

COTTON BOUNTY.

No. 51 of 1926.

An Act to provide for the Payment of a Bounty on
the Production of Seed Cotton and Cotton Yarn.

[Assented to 23rd August, 1926.]

Preamble.

BE 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 *Cotton Bounty Act* 1926.

Definition.

2. In this Act, unless the contrary intention appears—
“appointed place” means a place appointed by the Minister, by writing under his hand, to be a place where seed cotton may be weighed, examined and graded for the purposes of this Act.

Appropriation.

3. There shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, the sum of Nine hundred thousand pounds during the period of five years commencing on the sixteenth day of August One thousand nine hundred and twenty-six for the payment of bounties in accordance with this Act.

Specification of bounties.

4.—(1.) The bounties under this Act shall be payable in respect of—
(a) seed cotton which—

- (i) has been grown in Australia ;
- (ii) has been delivered to an appointed place ; and
- (iii) is graded in one of the grades prescribed under section six of this Act ;

and

(b) cotton yarn manufactured in Australia and delivered from a factory,

on or after the sixteenth day of August One thousand nine hundred and twenty-six and on or before the fifteenth day of August One thousand nine hundred and thirty-one.

(2.) No bounty shall be authorized to be paid in respect of seed cotton to any person other than the grower of the seed cotton, nor unless the grower furnishes proof to the satisfaction of the Minister that the requirements of this Act and the Regulations have been complied with.

(3.) No bounty shall be paid in respect of cotton yarn to any person other than the manufacturer of the cotton yarn, nor unless the manufacturer furnishes proof to the satisfaction of the Minister that the requirements of this Act and the Regulations have been complied with.

(4.) Notwithstanding anything contained in the foregoing provisions of this section, if at any time any deferred Customs duty on cotton yarn is brought into operation, no bounty shall be paid on any cotton yarn delivered from a factory on or after the date on which the deferred duty comes into operation.

5.—(1.) The total amount of bounty authorized to be paid under this Act in any one financial year shall not exceed—

Limit of total amount of bounties.

(a) in respect of seed cotton—the sum of One hundred and twenty thousand pounds; and

(b) in respect of cotton yarn—the sum of Sixty thousand pounds.

(2.) When the maximum amount of bounty which may be paid in any year in respect of seed cotton or cotton yarn, as the case may be, has not been paid in that year, the unpaid balance, or any part thereof, may be paid in any subsequent year in respect of seed cotton or cotton yarn, as the case may be, in addition to the maximum amount for that year.

6.—(1.) The rate of bounty payable under this Act on seed cotton delivered to an appointed place shall be—

Rates of bounty.

(a) in respect of seed cotton of such higher grades as are prescribed—One penny half-penny per pound; and

(b) in respect of seed cotton of such lower grades as are prescribed—Three farthings per pound.

(2.) The rates of bounty payable under this Act on cotton yarn shall be the rates set out in the Schedule to this Act.

7. All seed cotton delivered to an appointed place shall be graded in the prescribed manner.

Grading of seed cotton.

8. Cotton seed obtained from seed cotton delivered to an appointed place shall not be exported from Australia except with the consent in writing of the Minister.

Export of cotton seed.

Penalty: One hundred pounds.

9. No bounty shall be paid on any cotton yarn unless—

(a) it is of good and merchantable quality; and

(b) at least fifty per centum of the cotton used in its manufacture was grown in Australia:

Restrictions on payment of bounty on cotton yarn.

Provided that if the Minister is satisfied that circumstances have arisen in which it would be unreasonable to require the use of fifty per centum of Australian-grown cotton, he may authorize the use of such lower proportion of Australian-grown cotton as is, in his opinion, reasonable, and cotton yarn in the manufacture of which such lower

proportion has been used shall not thereby be excluded from the payment of bounty under this Act :

Provided further that whenever the Minister authorizes the use of a lower proportion than fifty per centum of Australian-grown cotton, he shall, within thirty days from the date of the authority, cause a statement of the reasons therefor to be laid before both Houses of the Parliament, if the Parliament is then sitting, or, if the Parliament is not then sitting, within thirty days after the next meeting of the Parliament, and if either House of the Parliament passes a resolution, of which notice has been given at any time within fifteen sitting days after the statement has been laid before such House, disallowing the authority, it shall thereupon cease to have effect.

Conditions of
employment
and rates of
wages.

10.—(1.) 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 wages and conditions of employment are fair and reasonable for labour employed in the manufacture of cotton yarn.

(2.) On the hearing and determination of the application, the Chief Judge or Judge, as the case may be, shall have all the powers which under the *Excise Procedure Act* 1907 are conferred on the President of the Commonwealth Court of Conciliation and Arbitration, and all witnesses and persons summoned to appear or appearing before him shall be entitled to the same privileges and protection, and be subject to the same liabilities and penalties, as witnesses or persons summoned to appear or appearing before the President on an application within the meaning of that Act, and the provisions of that Act shall, so far as they are applicable, apply accordingly, *mutatis mutandis*, as if the application were an application within the meaning of that Act.

(3.) For the purposes of this section, any reference in the *Excise Procedure Act* 1907 to the President of the Commonwealth Court of Conciliation and Arbitration shall be read as a reference to the Chief Judge or a Judge of that Court.

(4.) Every person who claims the bounty payable on cotton yarn under this Act shall, in making his claim, certify to the Minister the conditions of employment and the rates of wages paid to any labour employed by him.

(5.) If the Minister finds that the rates of wages and conditions of employment or any of them—

- (a) are below the rates and conditions declared, as in the first sub-section of this section mentioned, to be fair and reasonable ; or
- (b) are below the standard rates and conditions of employment prescribed by the Commonwealth Court of Conciliation and Arbitration, or the determination of any State industrial authority,

the Minister may withhold the whole or any part of the bounty payable.

11. The accounts, books and documents of any person, firm or company claiming bounty under this Act shall be subject to examination and audit by an auditor appointed or authorized by the Minister. Audit of accounts, &c.

12. No person shall—

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

Offences
against Act.

Penalty : One hundred pounds or imprisonment for twelve months.

13.—(1.) A return shall be prepared in the month of July in each year, and shall be laid before both Houses of the Parliament within thirty days after its preparation if the Parliament is then sitting, and, if not, then within thirty days after the next meeting thereof. Return to be laid before Parliament.

(2.) The return shall set forth—

- (a) in respect of bounty paid on seed cotton—
 - (i) the number of persons to whom the bounty was paid under this Act during the preceding financial year ; and
 - (ii) the total amount of bounty paid during the preceding financial year,
- and
- (b) in respect of cotton yarn—
 - (i) the names of all persons to whom bounty was paid under this Act during the preceding financial year ; and
 - (ii) the amounts of all such bounty,

and shall contain such other information as is prescribed.

14. 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— Regulations.

- (a) for prescribing the minimum quantity of seed cotton to be delivered to an appointed place to entitle the grower to claim the bounty ;
- (b) for prescribing the minimum quantity of cotton yarn to be manufactured to entitle the manufacturer to claim the bounty ;
- (c) for prescribing the proportion in which bounty shall be payable to claimants who have complied with the prescribed conditions, in cases where there is not sufficient money available to pay the full bounty in respect of all the claims ; and
- (d) for prescribing penalties not exceeding Fifty pounds for any breach of the Regulations.

THE SCHEDULE.

RATE OF BOUNTY PAYABLE ON COTTON YARN.

Count.	Rate of Bounty per Pound.
	pence
Count No. 1	$\frac{1}{4}$
No. 2	$\frac{2}{3}$
No. 3	1
No. 4	$1\frac{1}{4}$
No. 5	$1\frac{2}{3}$
No. 6	2
No. 7	$2\frac{1}{4}$
No. 8	$2\frac{2}{3}$
No. 9	3
No. 10	$3\frac{1}{4}$
No. 11	$3\frac{2}{3}$
No. 12	4
No. 13	$4\frac{1}{4}$
No. 14	$4\frac{2}{3}$
No. 15	5
No. 16	$5\frac{1}{4}$
No. 17	$5\frac{2}{3}$
No. 18	6
No. 19	$6\frac{1}{4}$
No. 20	$6\frac{2}{3}$
No. 21	7
No. 22	$7\frac{1}{4}$
No. 23	$7\frac{2}{3}$
No. 24	8
No. 25	$8\frac{1}{4}$
No. 26	$8\frac{2}{3}$
No. 27	9
No. 28	$9\frac{1}{4}$
No. 29	$9\frac{2}{3}$
No. 30	10
No. 31 and up to and including No. 35	$10\frac{1}{2}$
No. 36 and up to and including No. 40	11
No. 41 or any higher count	12

"Count No. 1" means a single yarn one pound of which measures 840 yards and any count higher than Count No. 1 means a single yarn one pound of which measures the number of yards obtained by multiplying 840 yards by the number of the count.