

(2.) If the master of any vessel detained in pursuance of this section moves his vessel without the consent of the officer, while she is under detention, he shall be liable on summary conviction to a penalty of One hundred pounds.

Definition of a stowaway.

“9D. Any person on board a vessel at the time of her arrival from any place outside Australia at any port in Australia who is not—

(a) a *bonâ fide* passenger on the vessel, or

(b) a member of the crew of the vessel whose name is on the articles,

shall be deemed to be a stowaway, unless the master of the vessel gives notice to an officer that the person is on board the vessel, and does not permit him to land until the officer has had an opportunity of satisfying himself that the person is not a prohibited immigrant.”

MANUFACTURES ENCOURAGEMENT.

No. 26 of 1908.

An Act for the Encouragement of Manufactures in the Commonwealth.

[Assented to 14th December, 1908.]

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 *Manufactures Encouragement Act* 1908.

Commencement.

2. This Act shall commence on the first day of January One thousand nine hundred and nine.

Authority to pay bounties.

3. The Governor-General may authorize the payment, out of the Consolidated Revenue Fund, which is hereby appropriated for the purpose, of bounties on the manufacture in Australia, after the commencement of this Act, of the goods specified in the Schedule to this Act, according to the rates set out in the said Schedule.

Provided that no payment of bounties shall be authorized under this Act on any of the goods mentioned in the Schedule, manufactured after the issue of a Proclamation under any Customs Tariff bringing into operation any duties of Customs on such goods.

Provided further that no bounty shall be authorized to be paid on any goods manufactured or supplied or to be manufactured or supplied under a contract containing a term or condition permitting

or providing for the deduction of the amount of the bounty or any part thereof from the price or moneys payable for the goods to the manufacturers.

4. Where the rate of bounty is fixed on the value of the goods, their value shall be taken to be the same as the value of imported goods of the like kind and quality as ascertained for the purposes of Customs duties.

How value is to be ascertained.

5.—(1.) The total amount of the bounties authorized to be paid in respect of any particular class of goods shall not exceed the amount set out in the third column of the Schedule opposite the description of that class of goods.

Limit of total amount of bounties.

(2.) The maximum amount of bounty which may be paid in any one financial year in respect of goods specified in Class 1 in the Schedule shall not exceed Thirty thousand pounds.

Provided that, where the maximum amount has not been so paid in any year, the unpaid balance, or any part thereof, may be paid in any subsequent year, in addition to the maximum amount for that year.

6. No bounty shall be authorized to be paid on—

- (a) Pig iron, puddled bar iron, or steel, made after the thirtieth day of June One thousand nine hundred and fourteen;
- (b) Galvanized iron, wire netting, or wire, or iron or steel pipes or tubes, made after the thirtieth day of June One thousand nine hundred and twelve.

When bounties to cease.

7. No bounty shall be authorized to be paid to any person other than the manufacturer of the goods nor unless the manufacturer of the goods furnishes proof to the satisfaction of the Minister that the goods are of good and merchantable quality, and that the requirements of this Act and the Regulations have been complied with.

Proof of good quality and compliance with Act to be furnished.

8. All bounties in respect of pig iron, puddled bar iron, or steel, shall be granted on the condition that the manufacturer shall, if required, transfer as provided in this Act the lands, buildings, plant, machinery, appliances, and material used in the manufacture of the goods.

Assignment of manufacturing plant.

9. The person claiming any bounty in respect of pig iron, puddled bar iron, or steel, shall give his bond to the Commonwealth, in a sum to be fixed by the Minister (in this Act called the secured amount) conditioned to be void if he transfers to the State in which the goods are manufactured all lands, buildings, premises, machinery, plant, and equipment of any kind used in or in connexion with the manufacture of the goods, if so required by the Governor of the State within twelve months after the date of expiry of the bounty with respect to that class of goods; such transfer to be in consideration of fair compensation for the property transferred, to be assessed in case of dispute by the President of the Commonwealth Court of Conciliation and Arbitration, whose determination shall be final and conclusive and without appeal.

Bond to be given by manufacturer.

Breach of conditions of bond.

10. In case of any breach of any of the conditions of the bond, the full secured amount shall be recoverable as liquidated damages.

Rate of wages. Cf. 1965, No. 23, s. 9; 1907, No. 12, s. 6.

11.—(1.) The person claiming any bounty under this Act shall, in making his claim, certify to the Minister the rate of wages paid by him to employees in connexion with the manufacture of the goods on which the bounty is claimed.

(2.) If the Minister finds that the rates of wages, or any of them, are—

- (a) below the standard rates prescribed by any Commonwealth or State industrial authority, or
- (b) in the absence of any such standard applicable to the case, are below the standard rates paid in the locality in which the goods are manufactured, or
- (c) in the absence of any such standard rates respectively, are, on application by the Minister to the President of the Commonwealth Court of Conciliation and Arbitration, declared not to be fair and reasonable by him or by a Judge of the Supreme Court of a State or any person or persons who compose a State Industrial authority to whom he may refer the matter,

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

(3.) All the provisions of the *Excise Procedure Act 1907* and of any regulations made thereunder shall apply in relation to any application under paragraph (c) of the last preceding sub-section as if the application were an application as defined in that Act, and the application shall, for the purposes of that Act, be deemed to be an application under that Act :

Provided that section 4 of that Act shall be read as if the words "claimant for bounty" were substituted for the word "applicant".

Offences against Act.

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 doing duty in relation to this Act or the regulations, any document, or make to any such officer any statement, which is false in any particular.

Penalty : One hundred pounds, or twelve months' imprisonment.

Aiding and abetting offences.

13. Whoever aids, abets, counsels, or procures, or by act or omission is in any way directly or indirectly knowingly concerned in, the commission of any offence against this Act, shall be deemed to have committed that offence and shall be punishable accordingly.

Return to be laid before Parliament.

14. A return setting forth—

- (a) the names of all persons to whom bounties were paid during the preceding financial year ;
- (b) the amounts of all such bounties ;
- (c) the goods in respect of which the bounties were paid ;

(d) the names of the places and States in which the goods were manufactured ;
 (e) the number of persons employed in each of the works, wages paid, and hours observed in the production of the goods,
 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.

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 are necessary or convenient to be prescribed for giving effect to this Act, and in particular for any of the following purposes :—

- (a) For prescribing the minimum quantity of goods to be manufactured to entitle the manufacturer to claim the bounty ;
 (b) 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 ;
 (c) For providing for the inspection of the process of manufacture and the books of the manufacturer for the purpose of ascertaining and reporting on the cost of production and manufacture.

THE SCHEDULE.

Description of Goods.	Rate of Bounty.	Total Amount which may be authorized.	Date of Expiry of Bounty.
CLASS 1.			
Pig iron made from Australian ore	12s. per ton	} £150,000	30th June, 1914
Puddled bar iron made from Australian pig iron	12s. per ton		
Steel made from Australian pig iron	12s. per ton		
CLASS 2.			
Galvanized sheet or plate iron or steel (whether corrugated or not) made from Australian ore	10 per cent. on value	} £30,000	30th June, 1912
Wire netting, not being prison made and being made from Australian ore or from wire manufactured in the United Kingdom	10 per cent. on value		
Wire made from Australian ore Iron and steel tubes or pipes (except riveted or cast), not more than six inches internal diameter, made from Australian pig iron or steel	10 per cent. on value		