

## CITRUS FRUITS BOUNTY.

### No. 38 of 1937.

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

[Assented to 16th September, 1937.]

**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 *Citrus Fruits Bounty Act 1937*. Short title.
  2. In this Act, unless the contrary intention appears— Definitions.
    - “bounty” means bounty under this Act;
    - “citrus fruits” means oranges, lemons, grape-fruit or mandarins;
    - “export case” means any case of the dimensions prescribed in the Schedule to this Act.
  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 citrus fruits exported from the Commonwealth to destinations other than New Zealand during the year One thousand nine hundred and thirty-seven in respect of which export permits have been issued under the regulations for the time being in force made under the *Customs Act 1901-1936* and the *Commerce (Trade Descriptions) Act 1905-1933* relating to the exportation of citrus fruits: Specifications of bounty.
- Provided that the bounty shall not be payable in respect of—
- (a) navel oranges exported from the Commonwealth to the United Kingdom and the Continent of Europe after the thirty-first day of July, One thousand nine hundred and thirty-seven;
  - (b) navel oranges exported from the Commonwealth to any destination, other than the United Kingdom and the Continent of Europe, after the thirty-first day of August, One thousand nine hundred and thirty-seven;

(c) oranges described as "Plain" within the meaning of the regulations for the time being in force made under the *Customs Act 1901-1936* and the *Commerce (Trade Descriptions) Act 1905-1933* relating to the exportation of citrus fruits; and

(d) citrus fruits exported as gifts.

**Rate of bounty**

**5.** Bounty shall be payable for each export case of citrus fruits at the rates specified in the Schedule to this Act.

**Payee of bounty.**

**6.—(1.)** The bounty shall, subject to this section, be payable to the exporter of the citrus fruits.

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

Penalty : One hundred pounds.

(3.) Where the grower of the citrus fruits exports the citrus fruits through an agent, the bounty may be paid to the agent, who shall be liable to pay the amount thereof as a debt due from him to the grower.

**Condition of payment.**

**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-eight :

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.

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-eight, 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-eight.

Return to be  
laid before  
Parliament.

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.

Regulations.

## THE SCHEDULE.

Section 5.

Description of export case.	Inside measurement of export case in inches.			Kind of citrus fruits for which export case shall be used.	Rate of bounty per export case.
	Length.	Depth.	Width.		
Orange case ..	24	11½	11½	Oranges or grape fruit	Two shillings
Lemon case ..	25	10	13	Lemons .. ..	Two shillings
Australian bushel case	18	14½	8½-9	Oranges, lemons, grape fruit or mandarins	One shilling and four-pence
Standard bushel case	18	10½	11½	Oranges, lemons, grape fruit or mandarins	One shilling and four-pence
Half Lemon case ..	25	5	13	Lemons or mandarins	One shilling