

THE SCHEDULE.

AMENDMENTS TO THE SCHEDULE TO THE CUSTOMS TARIFF,
1921-1923.

Item No.	Tariff Items.	British Preferential Tariff.	Intermediate Tariff.	General Tariff.
3 (A)	By omitting from the item the whole of the sub-item (A) and by inserting in its stead the following sub-item :— (A) Brandy— (1) When not exceeding the strength of proof per gallon (2) When exceeding the strength of proof ... per proof gallon	35s. 35s.	35s. 35s.	36s. 36s.

CANNED FRUIT BOUNTY.

No. 2 of 1924.

An Act to provide for the Payment of Bounties on the Production and Export of Canned Fruit.

[Assented to 24th May, 1924.]

Preamble. **B**E 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 *Canned Fruit Bounty Act 1924*.

Definitions. 2.—(1.) In this Act, unless the contrary intention appears—
“Canning” means the preservation of fruit in syrup or in any other liquid ;
“Canner” means any person, firm or company engaged in canning ;
“Cannery” means a cannery approved by the Comptroller-General ;

“Fruit” means fruit to which this Act applies ;

“Inspector” means an inspector appointed in pursuance of this Act ;

“The Comptroller-General” means the Comptroller-General of Customs ;

“The Department” means the Department of Trade and Customs.

(2.) A reference to a Schedule shall be read as a reference to a Schedule to this Act.

3.—(1.) The Comptroller-General may appoint such persons as he thinks fit to be inspectors for the purposes of this Act. Appointment of inspectors.

(2.) An inspector shall hold office during the pleasure of the Comptroller-General.

4. This Act applies to apricots, peaches, pears and pineapples canned in the Commonwealth during the period commencing on the first day of November, One thousand nine hundred and twenty-three, and ending on the thirtieth day of September, One thousand nine hundred and twenty-four. Fruit to which this Act applies.

5. Subject to this Act there shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly— Appropriation.

(a) on the production of canned fruit of good and merchantable quality—the bounties specified in the second column of the First Schedule ; and

(b) on the export, on or before the twenty-eighth day of February One thousand nine hundred and twenty-five, of canned fruit of good and merchantable quality—the bounties specified in the second column of the Second Schedule :

Provided that where fruit is packed in tins containing a quantity other than that specified in the First and Second Schedules the rate of bounty shall be such as the Minister, by notice in the *Gazette*, determines.

6. Subject to this section bounty on canned fruit shall be payable under this Act to the canner of the fruit if the canner— To whom bounty payable.

(a) purchases from the grower of the fruit such varieties and quantities of fruit suitable for canning as the Comptroller-General directs ;

(b) pays to the grower in respect of the fruit purchased in accordance with this section prices not less than those specified in the Third Schedule ; and

(c) cans, to the satisfaction of the inspector, the fruit in respect of which bounty is claimed purchased by the canner in accordance with this section and passed by the inspector as suitable for canning.

Prices to include cost of delivery.

7. The prices specified in the Third Schedule shall be payable in respect of fruit accepted at a cannery by an inspector as suitable for canning and shall include—

- (a) where the cannery is situated outside a metropolitan area—the cost of delivery to the cannery; and
- (b) where the cannery is situated inside a metropolitan area—the cost of delivery at the railway station most convenient to the orchard where the fruit is grown.

Conditions as to purchase of fruit and canning.

8.—(1.) If a canner purchases a less quantity of fruit than that directed by the Comptroller-General in pursuance of section six of this Act the canner shall not be entitled to be paid bounty in respect of any of the fruit canned by him.

(2.) If a canner does not use, for canning or in the preparation of an article for human consumption, the whole of the fruit purchased by him in pursuance of section six of this Act and passed by an inspector as suitable for canning, the canner shall not be entitled to be paid bounty in respect of any of the fruit canned by him.

(3.) If a canner has been paid bounty to which, by virtue of either of the last two preceding sub-sections, he is not entitled, the bounty shall, upon the Comptroller-General being satisfied that the conditions specified in those sub-sections have not been complied with and notifying the canner to that effect, within fourteen days of the date of the notice, be repaid by the canner to the Comptroller-General, and the amount of the bounty shall be a debt due by the canner to the Comptroller-General who may recover that amount in any court of competent jurisdiction.

(4.) Notwithstanding anything contained in this section, where the canner satisfies the Minister that compliance with the conditions specified in sub-sections (1.) and (2.) of this section was not in the circumstances practicable, the Minister may direct—

- (a) that non-compliance with those conditions shall not disentitle the canner to receive bounty; or
 - (b) that the canner be relieved of his liability to repay the whole or any portion of the bounty,
- as the case may be.

(5.) Any person required in pursuance of this section to repay any bounty paid to him who has not, within fourteen days of the date of the notice under sub-section (3.) of this section, obtained a direction by the Minister under the last preceding sub-section and who fails to repay the bounty shall be guilty of an offence.

Penalty : One hundred pounds or imprisonment for six months.

9. Bounty in accordance with the Second Schedule shall not be paid to a canner unless he complies with the following conditions :—

Conditions relating to export.

- (a) the fruit upon which bounty is claimed shall be prepared for export in accordance with the provisions of the *Customs Act 1901-1923* and the *Commerce (Trade Descriptions) Act 1905* and the Regulations thereunder ;
- (b) the fruit shall be approved by an inspector at the time of canning as being suitable for export ; and
- (c) except with the consent in writing of the Minister first obtained, the quantity of any one kind of fruit, in respect of which bounty in accordance with the Second Schedule is claimed which is exported by the canner or supplied for export, shall not exceed thirty per centum of the total quantity of that kind of canned fruit produced by the canner and upon which bounty in accordance with the First Schedule is paid.

10. Any payment in the nature of a bounty on canned fruits which has been made by the Commonwealth on or after the twelfth day of March, One thousand nine hundred and twenty-four and before the commencement of this Act, shall be deemed to have been a payment of bounty under this Act and the provisions of this Act shall apply to that payment accordingly.

Validation of payments before commencement of Act.

11. Notwithstanding anything contained in this Act, there may be deducted from the bounty payable under this Act to any person all sums due by him in respect of the purchase or sale by him of canned fruit or fruit pulp under any arrangement controlled by the Commonwealth.

Debts under fruit marketing arrangement.

12.—(1.) A canner shall keep proper and separate books of account showing in detail—

Power to require information.

- (a) the quantity and kinds of fruit purchased by the canner ;
- (b) the amount paid to the grower for each kind of fruit ;
- (c) the name and address of the grower ;
- (d) the quantity and kinds of fruit canned for home consumption ;
- (e) the quantity and kinds of fruit canned for export ; and
- (f) such other particulars as the Minister from time to time requires.

(2.) All account books kept by a canner under this section and all documents in the possession, or under the control, of the canner relating to canned fruit shall at all reasonable times be open to inspection and audit by any person authorized in that behalf by the Minister and that person may, upon inspection or audit, make and take away extracts from those books of account and documents.

Offences
against Act.

13. 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.

Penalty : One hundred pounds or imprisonment for twelve months.

Return to be
laid before
Parliament.

14. A return setting forth—

- (a) the names of all persons to whom bounties are paid under this Act ;
- (b) the amounts of all such bounties ; and
- (c) such other particulars as are prescribed,

shall be laid before both Houses of the Parliament within thirty days after the expiration of the present financial year, if the Parliament is then sitting, and, if not, then within thirty days after the next meeting of the Parliament.

Regulations.

15. 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 penalties not exceeding Fifty pounds or imprisonment for a period not exceeding three months for any breach of the Regulations.

THE SCHEDULES.

THE FIRST SCHEDULE.

Description of Fruit.	Per dozen Tins each containing 30 ozs. net.
Apricots	Ninepence
Clingstone Peaches	One shilling
Freestone Peaches	Tenpence
Pears	Ninepence
Pineapples	Sixpence

THE SCHEDULES—*continued.*

THE SECOND SCHEDULE.

Description of Fruit.	Per dozen Tins each containing 30 ozs. net.
Apricots	One shilling and eightpence
Clingstone Peaches	One shilling and ninepence
Pears	One shilling and sixpence
Pineapples	One shilling

THE THIRD SCHEDULE.

Description of Fruit.	Purchase Price per ton.
Apricots	Ten pounds
Clingstone Peaches	Nine pounds
Freestone Peaches	Seven pounds
Pears	Ten pounds
Pineapples	Six pounds

LOAN (No. 1).

No. 3 of 1924.

An Act to authorize the Raising and Expending of certain Sums of Money.

[Assented to 20th June, 1924.]

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

1. This Act may be cited as the *Loan Act (No. 1) 1924.*

Short title.

2. The Treasurer may from time to time under the provisions of the *Commonwealth Inscribed Stock Act 1911–1918*, or under the provisions of any Act authorizing the issue of Treasury Bills, borrow

Authority to borrow £850,000.