

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

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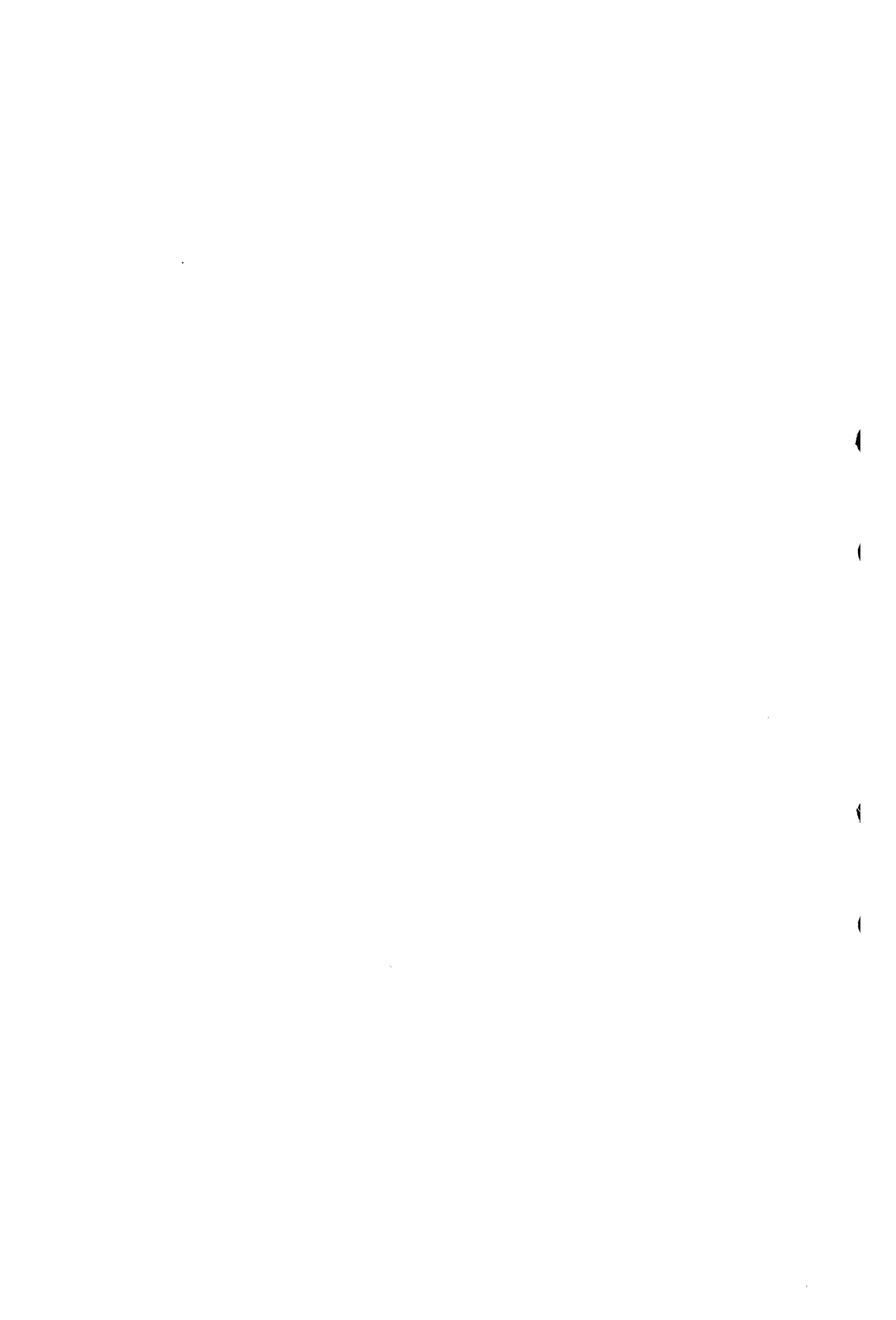
*(As read a first time)*

**BOUNTY (TEXTILE YARNS) BILL 1981**

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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

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Presented and read a first time, 3 June 1981

*(Minister for Business and Consumer Affairs)*

**A BILL**

**FOR**

**An Act to provide for the payment of bounty on the production of certain textile yarns**

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

**Short title**

1. This Act may be cited as the *Bounty (Textile Yarns) Act 1981*.

5 **Interpretation**

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

“authorized officer” means an officer who is an authorized officer for the purposes of this Act by virtue of an appointment under section 14;

“bountiable yarn” means—

- 10 (a) continuous polyamide and polyester yarn;
- (b) discontinuous coarse acrylic yarn;
- (c) discontinuous fine acrylic yarn;
- (d) worsted wool yarn;
- (e) man-made fibre and wool blend yarn;
- 15 (f) polyester-cotton yarn;
- (g) cotton yarn;
- (h) discontinuous man-made fibre yarn not specified in a preceding paragraph;
- 20 (j) continuous man-made fibre yarn not specified in a preceding paragraph; or

- (k) any spun yarn consisting of, or containing, textile fibres, being a yarn not specified in a preceding paragraph,  
but does not include—
- (m) non-textile yarn;
  - (n) rubberized yarn; or
  - (o) yarn containing any metal or metal powder;
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- “bounty” means bounty under this Act;
- “bounty period” means the period commencing on 1 January 1982 and ending on 31 December 1988 or on such later date as is fixed by the Minister, by notice published in the *Gazette* before 31 December 1988, as the date after which bounty is not to become payable under this Act;
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- “Collector” has the same meaning as it has in the *Customs Act* 1901;
- “combed wool fibres” includes a mixture of a quantity of combed wool fibres and a lesser quantity of wool fibres spun from carded rovings;
- “Comptroller-General” means the Comptroller-General of Customs;
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- “continuous man-made fibre yarn” means yarn that consists of—
- (a) man-made fibres that have been continuously extruded and not cut or broken into staple lengths; or
  - (b) a mixture of fibres referred to in paragraph (a) and of other textile fibres (whether the other textile fibres are of the same kind or of different kinds) in which the quantity of the fibres so referred to is greater than—
    - (i) where the other textile fibres are of the same kind—the quantity of those other textile fibres; or
    - (ii) where the other textile fibres are of different kinds—the quantity of other textile fibres of any of those different kinds,
- 20
- being yarn that is not coarser than 1,000 tex;
- “continuous polyamide and polyester yarn” means continuous man-made fibre yarn more than 50% by weight of the man-made fibres in which are—
- (a) polyamide fibres;
  - (b) polyester fibres; or
  - (c) a mixture of polyamide fibres and polyester fibres;
- 25
- “cotton yarn” means spun yarn that consists of—
- (a) cotton fibres; or
  - (b) a mixture of cotton fibres and of other textile fibres (whether the other textile fibres are of the same kind or of different kinds) in which the quantity of the cotton fibres is greater than—
    - (i) where the other textile fibres are of the same kind—the quantity of those other textile fibres; or
- 35
- 40

- (ii) where the other textile fibres are of different kinds—the quantity of other textile fibres of any of those different kinds,

being yarn that is not coarser than 2,000 tex;

5 “discontinuous coarse acrylic yarn” means discontinuous man-made fibre yarn—

- (a) more than 50% by weight of the man-made fibres in which are acrylic fibres; and

- (b) in which each ply is 120 tex or coarser,

10 not being yarn more than 20% by weight of the textile fibres in which are wool fibres or animal hair;

“discontinuous fine acrylic yarn” means discontinuous man-made fibre yarn—

15 (a) more than 50% by weight of the man-made fibres in which are acrylic fibres; and

- (b) in which each ply is finer than 120 tex;

“discontinuous man-made fibre yarn” means spun yarn that consists of—

- (a) man-made fibres that have been cut or broken into staple lengths; or

20 (b) a mixture of fibres referred to in paragraph (a) and of other textile fibres (whether the other textile fibres are of the same kind or of different kinds) in which the quantity of the fibres so referred to is greater than—

25 (i) where the other textile fibres are of the same kind—the quantity of those other textile fibres; or

- (ii) where the other textile fibres are of different kinds—the quantity of other textile fibres of any of those different kinds,

being yarn that is not coarser than 1,000 tex;

30 “handcrafting” includes handknitting, handsewing, macrame, handweaving and handknitting;

“man-made fibre and wool blend yarn” means discontinuous man-made fibre yarn more than 20% by weight of the textile fibres in which are wool fibres or animal hair;

35 “man-made fibres” means fibres or filaments of organic polymers produced by either of the following manufacturing processes:—

- (a) polymerisation or condensation of organic monomers;

- (b) chemical transformation of natural organic polymers;

40 “non-textile yarn” means a yarn consisting of a mixture of textile fibres (whether of the same kind or of different kinds) and of other material the quantity of which is greater than—

- (a) where the textile fibres are of the same kind—the quantity of those textile fibres; or

- (b) where the textile fibres are of different kinds—the quantity of textile fibres of any of those different kinds;

“polyester-cotton yarn” means discontinuous man-made fibre yarn—

- (a) that consists of a mixture of polyester fibres and cotton fibres in which the polyester fibres are not less than 50% by weight; 5  
 (b) that is single-fold combed yarn not coarser than 20 tex; and  
 (c) at least one ply in which is 10 tex or coarser.

“polyester fibres” means fibres or filaments formed from a synthetic polymer that contains not less than 85% by weight of the polymeric ester produced from the reaction of a dihydric alcohol and terephthalic acid; 10

“prescribed textiles” means—

- (a) yarns or other textiles; or  
 (b) any products made in whole or in part from yarn or other textiles, 15

but does not include—

- (c) bountiable yarn for use in sewing or handcrafting;  
 (d) bountiable yarn for use in the production of other textiles on a machine referred to in paragraph (e); or  
 (e) textiles produced on knitting or weaving machines worked by foot or by hand, or by both foot and hand; 20

“prescribed wool yarn” means spun yarn more than 50% by weight of the textile fibres in which are fibres that are wool fibres or animal hair;

“producer”, in relation to bountiable yarn, means—

- (a) in the case of bountiable yarn all the processes in the production of which were carried out by one person only—that person; or 25  
 (b) in any other case—each person who carried out a process, or processes, in the production of the bountiable yarn;

“quantity”, in relation to textile fibres or other material, means quantity by weight; 30

“registered premises” means premises registered by the Minister under section 11;

“registered textile factory” means—

- (a) a building or other place—  
 (i) used for the commercial production of prescribed textiles; and 35  
 (ii) registered as a factory under a law of a State or an internal Territory;  
 (b) a building or other place in an internal Territory—  
 (i) used for the commercial production of prescribed textiles; and 40  
 (ii) approved by the Comptroller-General for the purposes of this paragraph; or

- (c) a building or other place used by the Commonwealth, a State or the Northern Territory or an authority of the Commonwealth, a State or the Northern Territory for the production of prescribed textiles;

5 “textile fibres” means—

- (a) wool fibres;
- (b) animal hair, other than wool;
- (c) cotton fibres;
- (d) silk fibres;
- 10 (e) continuous man-made fibres;
- (f) discontinuous man-made fibres; and
- (g) fibres of a kind determined by the Comptroller-General to be textile fibres for the purpose of this Act;

“wool fibres” includes fibres of lamb’s wool;

15 “worsted wool yarn” means spun yarn that consists of—

- (a) combed wool fibres; or
- (b) a mixture of combed wool fibres and of other textile fibres (whether the other textile fibres are of the same kind or of different kinds) in which the quantity of the combed wool fibres is greater than—
  - 20 (i) where the other textile fibres are of the same kind—the quantity of those other textile fibres; or
  - (ii) where the other textile fibres are of different kinds—the quantity of other textile fibres of any of those different

25 kinds;

“yarn” does not include twine, cordage or rope;

“yarn additive”, in relation to bountiable yarn, means material added to polymers, fibres or yarn used in the production of the bountiable yarn so that all or most of the material is incorporated in the bountiable

30 yarn;

“year” means a period of 12 months commencing on 1 January.

(2) For the purposes of this Act, a yarn that consists mainly of textile fibres or a mixture of textile fibres shall be taken to consist of those fibres or that mixture of fibres, as the case may be.

35 (3) For the purposes of this Act, the processes in the production of yarn include—

- (a) any extrusion of man-made fibres;
- (b) any opening or blending of prepared textile fibres;
- (c) any dyeing or bleaching of the yarn or of fibres;
- 40 (d) any fuzz removal, mercerising, mothproofing, shrink proofing, sizing or other process ancillary to the production of the yarn;

- (e) the winding of the yarn on to a cone, bobbin or similar object, or any other packing of the yarn, for storage or for delivery to a registered textile factory; and
- (f) any other process in connection with the production of the yarn that the Comptroller-General determines to be a process in the production of yarn for the purposes of this paragraph,

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but do not include—

- (g) any process in the production of man-made fibre polymer;
- (h) any process in the production of wool, cotton or other natural fibres;
- (j) cotton ginning;
- (k) scouring, carbonising or cleansing wool;
- (m) any process in the production of tops of wool or man-made fibres by carding and combing; or
- (n) any other process that the Comptroller-General determines is not a process in the production of yarn for the purposes of this paragraph.

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(4) For the purposes of this Act, where bountiable yarn is used in the production of other bountiable yarn of a different kind, the processes carried out in the production of the first-mentioned bountiable yarn shall be taken not to be processes carried out in the production of the other bountiable yarn.

(5) For the purposes of this Act, yarn shall not be taken to have been used, or to have been sold or otherwise disposed of for use, in the production of prescribed textiles if its use or proposed use, as the case may be, is in sewing or handcrafting.

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(6) For the purposes of this Act, 2 persons who are not business associates within the ordinary meaning of that term shall, nevertheless, be deemed to be business associates if, directly or indirectly—

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- (a) one has an interest in the business or property of the other;
- (b) both have an interest in the same business or property; or
- (c) another person has an interest in the business or property of each of them.

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(7) For the purposes of paragraph (6) (c), a person shall not be taken to have an interest in a business or property by reason only that he has a beneficial interest in shares or stock in the capital of a company or other body associated with that business or property if the total nominal value of those shares or that stock, as the case may be, does not exceed one-fifth of the total nominal value of the issued share capital or stock, as the case may be, of the company or other body.

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### **Additional value**

3. (1) For the purposes of this Act, the additional value added to bountiable yarn by a producer of the yarn shall be deemed to be the amount that the Comptroller-General determines, in accordance with sub-section (2), is, in his

40



opinion, the factory cost in connection with the process or processes carried out by that producer in the production of the yarn.

(2) In making a determination for the purposes of sub-section (1) in relation to bountiable yarn, the Comptroller-General—

- 5 (a) shall disregard—
- (i) the cost of the polymers, fibres or yarns from which the bountiable yarn was produced;
  - 10 (ii) the cost of any dyes, bleaches, yarn lubricants or yarn additives that were used in carrying out a process in the production of the bountiable yarn; or
  - (iii) the cost of any disposable packaging for the yarn;
- (b) may disregard, in whole or in part, any costs or expenses relating to the production of the yarn having regard to the nature or extent of the work or other matters to which those costs or expenses relate;
- 15 (c) may disregard, in whole or in part, costs charged or levied on the producer by a business associate of the producer, other than costs actually incurred by the business associate;
- (d) may have regard to the cost of work in Australia or overseas that is comparable to the work comprised in the production;
- 20 (e) shall make allowance for factory overhead charges (including factory administration costs, research and development expenditure, the cost of reusable packaging, the cost of machine maintenance and machine replacement parts, the cost of energy and water and the cost of solvents, detergents, machinery or spinning lubricants and similar materials used to facilitate the production of the yarn); and
- 25 (f) shall not make any allowance for—
- (i) general administration, selling costs, interest, service charges or taxation (other than pay-roll tax) or bonuses issued or paid to employees of the producer from the profits of the producer;
  - 30 (ii) rent, hire or leasing costs in relation to land, buildings, plant or equipment, other than any part of those costs that—
    - (A) constitutes rates or other municipal charges;
    - (B) constitutes the cost of the repair and maintenance of buildings, plant or equipment; or
    - 35 (C) would normally be treated as depreciation; or
  - (iii) any cost incurred after the completion of the production of the yarn.

(3) For the purposes of paragraph (2) (a), the cost of any materials, being polymers, fibres, yarns, dyes, bleaches, yarn lubricants, yarn additives or packaging, shall be taken to include the cost of any delivery of the materials.

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#### Uniformity

4. A power conferred on the Governor-General, the Minister or the Comptroller-General by this Act shall not be exercised in such a manner that

bounty under this Act would not be uniform throughout the Commonwealth within the meaning of paragraph 51 (iii) of the Constitution.

### **Specification of Bounty**

**5. (1)** Bounty is payable in accordance with this Act on the production in Australia of bountiable yarns. 5

**(2)** For the purposes of this Act, the production of bountiable yarn shall not be taken to have been carried out in Australia unless—

- (a) the last major process carried out in the production of the yarn was carried out in Australia at registered premises; and
- (b) at least one other major process carried out in the production of the yarn was carried out in Australia. 10

**(3)** In sub-section (2), “major process”, in relation to the production of bountiable yarn, means a process—

- (a) that comprises—
  - (i) an operation that imparts, a series of operations that impart, an operation that produces a change in, or a series of operations that produce a change in, the characteristics of the yarn or of fibres (in this paragraph referred to as the “principal part of the process”); 15
  - (ii) the operation or operations (if any) carried out to prepare the yarn or fibres for the principal part of the process; and 20
  - (iii) the operation or operations (if any) carried out to recover the yarn or fibres after the completion of the principal part of the process; and
- (b) that, in the opinion of the Comptroller-General— 25
  - (iv) involves the use of a significant quantity of equipment; and
  - (v) adds significant value to the yarn or fibres.

**(4)** Bounty in respect of bountiable yarn is payable to the producer, or the producers, of the bountiable yarn.

**(5)** A producer is not entitled to receive a payment of bounty in respect of bountiable yarn unless— 30

- (a) all the processes in the production of the yarn carried out by him were carried out at registered premises during the bounty period;
- (b) the production of the yarn was completed during the bounty period; and
- (c) the yarn has been used during the bounty period, or sold or otherwise disposed of during the bounty period for use, in the production of prescribed textiles in a registered textile factory. 35

**(6)** A producer is not entitled to receive a payment of bounty in respect of bountiable yarn that is prescribed wool yarn unless the prescribed textiles in the production of which the yarn has been used, or is proposed to be used, are textiles other than <sup>7</sup>carpet. 40

(7) Where bountiable yarn is produced from other bountiable yarn of a different kind, bounty may become payable in respect of the bountiable yarn so produced notwithstanding that bounty has been paid, or has become payable, in respect of the other bountiable yarn.

5 (8) If, on 1 January 1982, a person who applied successfully for the registration of premises has in stock any bountiable yarn the production of which was completed on or after 1 October 1981, being yarn the last process in the production of which was carried out on those premises by that person, all the processes in the production of that yarn shall, for the purposes of this Act, be  
10 deemed to have been carried out on 1 January 1982.

(9) If, on 1 January 1982, there are on registered premises any fibres (not being fibres in bountiable yarn) on which any of the processes involved in the production of bountiable yarn has been carried out, that process and any preceding process or processes in the production of that yarn shall, for the  
15 purposes of this Act, be deemed to have been carried out on that date.

#### Amount of bounties

6. (1) The bounty payable to a producer of bountiable yarn, being continuous polyamide and polyester yarn, in respect of the yarn is an amount equal to 59% of the additional value added to the yarn by that producer.

20 (2) The bounty payable to a producer of bountiable yarn, being—

(a) discontinuous fine acrylic yarn;

(b) worsted wool yarn; or

(c) man-made fibre and wool blend yarn, other than yarn that has been used, or is proposed to be used, in the production of carpet,

25 in respect of the yarn is an amount equal to 49% of the additional value added to the yarn by that producer.

(3) The bounty payable to a producer of bountiable yarn, being polyester-cotton yarn, in respect of the yarn is an amount equal to 52% of the additional value added to the yarn by that producer.

30 (4) The bounty payable to a producer of bountiable yarn, being—

(a) cotton yarn; or

(b) yarn that is bountiable yarn by virtue of paragraph (h) of the definition of "bountiable yarn" in sub-section 2 (1), other than yarn that has been used, or is proposed to be used, in the production of carpet,

35 in respect of the yarn is an amount equal to 43% of the additional value added to the yarn by that producer.

(5) The bounty payable to a producer of bountiable yarn, being—

(a) discontinuous coarse acrylic yarn;

(b) man-made fibre and wool blend yarn that has been used, or is proposed to be used, in the production of carpet;

40 (c) yarn that is bountiable yarn by virtue of paragraph (h) of the definition of "bountiable yarn" in sub-section 2 (1) and that has been used, or is proposed to be used, in the production of carpet; or

- (d) yarn that is bountiable yarn by virtue of paragraph (j) or (k) of that definition,

in respect of the yarn is an amount equal to 33% of the additional value added to the yarn by that producer.

- (6) For the purposes of this section, where—

- (a) bountiable yarn is used in the production of other bountiable yarn of a different kind; and  
 (b) the person who carried out the last process in the production of the first-mentioned bountiable yarn carried out all the processes in the production of the other bountiable yarn,

the first-mentioned bountiable yarn shall be taken to be bountiable yarn of the same kind as the other bountiable yarn.

**Bounty not payable in respect of certain yarns**

7. (1) Bounty is not payable in respect of any bountiable yarn produced by the Commonwealth, a State or an authority of the Commonwealth or a State (including an educational institution established by the Commonwealth or a State).

- (2) In this section, "State" includes the Northern Territory.

**Advances on account of bounty**

8. (1) An advance on account of bounty may be made to a person on such terms and conditions as are approved by the Minister.

(2) If, at the expiration of a year, a person has received an amount, by way of advances on account of bounty that may become payable to him during that year, greater than the amount of bounty that became payable to him during that year, he is liable to pay to the Commonwealth the amount of the excess.

(3) If a person receives, by way of advances on account of bounty in respect of particular bountiable yarn, an amount greater than the amount of bounty payable to him in respect of that yarn, he is liable to pay to the Commonwealth the amount of the excess.

(4) If a person receives an amount by way of advances on account of bounty that may become payable to him and the bounty does not become payable to him, he is liable to pay to the Commonwealth the amount so received.

(5) Where a person is liable to pay an amount to the Commonwealth under this section, the Commonwealth may recover that amount as a debt due to the Commonwealth by action in a court of competent jurisdiction.

(6) Where a person is liable to pay an amount to the Commonwealth under this section, the amount may be deducted from any other amount that is payable to the person under this Act and, where an amount is so deducted, the other amount shall, notwithstanding the deduction, be deemed to have been paid in full to the person.

**Good quality essential**

9. Bounty is not payable in respect of a bountiable yarn unless the Comptroller-General is satisfied that the bountiable yarn is of good and merchantable quality.

**Approval of payment of bounty**

10. Where an application for bounty in respect of a bountiable yarn is lodged in accordance with the regulations, the Minister shall—

- 5 (a) if he is satisfied that bounty is payable in respect of that yarn—approve the payment of the bounty; or
- (b) if he is not so satisfied—refuse to approve payment of the bounty.

**Registration of premises**

10 11. (1) The regulations may prescribe conditions to be complied with, for the purposes of this Act, in connection with the carrying out at registered premises of any process in the production of bountiable yarn.

(2) Where a person carries out, or proposes to carry out, at any premises in Australia any process in the production of bountiable yarn, he may apply to the Minister for the registration of those premises for the purposes of this Act.

15 (3) If conditions have been prescribed under sub-section (1), the Minister shall not register the premises unless he is satisfied that those conditions have been, or will be, complied with.

(4) The Minister may require the applicant to furnish such information as the Minister considers necessary for the purposes of this Act, and may refuse to register the premises until the information is furnished to his satisfaction.

20 (5) Subject to sub-sections (3) and (4), if, in the opinion of the Minister, any process in the production of bountiable yarn is, or is proposed to be, carried out at the premises in respect of which the application is made, he shall register those premises for the purposes of this Act.

25 (6) Where the Minister is satisfied, in respect of any registered premises—

(a) that no process in the production of bountiable yarn is being carried out at the premises;

(b) that no process in the production of bountiable yarn is being carried out at the premises by the person who applied for the registration of the premises; or

30 (c) if any conditions have been prescribed under sub-section (1), that a process in the production of bountiable yarn is being carried out at the premises otherwise than in accordance with those conditions,

35 the Minister may, by notice in writing served either personally or by post on the occupier of the premises, and, if the occupier is not the person who applied for the registration of the premises, on that person, cancel the registration of the premises.

40 (7) For the purpose of the application of section 29 of the *Acts Interpretation Act* 1901 to the service by post of a notice under sub-section (7) of this section, such a notice posted as a letter addressed to the occupier, or to the person who applied for the registration of the premises, at the registered premises shall be deemed to be properly addressed.

**Accounts, &c.**

12. A person is not entitled to bounty unless he keeps, to the satisfaction of the Minister, accounts, books, documents and other records showing, from time to time, particulars relating to the production (including the cost of production), and the sale or other disposal, or the use, by the person of the yarn in respect of which he claims bounty and such other information in relation to that yarn as the Minister requires. 5

**Securities**

13. The Minister may require a person to whom bounty could become payable to give security, in an amount determined by the Minister, by bond, guarantee or cash deposit, or by all or any of those methods, for compliance by him with the provisions of this Act and the regulations, or for the purpose of an undertaking given by him for the purposes of this Act or the regulations, and where a person is so required to give security, he is not entitled to bounty, or an advance on account of bounty, unless he gives security in accordance with the requirement. 10  
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**Appointment of authorized officers**

14. (1) The Minister may, by writing signed by him, appoint—

- (a) a specified officer;
- (b) the officer for the time being holding, or performing the duties of, a specified office; or 20
- (c) officers included in a specified class of officers,

to be an authorized officer, or authorized officers, for the purposes of this Act.

(2) In this section, "officer" means an officer of the Department of Business and Consumer Affairs. 25

**Stock-taking and inspection of production and accounts, &c.**

15. (1) For the purposes of this Act, an authorized officer may, at all reasonable times, enter—

- (a) registered premises;
- (b) premises where there is stored bountiable yarn in respect of which bounty has been claimed, or, in the opinion of the authorized officer, is likely to be claimed; or 30
- (c) premises where there are kept any accounts, books, documents or other records relating to the production, storage, sale or use of bountiable yarn, 35

and may—

- (d) inspect or take stock of any bountiable yarn;
- (e) inspect any process in the production of any bountiable yarn; and
- (f) inspect the accounts, books, documents and other records relating to the production (including the cost of production), sale or other disposal, or use, of bountiable yarn, 40

and may make and retain copies of, or take and retain extracts from, any such accounts, books, documents and other records.

5 (2) The occupier or person in charge of registered premises, or of premises referred to in paragraph (1) (b) or (c), shall provide the authorized officer with all reasonable facilities and assistance for the effective exercise of his powers under this section.

Penalty: \$500.

**Power to require persons to answer questions and produce documents**

10 16. (1) A Collector or an authorized officer may, by notice signed by him, require a person whom he believes to be capable of giving information relevant to the operation of this Act in relation to the production (including the cost of production), sale or other disposal, or use of bountiable yarns to attend before him at the time and place specified in the notice and there to answer questions and to produce to him such accounts, books, documents and other records in relation to the production (including the cost of production), sale or other disposal, or use of bountiable yarns as are referred to in the notice.

15 (2) A Collector or an authorized officer may make copies of, or take extracts from, any accounts, books, documents or other records produced in pursuance of this section.

20 (3) A person is not excused from answering a question or producing any accounts, books, documents or other records when required so to do under this section on the ground that the answer to the question, or the production of the accounts, books, documents or other records, might tend to incriminate him or make him liable to a penalty, but his answer to any such question or the production by him of any such account, book, document or other record is not admissible in evidence against him in proceedings other than proceedings for an offence against paragraph 18 (1) (c) or 18 (3) or (4).

25 (4) Where a producer of bountiable yarns, or a person employed by a producer, has failed to attend or to answer a question, or to produce any account, book, document or other record, when required so to do under this section, bounty is not payable to the producer, unless the Minister otherwise directs, until the producer or that person has attended, answered the question or produced the account, book, document or other record, as the case may be.

**Power to examine on oath, &c.**

35 17. (1) A Collector or an authorized officer may examine, on oath or affirmation, a person attending before him in pursuance of section 16 and, for that purpose, may administer an oath or affirmation to that person.

40 (2) The oath or affirmation to be made by a person for the purposes of subsection (1) is an oath or affirmation that the answers he will give to questions asked him will be true.

**Offences**

18. (1) A person shall not, without reasonable excuse, refuse or fail—  
(a) to attend before a Collector or an authorized officer;

- (b) to take an oath or make an affirmation; or
- (c) to answer a question or produce an account, book, document or other record,

when so required in pursuance of this Act.

Penalty: \$1,000.

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(2) A person shall not knowingly obtain or attempt to obtain bounty that is not payable.

Penalty: \$2,000 or imprisonment for 12 months.

(3) A person shall not obtain or attempt to obtain payment of bounty by means of a statement that he knows to be false or misleading or by means of a document that to his knowledge contains information that is false or misleading.

10

Penalty: \$2,000.

(4) A person shall not make to an authorized officer or other person exercising a power or performing a function or duty in relation to this Act or the regulations a statement that is false or misleading in a material particular.

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Penalty: \$1,000.

(5) Where a person is convicted of an offence against sub-section (2) or (3), the court may, in addition to imposing a penalty under that sub-section, order the person to refund to the Commonwealth the amount of any bounty wrongfully obtained by him.

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(6) Where a court has made an order under sub-section (5), a certificate signed by the appropriate officer of the court specifying the amount ordered to be refunded and the person by whom the amount is payable may be filed in a court having civil jurisdiction to the extent of that amount and is thereupon enforceable in all respects as a final judgment of that court.

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(7) In this section, "bounty" includes an advance on account of bounty under section 7.

### **Return for Parliament**

19. (1) The Comptroller-General shall, as soon as practicable after the end of each year during the bounty period, furnish to the Minister a return setting forth—

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- (a) the name and address of each person to whom bounty was paid in that year;
- (b) the amount of bounty paid to each person in that year; and
- (c) such other particulars (if any) as are prescribed.

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(2) The Minister shall cause a copy of the return to be laid before each House of the Parliament within 15 sitting days of that House after the return is received by him.

(3) In this section, "bounty" includes an advance on account of bounty under section 8.

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**Delegation**

5 20. (1) The Minister or the Comptroller-General may, either generally or otherwise as provided in the instrument of delegation, by writing signed by him, delegate to a person any of his powers under this Act, other than this power of delegation.

(2) A power so delegated, when exercised by the delegate, shall, for the purposes of this Act, be deemed to have been exercised by the Minister or the Comptroller-General, as the case may be.

10 (3) A delegation under this section does not prevent the exercise of a power by the Minister or the Comptroller-General, as the case may be.

**Applications for review**

21. Applications may be made to the Administrative Appeals Tribunal for review of—

- 15 (a) a refusal of the Comptroller-General to give an approval for the purposes of paragraph (b) of the definition of “registered textile factory” in sub-section 2 (1);
- (b) a determination by the Comptroller-General made for the purpose of sub-section 3 (1);
- 20 (c) a decision of the Comptroller-General made for the purposes of section 9;
- (d) an approval of the Minister given under section 10 or a refusal of the Minister to give an approval under that section;
- (e) a refusal of the Minister to register premises under section 11;
- 25 (f) a decision of the Minister made for the purposes of sub-section 11 (6);  
or
- (g) a requirement by the Minister under section 13.

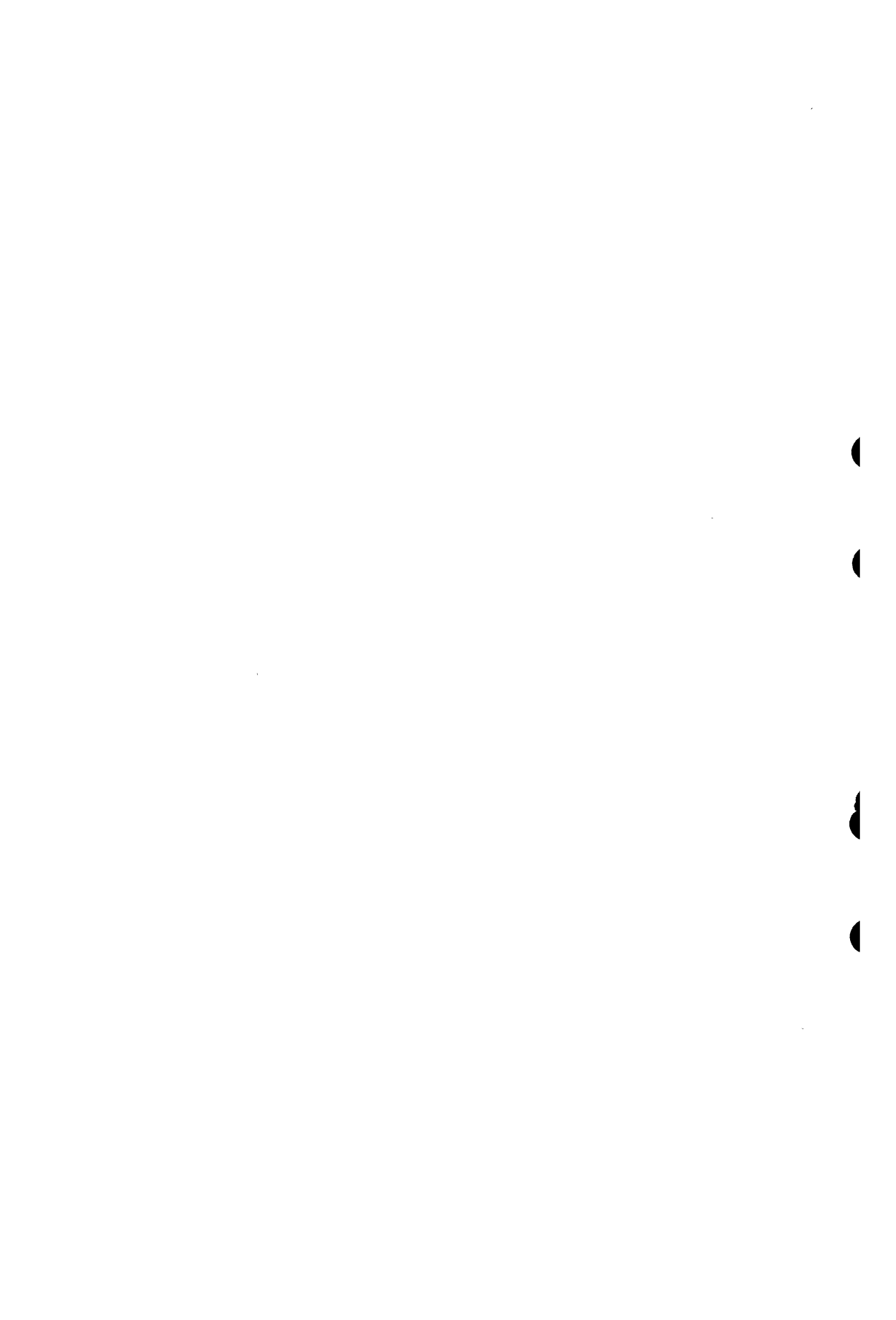
**Appropriation**

22. Bounty is payable out of the Consolidated Revenue Fund, which is appropriated accordingly.

30 **Regulations**

23. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act, and, in particular, prescribing—

- 35 (a) the manner in which, and the time within which, applications for bounty are to be made;
- (b) the information to be furnished by applicants in connection with applications for bounty; and
- (c) penalties not exceeding \$200 for offences against the regulations.



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