

# Tariff Board

No. 50 of 1972

An Act relating to the Membership of the Tariff Board.

[Assented to 7 June 1972]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title  
and citation.

1.—(1.) This Act may be cited as the *Tariff Board Act 1972*.

(2.) The *Tariff Board Act 1921–1971*\* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Tariff Board Act 1921–1972*.

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\* Act No. 21, 1921, as amended by No. 25, 1923; No. 29, 1924; No. 5, 1929; No. 69, 1933; No. 45, 1934; No. 52, 1947; No. 13, 1950; No. 43, 1952; No. 87, 1953; No. 14, 1958; No. 41, 1960; Nos. 21 and 86, 1962; No. 93, 1966; No. 3, 1967; and No. 126, 1971.

2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.

3. Section 5 of the Principal Act is amended— Tariff Board.

(a) by omitting the word “ nine ” and inserting in its stead the words “ not less than seven nor more than eleven ”; and

(b) by adding at the end thereof the following sub-section:—

“ (2.) The exercise of the powers and the performance of the duties and functions of the Board are not affected by reason only of the number of members falling below seven for a period of not more than three months.”.

4. Section 6 of the Principal Act is amended by omitting from sub-section (2.) the words “ two of those members, or, if the Governor-General thinks fit, three of those members,” and inserting in their stead the words “ not less than two nor more than five of those members,”. Members of Board.

5.—(1.) Section 9 of the Principal Act is amended by omitting sub-sections (1.) and (2.) and inserting in their stead the following sub-sections:— Delegation by Chairman.

“ (1.) The Chairman may, by writing under his hand, delegate any of his powers, duties and functions under this Act (except this power of delegation) to—

(a) a Deputy Chairman; or

(b) a member who—

(i) is empowered to preside at a meeting or meetings of a Division of the Board by virtue of sub-section (6.) of section twelve A of this Act; or

(ii) constitutes a Division of the Board in accordance with section twelve B of this Act.

“ (2.) A power, duty or function so delegated may be exercised or performed by the delegate in accordance with the instrument of delegation but, where it is so delegated to a member (not being a Deputy Chairman) under paragraph (b) of the last preceding sub-section, it shall not be exercised or performed except for the purposes of an inquiry and report to be made by the Division of the Board at whose meeting or meetings he is empowered to preside or which is constituted by him.”.

(2.) A delegation that was in force under section 9 of the Principal Act immediately before the commencement of this Act continues in force as if it had been made under that section as amended by this Act.

6. Sections 9A and 9B of the Principal Act are repealed and the following section is inserted in their stead:—

“ 9A.—(1.) The Chairman shall be paid salary at the rate of Twenty-two thousand seven hundred and fifty dollars a year and an annual allowance at the rate of One thousand five hundred dollars a year. Salary, allowances and outside employment.

“(2.) A Deputy Chairman shall be paid salary at the rate of Fifteen thousand six hundred and twenty-one dollars a year.

“(3.) A member (not being the Chairman, a Deputy Chairman or an acting member) and an acting member who, under the terms of his appointment, is required to give the whole of his time to the duties of his office, shall be paid salary at the rate of Fifteen thousand three hundred and seventy dollars a year.

“(4.) An acting member to whom the last preceding sub-section does not apply shall be paid such remuneration as is prescribed.

“(5.) The rate of salary of a member shall not be diminished during a term of office.

“(6.) A member holding office as the Acting Chairman shall be paid, by way of additional remuneration—

(a) an allowance at the rate of an amount per annum equal to the difference between the amount per annum of the salary payable to him and the amount per annum of the salary payable to the Chairman; and

(b) an allowance at the same rate as the rate of the annual allowance payable to the Chairman,

and the allowance referred to in paragraph (a) of this sub-section shall be taken to be part of his salary for the purposes of the last preceding sub-section.

“(7.) A member (not being the Chairman, an Acting Chairman or a Deputy Chairman) presiding at meetings of the Board or, in accordance with section twelve B of this Act, constituting a Division of the Board, shall be paid such allowance (if any), by way of additional remuneration, as is prescribed and is applicable to him, but such an allowance shall not be taken to be part of his salary for the purposes of sub-section (5.) of this section.

“(8.) A member shall be paid such allowances, not including an annual allowance, as are prescribed and are applicable to him.

“(9.) A member other than an acting member shall not engage in paid employment outside the duties of his office otherwise than as an authority.”.

Vacancy not  
to invalidate  
proceedings.

7. Section 13 of the Principal Act is repealed.

8. Section 14B of the Principal Act is repealed and the following section inserted in its stead:—

Remuneration  
and allowances.

“ 14B.—(1.) An authority shall be paid such remuneration (if any) as is prescribed and is applicable to him, but the rate of the remuneration of an authority shall not be diminished during a term of office.

“(2.) An authority shall be paid such allowances (if any), but not including an annual allowance, as are prescribed and are applicable to him.”.