

# NITROGENOUS FERTILIZERS SUBSIDY AMENDMENT ACT 1977

## No. 114 of 1977

An Act relating to subsidy in respect of certain nitrogenous fertilizers.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

1. (1) This Act may be cited as the *Nitrogenous Fertilizers Subsidy Amendment Act 1977*.<sup>1</sup> Short title,  
&c.
- (2) The *Nitrogenous Fertilizers Subsidy Act 1966*<sup>2</sup> is in this Act referred to as the Principal Act.
2. This Act shall come into operation on the day on which it receives the Royal Assent.<sup>1</sup> Commence-  
ment
3. Section 3 of the Principal Act is amended by omitting from sub-section (2) “1977” and substituting “1978”. Interpret-  
ation
4. Section 14 of the Principal Act is repealed and the following section substituted:
- “14. (1) Where an application for subsidy in respect of subsidized goods is made in accordance with the regulations, the Minister shall— Approval of  
payment of  
subsidy
- (a) if he is satisfied that subsidy is payable in respect of those goods—approve the payment of the subsidy; or
- (b) if he is not so satisfied—refuse to approve payment of the subsidy.
- “(2) In sub-section (1), ‘subsidy’ does not include an advance on account of subsidy under section 15.”
5. Section 22 of the Principal Act is amended— Security for  
compliance  
with Act
- (a) by inserting “, in an amount determined by the Minister,” after “security” (first occurring); and
- (b) by inserting “or importer, as the case may be,” after “producer” (last occurring).

6. After section 23 of the Principal Act the following section is inserted:

Applications  
for review of  
decisions

“23A. Applications may be made to the Administrative Appeals Tribunal for review of—

- (a) a decision of the Minister made for the purposes of sub-section 5 (2) or (2A);
- (b) a determination, direction or specification by the Minister under section 6 or any other decision of the Minister made for the purposes of that section;
- (c) a direction by the Minister under section 11;
- (d) a decision of the Comptroller-General made for the purposes of section 13;
- (e) an approval of the Minister given under sub-section 14 (1) or a refusal of the Minister to give an approval under that sub-section;
- (f) a determination made by the Minister for the purposes of sub-section 16 (6) or a refusal of the Minister to make a determination for the purposes of that sub-section;
- (g) a decision of the Minister made for the purposes of sub-section 16 (7); or
- (h) a determination made by the Minister of an amount of security made for the purposes of section 22.”

Amendment  
of  
*Nitrogenous  
Fertilizers  
Subsidy  
Amendment  
Act (No. 2)  
1976*

7. Section 5 of the *Nitrogenous Fertilizers Subsidy Amendment Act (No. 2) 1976*<sup>3</sup> is amended by omitting “1978” (wherever occurring) and substituting “1979”.

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#### NOTES

1. Act No. 114, 1977; assented to 3 November 1977.
2. Act No. 78, 1966, as amended. For previous amendments *see* Act No. 79, 1969; No. 107, 1972; No. 216, 1973 (as amended by No. 20, 1974); No. 78, 1974; and Nos. 20 and 152, 1976.
3. Act No. 152, 1976.