

6. Section seven of the Principal Act is repealed and the following section inserted in its stead :—

Condition of
payment.

“7. A payment of bounty shall not be made under this Act unless the claimant for that bounty has, as prescribed, lodged an application therefor on or before the thirtieth day of June in the year next following that in which the prunes were exported :

Provided that where the Minister is satisfied that the circumstances of any case justify the payment of bounty where the claimant has lodged an application after that date, payment of bounty may be made in respect of that application.”.

7. Section ten of the Principal Act is repealed and the following section inserted in its stead :—

Return to be
laid before
Parliament.

“10. A report upon the working of this Act and a return setting forth—

(a) the amount of bounty paid under this Act ; and

(b) such other particulars as are prescribed,

shall be prepared during the month of November next following any financial year in which bounty is paid under this Act, and shall be laid before each House of the Parliament within fifteen sitting days of that House after the thirtieth day of that month.”.

ORANGE BOUNTY (NO. 2).

No. 44 of 1936.

An Act to provide for the Payment of a Bounty on the Export of Oranges from the Commonwealth during the year One thousand nine hundred and thirty-six.

[Assented to 12th October, 1936.]

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 *Orange Bounty Act (No. 2) 1936*.

Definition.

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

“bounty ” means bounty under this Act ;

“export case ” means a case the inside measurements of which (clear of divisions) are approximately as follows :—

length—twenty-four inches ;

depth—eleven and one-half inches ; and

width—eleven and one-half inches.

3. There shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, the bounty specified in this Act. Bounty to be paid.

4. The bounty shall be payable in respect of— Specification of bounty.

(a) oranges, other than navel oranges, exported from the Commonwealth to destinations other than New Zealand during the year One thousand nine hundred and thirty-six; and

(b) navel oranges exported from the Commonwealth to destinations other than New Zealand during the period which commenced on the first day of January, One thousand nine hundred and thirty-six, and ended on the twenty-third day of July, One thousand nine hundred and thirty-six,

and in respect of which the provisions of the Commerce (General Exports) Regulations (being Statutory Rules 1926, No. 22, as amended to the date of the export of the oranges) are or have been complied with :

Provided that the bounty shall not be payable in respect of—

(c) oranges described as " Plain " within the meaning of regulation 48A of the Commerce (General Exports) Regulations as in force at the date of commencement of this Act; and

(d) oranges exported as gifts.

5. Bounty shall be payable at the rate of Two shillings for each export case of oranges. Rate of bounty.

6.—(1.) The bounty shall, subject to this section, be payable to the exporter of the oranges. Payee of bounty.

(2.) The exporter of the oranges shall pay to the grower of the oranges the amount of the bounty received by him in respect of the oranges, unless he proves to the satisfaction of the Minister that he purchased or otherwise acquired the oranges from the grower or his agent and that the payment, if any, made to the grower or his agent for the oranges included an amount which represents the bounty paid in respect of the oranges.

Penalty : One hundred pounds.

(3.) Where the grower of the oranges exports the oranges through an agent, the bounty may be paid to the agent, who shall be liable therefor to the grower.

7. A payment of bounty shall not be made under this Act unless the claimant for that bounty has, in accordance with the regulations, lodged an application therefor on or before the thirty-first day of March, One thousand nine hundred and thirty-seven : Condition of payment.

Provided that where the Minister is satisfied that the circumstances of any case justify the payment of bounty where the claimant has lodged an application after that date, payment of bounty may be made in respect of that application.

Offences.

8. A person shall not—

- (a) obtain or attempt to obtain payment of any bounty which is not payable ;
- (b) obtain or attempt to 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 one year.

Power to call for information

9.—(1.) The Minister, or any person thereto authorized in writing by him, may, by notice in writing, call upon any person to furnish to him within such time as is specified in the notice, such books and documents and such information as the Minister or that authorized person thinks necessary in relation to compliance with this Act or the regulations made thereunder or any suspected contravention thereof.

(2.) A person shall not, without reasonable excuse (proof whereof shall lie upon him) fail, after receipt of a notice under the last preceding sub-section, to comply with the requirements of the notice.

Penalty : One hundred pounds or imprisonment for one year.

(3.) Where any person who has so failed to furnish the books, documents or information is a claimant for bounty, the Minister may, if he thinks fit, withhold payment of any bounty payable to the claimant until he has furnished the required books, documents or information.

Return to be laid before Parliament.

10. A report upon the working of this Act, and a return setting forth—

- (a) the amount of bounty paid under this Act ; and
- (b) such other particulars as are prescribed,

shall be prepared in the month of November, One thousand nine hundred and thirty-seven, and shall be laid before each House of the Parliament within fifteen sitting days of that House after the thirtieth day of November, One thousand nine hundred and thirty-seven.

Regulations.

11. 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 offence against the regulations.