produce other than wheat, in any Territory, an amount representing fifteen shillings for each ton of artificial manure used by that primary producer in that Territory during the year ending on the thirtieth day of June, One thousand nine hundred and thirty-six:

Payments to primary producers in Territories.

Provided that—

- (a) in calculating the amount which may be paid to a primary producer under this section in respect of artificial manure used by him during that year, fractions of a ton less than one-half of a ton shall be excluded and fractions of a ton greater than one-half of a ton shall be excluded to the extent by which they exceed one-half of a ton; and
- (b) no amount shall be paid under this section to a primary producer unless an application therefor has been lodged by him with the Secretary of the Department of Commerce of the Commonwealth on or before the thirty-first day of October, One thousand nine hundred and thirty-six.

7. No person shall—

Offences.

- (a) obtain any payment under this Act by means of any false or misleading statement; or
- (b) present, to any officer or other person doing duty in relation to this Act or the regulations made under this Act, any document, or make to any such officer or person any statement, which is false in any particular.

Penalty: Five hundred pounds, or imprisonment for two years.

8.—(1.) The Minister, or any person thereto authorized in writing by him, may, by notice in writing, call upon any person to furnish to him, within such time as is specified in the notice, such books, documents and information as the Minister or that authorized person

Minister may require information.

thinks necessary for the purposes of, or in relation to compliance with, this Act or the regulations made under this Act, or any suspected contravention thereof.

(2.) Any person who, without reasonable excuse (proof whereof shall lie upon him), fails, after receipt of a notice under the last preceding sub-section, to comply with the requirements of the notice, shall be guilty of an offence.

Penalty : One hundred pounds, or imprisonment for six months.

Regulations.

9. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Act, and in particular for prescribing penalties not exceeding Fifty pounds or imprisonment for a period not exceeding three months for any breach of the regulations.

Amendment of section 32 of *Financial Relief Act 1932-1933.*

10. Section thirty-two of the *Financial Relief Act 1932-1933* is amended by omitting from paragraph (a) the words "from the Secretary of the Department of Commerce of the Commonwealth a certificate in writing", and inserting in their stead the words "upon application lodged by him with the Secretary of the Department of Commerce of the Commonwealth on or before the thirtieth day of November, One thousand nine hundred and thirty-five, a certificate in writing from the Secretary of that Department".

Amendment of section 33 of *Financial Relief Act 1932-1933.*

11. Section thirty-three of the *Financial Relief Act 1932-1933* is amended by adding at the end thereof the following proviso:—

"Provided further that no amount shall be paid under this section to a primary producer unless an application therefor has been lodged by him with the Secretary of the Department of Commerce of the Commonwealth on or before the thirtieth day of November, One thousand nine hundred and thirty-five."

Amendment of section 21 of *Financial Relief Act 1934.*

12. Section twenty-one of the *Financial Relief Act 1934*, as amended by the *Financial Relief Act 1935*, is amended by omitting from paragraph (a) the words "upon application made by him on or before the thirty-first day of October, One thousand nine hundred and thirty-five, from the Secretary of the Department of Commerce of the Commonwealth a certificate in writing", and inserting in their stead the words "upon application lodged by him with the Secretary of the Department of Commerce of the Commonwealth on or before the thirty-first day of October, One thousand nine hundred and thirty-five, a certificate in writing from the Secretary of that Department".

Amendment of section 22 of *Financial Relief Act 1934.*

13. Section twenty-two of the *Financial Relief Act 1934*, as amended by the *Financial Relief Act 1935*, is amended by omitting from paragraph (b) the words "made to" and inserting in their stead the words "lodged by him with".