

## WOOL USE PROMOTION.

### No. 3 of 1945.

### An Act to make provision for Improving the Production and Increasing the Use of Wool.

[Assented to 18th May, 1945.]

[Date of commencement, 15th June, 1945.]

**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:—

1. This Act may be cited as the *Wool Use Promotion Act 1945*. Citation.
2. The *Wool Publicity and Research Act 1936\** is repealed. Repeal.
3. In this Act, unless the contrary intention appears— Definitions.
  - “member” means a member of the Board;
  - “the Board” means the Australian Wool Board constituted under this Act;
  - “the Council” means the Wool Consultative Council constituted under this Act;
  - “the Fund” means the Wool Use Promotion Fund established in pursuance of this Act;
  - “the Minister” means the Minister of State for Commerce and Agriculture;
  - “the Ministers” means the Minister of State for Commerce and Agriculture, the Treasurer, the Minister of State for Post-war Reconstruction and the Minister of State administering the *Science and Industry Research Act 1926-1945*;
  - “the Research Account” means the Wool Research Trust Account established in pursuance of this Act;
  - “wool” means sheep's wool.
- 4.—(1.) The Minister may appoint a person to be the Commonwealth Wool Adviser on such terms and conditions, and with such remuneration, as the Minister thinks fit. Commonwealth Wool Adviser.
- (2.) The Commonwealth Wool Adviser shall have such duties and functions as the Minister from time to time determines.
5. There shall be an Australian Wool Board, which shall be a body corporate with perpetual succession and a common seal and shall be capable of suing and being sued and of holding real and personal property. Australian Wool Board.

\* Act No. 24, 1936

Membership  
of Board, &c.

6.—(1.) The Board shall consist of the Commonwealth Wool Adviser, and six other members representative of Australian wool-growers who shall be appointed by the Governor-General and shall hold office for three years.

(2.) Three members shall be appointed on the nomination of the organization known as the Australian Woolgrowers' Council.

(3.) Three members shall be appointed on the nomination of the organization known as the Australian Wool Producers' Federation.

(4.) The Minister may, on the recommendation of the Board, appoint one of the members to be the Chairman of the Board.

(5.) On the occurrence of a casual vacancy in the office of any member of the Board (other than the Commonwealth Wool Adviser), the Minister shall, on the nomination of the organization on the nomination of which the member whose office has become vacant was appointed, appoint a person to fill the vacancy, and any person so appointed shall, subject to this Act, hold office for the residue of the term of the member in whose place he is appointed.

(6.) The powers and functions conferred on the Board by this Act shall not be affected by reason only of there being a vacancy in the membership of the Board.

(7.) The appointment of any person as a member shall not be questioned on the ground that there was any defect in the nomination of that person.

Deputies of  
members.

7. A member of the Board may, with the approval of the Minister, appoint any person to be his deputy during his inability, through illness, absence or any other cause, to attend a meeting or other business of the Board, and the person so appointed shall, during such inability, exercise and perform all the powers and functions of a member of the Board.

Quorum and  
voting.

8. At any meeting of the Board—

(a) four members shall form a quorum;

(b) the Chairman or, in his absence, a member elected by the members present, shall preside;

(c) all questions shall be decided by a majority of votes of the members present; and

(d) the Chairman or other member presiding shall have a deliberative vote and, in the event of an equality of votes, shall also have a casting vote.

Conduct of  
business of  
Board.

9. Subject to this Act and to the approval of the Minister, the Board may make rules with respect to the order and conduct of the business of the Board.

Delegation by  
Board.

10.—(1.) The Board may, by writing under its seal, delegate to any committee, consisting of such one or more of its members as it thinks fit, any of its powers and functions under this Act (except this power of delegation) in relation to any matters or class of

matters, or to any particular State or part of Australia, so that the delegated powers and functions may be exercised by the delegate with respect to the matters or class of matters, or the State or part of Australia, specified in the instrument of delegation.

(2.) Every delegation by the Board shall be revocable at will, and no delegation shall prevent the exercise of any power or function by the Board.

**11.**—(1.) Subject to this section, members (other than the Commonwealth Wool Adviser) and deputies of members while acting as such shall be entitled to receive such fees and expenses as are prescribed in respect of attendance at meetings or while engaged, with the approval of the Minister (whether in Australia or overseas), on business of the Board. Fees and expenses.

(2.) If a member is also a member of the Parliament of the Commonwealth or of any State, he shall not be entitled to receive any fees, but shall be entitled to be reimbursed such expenses as he actually incurs by reason of such attendance or while engaged, with the approval of the Minister, on such business.

**12.** Subject to the approval of the Minister, the Board may appoint, upon such terms and conditions as are prescribed, such officers and staff as it considers necessary for the performance of its functions under this Act. Appointment of officers.

**13.** Subject to any directions of the Minister, the Board shall have power to make arrangements with persons, authorities and organizations in Australia and in other countries for joint measures of publicity or other means for the promotion of the use of wool. Board may enter into arrangements for publicity.

**14.**—(1.) There shall be a Wool Consultative Council for the purpose of advising the Ministers on matters concerning the Australian wool industry. Wool Consultative Council.

(2.) The Council shall consist of the Commonwealth Wool Adviser, two members of the Board actively engaged in the production of wool who shall be selected by the Minister, and six other members who shall be appointed by the Minister to represent respectively—

- (a) the Council for Scientific and Industrial Research ;
- (b) wool manufacturers ;
- (c) textile distributors ;
- (d) authorities concerned with technical education ;
- (e) the Australian Workers' Union ; and
- (f) the Australian Textile Workers' Union.

(3.) The Minister may appoint a member of the Council to be the Chairman of the Council.

(4.) Members of the Council shall be paid, out of the Research Account, such remuneration and allowances (if any) as the Minister determines.

(5.) The Council shall meet at such times and places as are directed by the Minister.

(6.) At any meeting of the Council—

(a) five members shall form a quorum ;

(b) the Chairman or, in his absence, a member elected by the members present, shall preside ;

(c) all questions shall be decided by a majority of the votes of the members present ; and

(d) the Chairman or other member presiding shall have a deliberative vote and, in the event of an equality of votes, shall also have a casting vote.

(7.) Subject to this Act, the Council may make rules with respect to the order and conduct of the business of the Council.

(8.) In this section, “ the Minister ” means the Minister of State for Post-war Reconstruction.

Wool Research  
Trust Fund.

**15.**—(1.) For the purposes of this Act, there shall be an account to be known as the Wool Research Trust Account, which shall be a Trust Account for the purposes of section sixty-two A of the *Audit Act 1901-1934*.

(2.) The Treasurer shall, in respect of every financial year, pay into the Research Account out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, a sum equal to the amount received by the Commissioner of Taxation in that year under the *Wool Tax Act 1936-1945*.

(3.) Moneys standing to the credit of the Research Account may be applied in any manner approved by the Ministers for the purposes of this Act, including the following purposes :—

(a) Scientific, economic and cost research in connexion with the production and use of wool and goods made wholly or partly from wool ; and

(b) The co-ordination and application of the results of any such research.

Wool Use  
Promotion  
Fund.

**16.**—(1.) There shall be a fund administered by the Board and known as the Wool Use Promotion Fund, into which shall be paid, out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, all moneys received by the Commissioner of Taxation under the *Wool Tax Act 1936-1945*.

(2.) Where any account referred to in section eighteen of this Act is opened, payment into that account of the moneys mentioned in the last preceding sub-section shall be deemed to be payment into the Fund.

(3.) Income derived from the investment of the Fund shall form part of the Fund.

(4.) The income of the Fund shall not be subject to taxation by the Commonwealth or a State.

17.—(1.) Before the beginning of each financial year after the commencement of this Act, the Ministers shall, after consultation with the Board, determine the proportion of the moneys to be credited to the Fund during that financial year from the proceeds of the wool tax which shall be paid by the Board out of the Fund to the Research Account, and the Board shall, from time to time as directed by the Ministers, make payments accordingly.

Application of Fund.

(2.) Subject to the last preceding sub-section, the moneys in the Fund shall be applied by the Board—

- (a) for promoting by publicity and other means the use of wool in Australia and throughout the world ;
- (b) for performing such other functions for the benefit of the Australian wool industry as are approved by the Ministers ;
- (c) in payment of expenses and other charges incurred by the Board or for which the Board may become liable in carrying out its functions under this Act ;
- (d) in payment of salaries and allowances of officers of the Board ;
- (e) in payment of remuneration, allowances and expenses payable in accordance with this Act to members of the Board ; and
- (f) in investment in any securities of or guaranteed by the Government of the Commonwealth or of a State.

18. Moneys held in the Fund uninvested may be lodged in an account at call or on fixed deposit, or partly in an account at call and partly on fixed deposit, at the Commonwealth Bank.

Moneys in Fund may be lodged in bank.

19. The accounts of the Board shall be subject to inspection and audit by the Auditor-General.

Audit.

20.—(1.) All rights, property and assets and all obligations and liabilities which, prior to the commencement of this Act, were vested in or imposed on the Australian Wool Board constituted under the *Wool Publicity and Research Act 1936* shall, by virtue of this Act, be vested in or imposed on the Board, and in any contract, agreement or other instrument to which the first-mentioned Board was a party any reference to that Board shall be read as a reference to the Board.

Board to assume certain assets and liabilities.

(2.) The moneys and securities which, at the commencement of this Act, constitute the Wool Publicity and Research Fund established under the *Wool Publicity and Research Act 1936* shall form part of the Fund.

Protection of  
members of  
Board.

21. The members of the Board shall not be personally liable for any act or default of the Board done or omitted to be done in good faith in the course of the operations of the Board.

Annual report.

22. The Board shall, in the month of August in each year, furnish to the Minister a report as to the operation of the provisions of this Act relating to the Board during the last preceding financial year.

Regulations.

23. 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.

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## INCOME TAX ASSESSMENT.

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**No. 4 of 1945.**

### An Act to amend the *Income Tax Assessment Act 1936-1944*.

[Assented to 18th May, 1945.]

[Date of commencement, 15th June, 1945.]

**B**E it enacted by the King'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 *Income Tax Assessment Act 1945*.

(2.) The *Income Tax Assessment Act 1936-1944*\* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Income Tax Assessment Act 1936-1945*.

Repeal.

2. Section two of the Principal Act is amended by inserting before the word "Schedule" (first occurring) the word "First".

Income tax

3. Section seventeen of the Principal Act is amended—

(a) by omitting all the words after the word "non-resident";  
and

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\* Act No. 27, 1936, as amended by No. 88, 1936; No. 5, 1937; No. 46, 1938; No. 30, 1939; Nos. 17 and 65, 1940; Nos. 58 and 69, 1941; Nos. 22 and 50, 1942; No. 10, 1943; and Nos. 3 and 28, 1944.