

SUPERPHOSPHATE BOUNTY.

No. 65 of 1941.

An Act to provide for the Payment of a Bounty on Production of Superphosphate, and for other purposes.

[Assented to 3rd December, 1941.]

- Preamble.** **B**E it enacted by the King's Most Excellent Majesty, the Senate, 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 :—
- Short title.** 1. This Act may be cited as the *Superphosphate Bounty Act 1941*.
- Commencement.** 2. This Act shall be deemed to have come into operation on the first day of July, One thousand nine hundred and forty-one.
- Appropriation.** 3. There shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, the bounty specified in this Act.
- Bounty on production of superphosphate.** 4. Bounty under this Act shall be payable on all superphosphate produced in Australia, containing not less than twenty-two per centum of soluble phosphoric acid, which is sold by the manufacturer thereof after the commencement of this Act.
- Rate of bounty** 5. The rate of bounty payable under this Act shall be twenty-five shillings per ton.
- To whom bounty payable.** 6. Bounty under this Act shall be payable to the manufacturer of the superphosphate.
- Claims for bounty.** 7. The manufacturer of any superphosphate on the production of which bounty is payable under this Act may lodge a claim for bounty, with the person and in the form and manner prescribed, at any time after he has sold the superphosphate.
- Good quality essential.** 8. Bounty shall not be paid on the production of any superphosphate unless the Minister is satisfied that it is of good and merchantable quality.

9.—(1.) Where, in the locality where superphosphate in respect of the production of which bounty is claimed is manufactured, any standard rates of wages or conditions of employment to be paid or observed in respect of any persons employed in the manufacture of that superphosphate have been—

Rates of wages
and conditions
of employment.

(a) prescribed by any award, order or determination of the Commonwealth Court of Conciliation and Arbitration or of any other industrial authority of the Commonwealth or of a State or Territory or in any industrial agreement registered under any law of the Commonwealth or of a State or Territory ; or

(b) declared to be fair and reasonable in accordance with the provisions of sub-section (2.) of this section,

a manufacturer when making any claim for bounty in respect of the production of any superphosphate shall certify to the person with whom he lodges the claim that the rates of wages and conditions of employment observed by him in respect of the persons employed in the manufacture of superphosphate were not less favorable to the persons so employed than the rates and conditions so prescribed or declared.

(2.) If, in the locality where superphosphate in respect of which bounty is claimed is manufactured, the rates of wages and conditions of employment to be paid and observed in respect of any persons employed in the manufacture of that superphosphate have not been prescribed by any award, order or determination of the Commonwealth Court of Conciliation and Arbitration or of any other industrial authority of the Commonwealth or of a State or Territory or in any industrial agreement registered under any law of the Commonwealth or of a State or Territory, the Minister may make application to the Chief Judge or a Judge of the Commonwealth Court of Conciliation and Arbitration for a declaration as to what rates of wages and conditions of employment are fair and reasonable for persons employed in the manufacture of superphosphate in that locality.

(3.) If the Minister finds that the rates of wages paid to, or the conditions of employment, or any of them, observed in respect of, persons employed in the manufacture of superphosphate upon which bounty is claimed were less favorable to those persons than the rates and conditions prescribed or declared as specified in paragraph (a) or paragraph (b), as the case may be, of sub-section (1.) of this section, he may direct that the whole or any part of that bounty shall not be payable, and that whole or part, as the case may be, shall thereupon not be payable.

10. A person shall not—

- (a) obtain any bounty which is not payable ;
- (b) obtain any bounty by means of any false or misleading statement ;

Offences.

- (c) present to any officer or other person doing duty in relation to this Act or the regulations made thereunder any document, or make to such officer or person any statement, which is false in any particular.

Penalty : Five hundred pounds, or imprisonment for twelve months.

Power to call
for information.

11.—(1.) The Minister, or any person thereto authorized in writing by the Minister, may, by notice in writing, call upon any person to furnish to him, within such time as is specified in the notice, such books and documents and such information as the Minister or authorized person thinks necessary in relation to compliance with this Act or the regulations made thereunder 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 : Five hundred pounds or imprisonment for twelve months.

(3.) Where a person who so fails to comply with the requirements of a notice is a claimant for bounty, payment of any bounty payable to him may be withheld until he has complied with the requirements of the notice.

Return for
Parliament.

12.—(1.) Not later than the thirty-first day of August of each year, the Minister shall prepare a return and shall lay that return before each House of the Parliament within fifteen sitting days of that House after the preparation of the return.

(2.) The return shall set forth in respect of the preceding financial year—

- (a) the name and address of each manufacturer to whom bounty was paid ;
- (b) the total amount of bounty paid to each manufacturer and the quantity and value of the superphosphate on which bounty was paid ; and
- (c) such other particulars as are prescribed.

Regulation.

13. 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, for any breach of the regulations.