

DAIRYING INDUSTRY ASSISTANCE.

No. 58 of 1942.

An Act to provide for the granting of Assistance to the Dairying Industry with the object of aiding the Prosecution of the War, and for other purposes.

[Assented to 13th October, 1942.]

BE 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. This Act may be cited as the *Dairying Industry Assistance* Short title. Act 1942.

- Commencement.** 2. This Act shall come into operation on the day on which it receives the Royal Assent.
- Definitions.** 3. In this Act—
 “dairy produce” means cows’ milk, or any produce derived from cows’ milk, which is to be processed into butter or cheese;
 and
 “primary producer” means a person who produces dairy produce, and, where dairy produce is produced in pursuance of a share-farming agreement, includes every party to the agreement.
- Financial assistance.** 4. With the object of promoting the production of dairy produce required for the effectual prosecution of the war, there shall be payable, in respect of the financial year ending on the thirtieth day of June, One thousand nine hundred and forty-three, out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, the sum of One million five hundred thousand pounds for the purpose of providing financial assistance to primary producers.
- Application of moneys.** 5. The amount appropriated by this Act shall be applied, in accordance with the regulations, in making payments to primary producers.
- Investigation by Tariff Board.** 6.—(1.) With a view of determining the manner in which the amount appropriated by this Act should be allocated, the Tariff Board may make such inquiries and investigations as it thinks necessary with respect to the factors and circumstances affecting the dairying industry, and shall make, to the Minister of State for Trade and Customs, recommendations as to the allocation to be made.
 (2.) In making recommendations under the last preceding subsection the Tariff Board shall have regard to the existence in any area of conditions of drought, to any disabilities of primary producers arising out of circumstances attributable to the war, and to any terms and conditions of employment prescribed by the Commonwealth Court of Conciliation and Arbitration in relation to the dairying industry or any part thereof.
 (3.) The Governor-General may appoint (in addition to the members of the Tariff Board appointed under the *Tariff Board Act* 1921–1934), to be a member of the Board when it is exercising its powers under this section, a person who has wide knowledge of the dairying industry.
 (4.) The provisions of the *Tariff Board Act* 1921–1934 in relation to members of the Tariff Board (other than the provisions as to the term of the appointment) shall apply in relation to a person appointed under this section in like manner as if he were appointed to be a member of that Board under that Act.
 (5.) The provisions of the *Tariff Board Act* 1921–1934 shall apply in relation to inquiries and investigations under this section in like manner as they apply in relation to inquiries by the Tariff Board under that Act.

7.—(1.) With the object of ensuring an adequate supply of dairy produce during the war, the Minister or the Attorney-General may request the Commonwealth Court of Conciliation and Arbitration to determine any matters with respect to the terms and conditions of employment to be observed in relation to persons employed in the dairying industry or any part thereof.

Terms and conditions of employment in the dairying industry.

(2.) Upon a request to the Court under this section in respect of any matter, the Court may, notwithstanding that an industrial dispute within the meaning of the *Commonwealth Conciliation and Arbitration Act 1904-1934* affecting the matter does not exist, proceed to hear and determine the matter in like manner as if it were such an industrial dispute.

(3.) Any rates of wages prescribed by the Court in pursuance of the powers conferred by this section shall operate from such date, not earlier than the first day of October, One thousand nine hundred and forty-two, as the Court determines.

(4.) Any award, order or determination made by the Court in pursuance of the powers conferred by this section shall have the like force and effect, and the provisions of the *Commonwealth Conciliation and Arbitration Act 1904 1934* shall apply, in relation thereto, in like manner, as if it were made in pursuance of the powers conferred by that Act.

8. A person shall not—

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, 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.

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—

Regulations.

- (a) the manner of allocating the amount appropriated by this Act;
- (b) the primary producers to whom payments may be made under this Act;
- (c) the conditions subject to which payments shall be made to primary producers; and
- (d) penalties not exceeding a fine of Fifty pounds or imprisonment for a period not exceeding three months for any breach of the regulations.