

WOOL SALES DEDUCTION LEGISLATION REPEAL.

No. 30 of 1951.

An Act to repeal the *Wool Sales Deduction (Administration) Act* 1950, the *Wool Sales Deduction Act (No. 1)* 1950 and the *Wool Sales Deduction Act (No. 2)* 1950, and for other purposes.

[Assented to 17th November, 1951.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

- Short title and citation. 1. This Act may be cited as the *Wool Sales Deduction Legislation Repeal Act* 1951.
- Commencement. 2. This Act shall come into operation on the day on which it receives the Royal Assent.
- Interpretation. 3. Expressions used in this Act have the same meanings as those expressions had in the *Wool Sales Deduction (Administration) Act* 1950.
- Repeal. 4. Subject to the next succeeding section, the *Wool Sales Deduction (Administration) Act* 1950, the *Wool Sales Deduction Act (No. 1)* 1950 and the *Wool Sales Deduction Act (No. 2)* 1950 are repealed.

5. The Acts repealed by the last preceding section, and the regulations made under the *Wool Sales Deduction (Administration) Act 1950*, continue in force for all purposes in connexion with or arising out of the sale or other disposal, purchase or export of wool on or before the thirtieth day of June, One thousand nine hundred and fifty-one. Saving.

6. Subject to the next succeeding section, a person is not liable to make a payment to the Commissioner, under an Act repealed by this Act, in relation to wool sold or otherwise disposed of, purchased or exported after the thirtieth day of June, One thousand nine hundred and fifty-one. Cessation of certain liabilities.

7.—(1.) Where, before the date of commencement of this Act, a person has, in paying or accounting for the proceeds of the sale of wool sold by him on behalf of a producer after the thirtieth day of June, One thousand nine hundred and fifty-one, or in paying or accounting for the purchase price of wool purchased by him from a producer after that last-mentioned date, deducted or debited an amount by reason of the operation of section six of the *Wool Sales Deduction (Administration) Act 1950* and has not, before the date of commencement of this Act, paid to the Commissioner, in relation to that sale or purchase, an amount equal to that amount, that person is (whether or not he has issued a wool deduction certificate in respect of the amount deducted or debited) liable to pay to the Commissioner an amount equal to that amount. Deductions held by brokers, &c., at commencement of Act.

(2.) A person who is liable under this section to pay an amount to the Commissioner shall pay that amount to the Commissioner within fourteen days after the date of commencement of this Act.

Penalty: A fine not exceeding the amount payable to the Commissioner.

(3.) An amount payable to the Commissioner under this section may be sued for and recovered in a court of competent jurisdiction by the Commissioner suing in his official name.

(4.) In an action against a person for the recovery of such an amount, a certificate in writing signed by the Commissioner, certifying that the sum specified in the certificate was, at the date of the certificate, payable by that person to the Commissioner under this section is *prima facie* evidence of the matters stated in the certificate.

(5.) A person who pays an amount to the Commissioner in pursuance of this section, or from whom the Commissioner recovers an amount payable in pursuance of this section, is, by force of this Act, discharged from his liability to pay to any other person, or account to any other person for, so much of the amount received by him for the wool concerned, or so much of the purchase price of the wool concerned, as the case may be, as is equal to that amount.

Refunds in respect of wool sold, &c., since 30th June, 1951.

8.—(1.) Where, before the commencement of this Act—

(a) a payment in relation to wool sold or otherwise disposed of, purchased or exported after the thirtieth day of June, One thousand nine hundred and fifty-one, has been made to the Commissioner under an Act repealed by this Act—

(i) by a producer ; or

(ii) by a person who sold the wool on behalf of a producer or purchased it from a producer ; or

(b) a person has, in paying or accounting to a producer, deducted or debited an amount in respect of which he is liable to make a payment to the Commissioner under sub-section (1.) of the last preceding section,

the Commissioner shall pay to that producer, by way of refund or reimbursement, an amount equal to the amount so paid, deducted or debited.

(2.) Where the producer has died, the payment under this section may be made to his legal personal representative.

Wool deduction certificates in respect of wool sold, &c., after 30th June, 1951.

9. Except as provided in the last preceding section, the Commissioner is not required to allow a credit or make a payment in respect of the amount of a wool deduction certificate delivered in relation to wool sold or otherwise disposed of, purchased or exported after the thirtieth day of June, One thousand nine hundred and fifty-one.

Appropriation.

10. Payments under section eight of this Act shall be made out of the Consolidated Revenue Fund, which is, to the necessary extent, hereby appropriated accordingly.