

## CUSTOMS.

### No. 41 of 1920.

An Act to amend the *Customs Act* 1901-1916.

[Assented to 10th November, 1920.]

**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 *Customs Act* 1920.

(2.) The *Customs Act* 1901-1916 is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Customs Act* 1901-1920.

Commencement.

2. This Act shall commence on a day to be fixed by Proclamation.

Definitions.

3. Section four of the Principal Act is amended—

(a) by inserting therein, after the definition of “Answer questions”, the following definition:—

“‘Bank rate of exchange’ means the rate of exchange on London at which commercial transactions are settled between two countries.”;

(b) by inserting therein, after the definition of “Master”, the following definition:—

“‘Mint par rate of exchange’ means the standard value of the coins of any country as compared with the pound sterling in gold coin.”; and

(c) by inserting therein, after the definition of “Smuggling”, the following definition:—

“‘The Board’ means the Commonwealth Board of Trade.”.

4. After section one hundred and fifty-seven of the Principal Act the following sections are inserted:—

“157A.—(1.) When the bank rate of exchange of any country is more than ten per centum above or below the mint par rate of exchange, the Minister shall refer to the Board the question whether the bank rate of exchange should be used as the basis of the computation of the value for duty of goods imported from that country.

“(2.) Upon receipt of a reference made in pursuance of the last preceding sub-section the Board may recommend to the Minister that the bank rate of exchange be used as the basis of the computation of the value for duty of goods imported from the country specified in the reference :

Reference to Board of decline in bank rate of exchange.

Provided that the Board shall not make a recommendation under this sub-section which, if adopted, would, in its opinion, be prejudicial to—

- (a) the manufacture of goods in Australia or the sale in Australia of those goods ; or
- (b) any preference given to goods imported from the United Kingdom.

“ 157B. Upon the receipt by the Minister of a recommendation made in pursuance of the last preceding section the Minister shall direct that the bank rate of exchange shall be used as the basis of computation of the value for duty of all goods imported from the country in respect of which the recommendation is made, and thereupon, notwithstanding anything contained in this Act, the value for duty of those goods shall be so computed accordingly.

Direction that bank rate of exchange be used in computing value for duty.

“ 157C. If at any time the Board is of opinion that goods of any class or description, produced or manufactured in any country in respect of which a recommendation has been made under section one hundred and fifty-seven A of this Act, are being imported into or are being sold or offered for sale in Australia, in substantial quantities, at prices below the fair market value for home consumption at the date of shipment of similar goods in the United Kingdom or Australia, and that the production or manufacture of similar goods in Australia or the United Kingdom is, or is likely to be, thereby adversely affected, the Board may recommend to the Minister that the value for duty of such goods be computed on the mint par rate of exchange, and, upon the receipt by the Minister of such recommendation, he shall direct that the value for duty of such goods shall be computed on the mint par rate of exchange.

Recommendation that mint par rate of exchange be adopted in certain cases.

“ 157D.—(1.) Where the Board has made a recommendation in pursuance of section one hundred and fifty-seven A of this Act, the Minister may, at any time, refer to the Board for report the question whether the value for duty of the goods, or of any class or description of goods, imported from the country in respect of which the recommendation was made, should continue to be computed on the basis of the bank rate of exchange.

Further reference by Minister.

(2.) Upon the receipt by the Minister of a report made by the Board under this section that the value for duty of the goods, or of any class or description of goods, should not continue to be computed on the basis of the bank rate of exchange, the Minister shall direct that the value for duty of those goods, or that class or description of goods, shall be computed as if no direction had been given in pursuance of section one hundred and fifty-seven B of this Act.

“ 157E. For the purposes of the last four preceding sections, the Board shall have all the powers conferred, by the *Royal Commissions Act 1902-1912*, upon a Royal Commission, and the provisions of that Act shall apply in like manner as if the Board were a Royal Commission and the president of the Board were the chairman of a Royal Commission.

Powers of Board.

Directions to  
be gazetted  
and tabled  
in Parliament.

“157F. Any direction issued by the Minister in pursuance of section one hundred and fifty-seven B, one hundred and fifty-seven C, or one hundred and fifty-seven D of the Act shall—

- (a) be published in the *Gazette* ;
- (b) take effect from the date of publication or from a date specified in the direction ; and
- (c) be laid before both Houses of the Parliament within seven days after the date of publication or, if the Parliament is not then sitting, then within seven days after the next meeting of the Parliament ;

but if either House of the Parliament passes a resolution, of which notice has been given at any time within fifteen sitting days after the direction has been laid before that House, disallowing the direction, the direction shall thereupon cease to have effect.”

## APPROPRIATION 1920-21.

### No. 42 of 1920.

An Act to grant and apply out of the Consolidated Revenue Fund a sum for the service of the year ending the thirtieth day of June One thousand nine hundred and twenty-one and to appropriate the Supplies granted by the Parliament for such year.

[ Assented to 27th November, 1920. ]

Preamble.

**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 :—

Short title.

1. This Act may be cited as the *Appropriation Act 1920-21*.

Issue and  
application of  
£18,796,363.

2. The Treasurer may issue out of the Consolidated Revenue Fund and apply towards making good the supply hereby granted to His Majesty for the service of the year ending the thirtieth day of June One thousand nine hundred and twenty-one the sum of Eighteen million seven hundred and ninety-six thousand three hundred and sixty-three pounds.