

# WOOL USE PROMOTION.

No. 23 of 1953.

An Act to make provision for Improving the Production and Increasing the Use of Wool, and for purposes connected therewith.

[Assented to 15th April, 1953.]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

- Short title.           1. This Act may be cited as the *Wool Use Promotion Act 1953*.
- Commencement.       2. This Act shall come into operation on a date to be fixed by Proclamation.
- Repeat.               3.—(1.) The *Wool Use Promotion Act 1945* and the *Wool Use Promotion Act 1952* are repealed.
- (2.) All rights, property and assets and all obligations and liabilities that, immediately before the commencement of this Act, were vested in or imposed on the Australian Wool Board established by the *Wool Use Promotion Act 1945–1952*, shall, upon the commencement of this Act and by force of this section, become vested in or imposed on the Bureau.
- (3.) A reference in a law of the Commonwealth, other than this Act, to the Australian Wool Board established by the *Wool Use Promotion Act 1945–1952* shall, in relation to the operation of that law after the commencement of this Act, be read as a reference to the Bureau.

(4.) A reference, in a contract, agreement or other instrument to which the Australian Wool Board established by the *Wool Publicity and Research Act 1936* was a party, to that Board shall, in relation to the operation of that instrument after the commencement of this Act, be read as a reference to the Bureau.

(5.) A reference, in a contract, agreement or other instrument to which the Australian Wool Board established by the *Wool Use Promotion Act 1945-1952* was a party, to that Board shall, in relation to the operation of that instrument after the commencement of this Act, be read as a reference to the Bureau.

(6.) The moneys and securities that, at the commencement of this Act, constitute the Wool Use Promotion Fund established by the *Wool Use Promotion Act 1945-1952* shall form part of the Wool Use Promotion Fund established by this Act.

(7.) An amount equal to the amount that, at the commencement of this Act, is standing to the credit of the Wool Research Trust Account established by the *Wool Use Promotion Act 1945-1952* shall be credited to the Wool Research Trust Account established by this Act.

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

**Definitions.**

“ member ” means a member of the Bureau ;

“ the Bureau ” means the Australian Wool Bureau established by this Act ;

“ the Fund ” means the Wool Use Promotion Fund established by this Act ;

“ the Minister ” means the Minister of State for Commerce and Agriculture ;

“ the Ministers ” means the Minister of State for Commerce and Agriculture, the Treasurer, the Minister of State administering the *Science and Industry Research Act 1949* and the Minister of State for National Development ;

“ the Research Account ” means the Wool Research Trust Account established by this Act ;

“ wool ” means sheep’s wool, and includes lambs’ wool.

5.—(1.) The Minister may, on such terms and conditions as the Minister thinks fit—

**Commonwealth  
Wool Adviser  
and Deputy.**

(a) appoint a person to be the Commonwealth Wool Adviser ; and

(b) appoint a person to be the Deputy Commonwealth Wool Adviser.

(2.) The Commonwealth Wool Adviser and the Deputy Commonwealth Wool Adviser shall perform such duties and functions as the Minister from time to time determines, and shall have such powers as are necessary for the performance of those duties and functions.

(3.) The Commonwealth Wool Adviser is a corporation sole with perpetual succession and an official seal, and is capable of suing and being sued in his corporate name.

Employment  
of staff.

6.—(1.) If the duties and functions imposed or conferred on the Commonwealth Wool Adviser in pursuance of the last preceding section include the duty or function of compiling, analysing and publishing statistics and information relating to wool or to the wool industry, the Commonwealth Wool Adviser may, subject to this section, employ such persons as he thinks necessary to assist him in performing that duty or function.

(2.) The last preceding sub-section does not authorize the Commonwealth Wool Adviser to continue to employ persons if his duties and functions cease to include the duty or function referred to in that sub-section.

(3.) The terms and conditions of employment of persons employed under this section shall be such as are determined by the Commonwealth Wool Adviser with the approval of the Public Service Board.

Remuneration  
and allowances

7. The remuneration and allowances of—

- (a) the Commonwealth Wool Adviser ;
- (b) the Deputy Commonwealth Wool Adviser ; and
- (c) persons employed by the Commonwealth Wool Adviser in pursuance of this Act,

shall be paid out of moneys appropriated by the Parliament or out of moneys otherwise made available by law for the purpose.

Australian  
Wool Bureau.

8. There shall be an Australian Wool Bureau, which shall be a body corporate with perpetual succession and a common seal and shall be capable of suing and being sued and of acquiring and disposing of real and personal property.

Membership of  
Bureau, &c.

9.—(1.) The Bureau shall consist of—

- (a) the Commonwealth Wool Adviser or the Deputy Commonwealth Wool Adviser, as the Minister from time to time determines ; and
- (b) six members representative of Australian woolgrowers, who shall, subject to this section, be appointed by the Governor-General for a period of three years.

(2.) Three of the members representative of Australian woolgrowers shall be appointed upon the nomination of the organization known as the Australian Woolgrowers' Council, and three of those members shall be appointed upon the nomination of the organization known as the Australian Wool and Meat Producers' Federation.

(3.) If the office of a member of the Bureau referred to in paragraph (b) of sub-section (1.) of this section becomes vacant before the expiration of his term of office, the Governor-General may, on the nomination of the organization that nominated the member whose office has become vacant, appoint a person to fill the vacancy, and a person so appointed shall, subject to this Act, hold office for the remainder of the term of office of the member in whose place he is appointed.

(4.) The exercise of a power or the performance of a function by the Bureau is not invalidated by reason only of there being a vacancy or vacancies in the membership of the Bureau.

(5.) The appointment of a member of the Bureau is not invalidated and shall not be called in question by reason of a defect or irregularity in or in connexion with his nomination.

**10.—(1.)** At the first meeting of the Bureau, the Bureau shall appoint one of its members to be Chairman of the Bureau. Chairman of Bureau.

(2.) At a meeting of the Bureau held not earlier than the first day of July and not later than the thirtieth day of September in each year after the year One thousand nine hundred and fifty-three, the Bureau shall appoint one of its members to be Chairman of the Bureau.

(3.) In the event of a vacancy occurring in the office of Chairman, the members of the Bureau shall, at the next meeting of the Bureau, appoint one of their number to be Chairman of the Bureau.

(4.) A member of the Bureau appointed as Chairman under any of the last three preceding sub-sections shall hold office until the appointment of a successor or until he ceases to be a member of the Bureau (whichever first happens), and is eligible for re-appointment.

**11.—(1.)** A member of the Bureau may, with the approval of the Bureau, appoint a person to be his deputy. Deputies of members.

(2.) The person so appointed shall, in the event of the absence from a meeting of the Bureau of the member of whom he is the deputy, be entitled to attend that meeting and, when so attending, shall be deemed to be a member of the Bureau.

**12.** At a meeting of the Bureau—

- (a) four members form a quorum ;
- (b) the Chairman or, in his absence, a member elected by the members present, shall preside ;
- (c) all questions shall be decided by a majority of votes of the members present ; and
- (d) the Chairman or other member presiding shall have a deliberative vote and, in the event of an equality of votes, shall also have a casting vote.

Quorum and voting.

**13.—(1.)** The Bureau may, by writing under its seal, delegate to a member of the Bureau, or to a committee consisting of such of its members as it appoints, any of its powers and functions under this Act (except this power of delegation) in relation to any matters or class of matters, or to a particular State or part of Australia, so that the delegated powers and functions may be exercised by the delegate with respect to the matters or class of matters, or the State or part of Australia, specified in the instrument of delegation. Delegation by Bureau.

(2.) The constitution and procedure of a committee appointed for the purposes of this section shall be as determined by the Bureau.

(3.) A delegation by the Bureau is revocable at will and does not prevent the exercise of a power or function by the Bureau.

Fees,  
allowances and  
expenses.

14.—(1.) Subject to the next succeeding sub-section, members (other than the Commonwealth Wool Adviser or the Deputy Commonwealth Wool Adviser) and deputies of members shall be paid, in respect of attendance at meetings of the Bureau or while engaged (whether in Australia or overseas), with the approval of the Bureau, on business of the Bureau, such fees, allowances and expenses as the Governor-General determines.

(2.) If a member or a deputy of a member is also a member of the Parliament of the Commonwealth or of a State, he shall not be paid fees, allowances or expenses under the last preceding sub-section, but shall be reimbursed such expenses as he reasonably incurs by reason of his attendance at meetings of the Bureau or of his engagement (whether in Australia or overseas), with the approval of the Bureau, on business of the Bureau.

Appointment  
of staff.

15.—(1.) Subject to this section, the Bureau may employ such persons as it thinks necessary to assist the Bureau in exercising its powers and performing its functions under this Act.

(2.) The terms and conditions of employment of persons employed under this section shall be such as are determined by the Bureau with the approval of the Public Service Board.

(3.) All persons in the employment of the Australian Wool Board established by the *Wool Use Promotion Act 1945-1952* immediately before the commencement of this Act shall, by force of this section, be deemed to have been employed by the Bureau under this section, and their service with that Board shall, for the purpose of determining their rights under the terms and conditions of employment applicable to them under this section, be deemed to be service with the Bureau.

(4.) Until otherwise determined in pursuance of this section, the terms and conditions of employment of a person employed or deemed to have been employed under this section, being a person who occupies an office the duties of which are substantially identical with those of an office in respect of which terms and conditions were, immediately before the commencement of this Act, prescribed by regulations under the *Wool Use Promotion Act 1945-1952*, shall be the terms and conditions that were so prescribed in respect of that last-mentioned office.

Powers and  
functions of  
Bureau.

16.—(1.) The Bureau may—

- (a) do such things as it thinks fit for the purpose of promoting, by publicity or other means (not being research or the encouragement of research), the use of wool in Australia or in other countries ; and
- (b) make arrangements, with persons, authorities or associations in Australia or in other countries, likely to be conducive to that purpose.

(2.) Subject to any directions of the Minister, the Bureau may—

(a) do such things as it thinks fit for the purpose of—

- (i) improving the production of wool in Australia ; or
- (ii) encouraging research in Australia and other countries directed to the promotion of the use of wool ; and

(b) make arrangements, with persons, authorities or associations in Australia or in other countries, likely to be conducive to either of the purposes specified in the last preceding paragraph.

(3.) The Bureau may perform such other functions for the benefit of the Australian wool industry as the Minister approves.

**17.**—(1.) The Bureau may constitute Consultative Committees for the purpose of assisting the Bureau to exercise its powers and perform its functions under this Act, and may appoint persons (including persons who are members of the Bureau) to be members of those Committees during the pleasure of the Bureau.

Consultative  
Committees.

(2.) The members of a Consultative Committee may be paid such fees, allowances and expenses as the Governor-General determines.

**18.**—(1.) There shall be a fund which shall be known as the Wool Use Promotion Fund and which shall be administered by the Bureau.

Wool Use  
Promotion  
Fund.

(2.) There shall be paid into the Fund, out of the Consolidated Revenue Fund, which is appropriated accordingly, amounts equal to the moneys received by the Commissioner of Taxation under the *Wool Tax Act (No. 1) 1952* and the *Wool Tax Act (No. 2) 1952*.

(3.) Where an account referred to in section twenty of this Act is opened, payment into that account of moneys referred to in the last preceding sub-section shall be deemed to be payment into the Fund.

**19.** The moneys in the Fund shall be applied by the Bureau—

Application  
of Fund.

- (a) for the purposes of the exercise of its powers and the performance of its functions under this Act ;
- (b) in payment of salaries and allowances of persons employed by the Bureau ; and
- (c) in payment of fees, allowances and expenses payable in accordance with this Act to members and deputies of members of the Bureau or members of Consultative Committees constituted by the Bureau.

**20.**—(1.) Moneys in the Fund not immediately required for the purposes specified in the last preceding section—

Investment,  
&c., of moneys  
in the Fund.

- (a) may be invested in securities of or guaranteed by the Government of the Commonwealth or a State ; or
- (b) may be lodged in an account at call or on fixed deposit, or partly in an account at call and partly on fixed deposit, at the Commonwealth Bank of Australia.

(2.) Income derived from the investment of moneys in the Fund forms part of the Fund.

(3.) The income of the Fund is not subject to taxation by the Commonwealth or a State.

Wool Research  
Trust Account.

**21.**—(1.) For the purposes of this Act, there shall be an account to be known as the Wool Research Trust Account, which shall be a Trust Account for the purposes of section sixty-two A of the *Audit Act 1901-1953*.

(2.) The Treasurer shall, in respect of each financial year, pay into the Research Account out of the Consolidated Revenue Fund, which is appropriated accordingly—

- (a) the sum of Two shillings for each bale of wool ;
- (b) the sum of One shilling for each fadge or butt of wool ; and
- (c) the sum of Four pence for each bag of wool,

in respect of which tax has been paid in that financial year under the *Wool Tax Act (No. 1) 1952* or the *Wool Tax Act (No. 2) 1952*.

(3.) Amounts paid under sub-section (2.) of section fifteen of the *Wool Use Promotion Act 1945-1952* into the Wool Research Trust Account established by that Act in respect of the financial year that commenced on the first day of July, One thousand nine hundred and fifty-two, shall, for the purposes of this section, be deemed to have been paid into the Research Account in respect of that financial year.

(4.) Moneys standing to the credit of the Research Account may be applied in a manner approved by the Ministers for the purposes of this Act, including the following purposes :—

- (a) scientific, economic and cost research in connexion with the production and use of wool and goods made wholly or partly from wool ; and
- (b) the co-ordination of, and the application of the results of, any such research.

Audit.

**22.** The accounts of the Bureau are subject to inspection and audit by the Auditor-General.

Annual report.

**23.** The Bureau shall, in the month of August in each year, furnish to the Minister a report on the operation of the provisions of this Act relating to the Bureau during the last preceding financial year.

Saving of  
rights of  
officers of  
Commonwealth  
Public  
Service.

**24.** Where a person appointed or employed in pursuance of this Act was, immediately before his appointment or employment, an officer of the Public Service of the Commonwealth, his service as a

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person so appointed or employed shall, for the purpose of determining his existing and accruing rights, be taken into account as if it were service in the Public Service of the Commonwealth, and the *Officers' Rights Declaration Act* 1928-1953 applies as if this Act and this section had been specified in the Schedule to that Act.

**25.** The Governor-General may make regulations, not inconsistent **Regulations.** 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.

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