

## COTTON INDUSTRIES BOUNTY.

### No. 13 of 1930.

An Act to provide for the Payment of Bounties on the Production of Seed Cotton, Lint and Cotton Yarn, and for other purposes.

[Assented to 8th July, 1930.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, Preamble. 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 *Cotton Industries Bounty Act* Short title. 1930.

2.—(1.) The *Cotton Bounty Act* 1926 is, subject to this section, Repeal. repealed.

(2.) The provisions of the *Cotton Bounty Act* 1926 shall remain in force to the extent necessary to authorize payment of bounty on—

(a) seed cotton grown in Australia, delivered to a place appointed under that Act, and graded as prescribed by that Act, prior to the commencement of this Act; and

(b) cotton yarn manufactured in Australia prior to the commencement of this Act and in the manufacture of which not less than fifty per centum of Australian-grown cotton has been used,

and upon which bounty has not been paid prior to such commencement.

(3.) All the provisions of the *Cotton Bounty Act* 1926 shall remain in force in respect of the payment of bounty under the last preceding sub-section, and shall, so far as applicable, extend to, and be deemed to authorize, the payment of bounty upon cotton yarn manufactured in Australia the materials used in the manufacture of which consist, to the extent of at least ninety per centum, of Australian-grown cotton, and, in the remainder, of cotton imported by the manufacturer prior to the first day of April One thousand nine hundred and thirty.

**Definition.**

3.—(1.) In this Act, unless the contrary intention appears—  
 “appointed place” means a place appointed by the Minister, by writing under his hand, to be a place where seed cotton may be weighed, examined and graded for the purposes of this Act.

(2.) Any reference to a Schedule shall be read as a reference to a Schedule to this Act.

**Appropriation.**

4. There shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, the bounties specified in this Act:

**Limit of amount of bounty.**

5.—(1.) The total amount of bounty authorized to be paid under this Act in any one financial year shall not exceed Two hundred and sixty thousand pounds.

(2.) When the maximum amount of bounty which may be paid in any year in respect of seed cotton or cotton yarn, as the case may be, has not been paid in that year, the unpaid balance, or any part thereof, may be paid in any subsequent year in respect of seed cotton or cotton yarn, as the case may be, in addition to the maximum amount for that year.

**Specification of bounties.**

6.—(1.) The bounties under this Act shall be payable—

(a) in respect of seed cotton which—

(i) has been grown in Australia ;

(ii) has been delivered to an appointed place ; and

(iii) has been graded in one of the grades prescribed under section eight of this Act ; or,

in any particular case, at the option of the Minister, in respect of lint produced from Australian-grown seed cotton ; and

(b) in respect of cotton yarn manufactured in Australia and delivered from a factory,

on or before the thirtieth day of September, One thousand nine hundred and thirty-six.

(2.) No bounty shall be authorized to be paid, in respect of seed cotton, or on lint produced from seed cotton, to any person other than the grower of the seed cotton, nor unless the grower furnishes proof, to the satisfaction of the Minister, that the requirements of this Act and the Regulations have been complied with.

(3.) No bounty shall be authorized to be paid in respect of lint produced from seed cotton, except with the approval of the Minister.

(4.) No bounty shall be authorized to be paid in respect of seed cotton and also in respect of lint produced from that seed cotton.

(5.) No bounty shall be paid in respect of cotton yarn to any person other than the manufacturer of the cotton yarn, nor unless the manufacturer furnishes proof, to the satisfaction of the Minister, that the requirements of this Act and the Regulations have been complied with

(6.) No bounty shall be paid under this Act upon any seed cotton or cotton yarn upon which bounty is payable, after the commencement of this Act, under the *Cotton Bounty Act 1926*.

7.—(1.) The rates of bounty payable under this Act on seed cotton delivered to an appointed place shall be the rates set out in the First Schedule.

Rates of bounty.

(2.) The rates of bounty on lint produced from seed cotton shall be such rates as, having regard to the proportion which the weight of the lint bears to the weight of the seed cotton from which it is produced, are equivalent to the rates of bounty in respect of seed cotton :

Provided that the Governor-General may prescribe for each season, or part of a season, a standard ratio between the weight of seed cotton and the weight of lint produced from seed cotton, and in the event of a standard ratio being so prescribed, bounty in respect of lint shall be paid in accordance with that ratio.

(3.) The rates of bounty payable under this Act on cotton yarn shall, subject to section ten of this Act, be the rates set out in the Second Schedule.

8. All seed cotton delivered to an appointed place and all lint produced from such seed cotton shall be graded in the prescribed manner.

Grading of seed cotton.

9. Cotton seed obtained from seed cotton delivered to an appointed place shall not be exported from Australia except with the consent in writing of the Minister.

Export of cotton seed.

Penalty : One hundred pounds.

10. No bounty shall be paid in respect of any cotton yarn unless—

(a) it is of good and merchantable quality ; and

(b) one hundred per centum of the cotton used in its manufacture was grown in Australia :

Restrictions on payment of bounty on cotton yarn.

Provided that, if at least ninety per centum of Australian-grown cotton is used in its manufacture, the rates of bounty set out in the Second Schedule shall be reduced to such rates as bear to the rates set out in that Schedule the same proportion as the amount of Australian-grown cotton used bears to all the cotton used in the manufacture of the cotton yarn :

Provided further that, if the Minister is satisfied that circumstances have arisen in which it would be unreasonable to require the use of ninety per centum of Australian-grown cotton, he may,

subject to the next succeeding proviso, authorise the use of less than ninety per centum of Australian-grown cotton, and in that case the rates of bounty set out in the Second Schedule shall be reduced to such rates as bear to the rates set out in that Schedule the same proportion as the amount of Australian-grown cotton used bears to all the cotton used in the manufacture of the cotton yarn :

Provided further that bounty shall not be payable on cotton yarn in the manufacture of which less than fifty per centum of Australian-grown cotton has been used, unless the Minister is satisfied—

- (a) that there are insufficient supplies of Australian-grown cotton available to enable the manufacturer of cotton yarn so to use at least fifty per centum of Australian-grown cotton ; and
- (b) that the manufacturer has used, in the manufacture of the cotton yarn, all the Australian-grown cotton that is available :

Provided further that, whenever the Minister authorizes the use of a lower proportion than ninety per centum of Australian-grown cotton, he shall, within thirty days from the date of the authority, cause a statement of the reasons therefor to be laid before both Houses of the Parliament, if the Parliament is then sitting, or, if the Parliament is not then sitting, within thirty days after the next meeting of the Parliament, and if either House of the Parliament passes a resolution, of which notice has been given at any time within fifteen sitting days after the statement has been laid before such House, disallowing the authority, it shall thereupon cease to have effect.

Manufacture of  
yarn  
commenced  
after  
commencement  
of Act.

11.—(1.) No bounty shall be paid in respect of any cotton yarn to any person, firm or company commencing to manufacture cotton yarn after the commencement of this Act unless that person, firm or company has, before commencing such manufacture, obtained the approval of the Minister.

(2.) The Minister may require any person, firm or company applying for his approval under this section to furnish information as to the nature of the proposed business, the marketing possibilities for the product and such other matters as the Minister thinks fit.

Reasonable  
selling prices.

12. If, after inquiry and report by the Tariff Board, the Minister is of opinion that—

- (a) lint produced from seed cotton on which bounty has been paid ; or
- (b) cotton yarn on which bounty has been paid,

is not being sold by the recipient of the bounty at a reasonable price, having regard to the costs of production and charges incidental to selling and delivery, and to the fact that bounty on seed cotton and cotton yarn is provided for by this Act, the Minister may withhold payment of the bounty or so much thereof as he thinks fit.

13. If the net profits of any person, firm or company claiming bounty under this Act on cotton yarn exceed, in any year, ten per centum of the capital employed in the manufacture of cotton yarn, the Minister may, after inquiry and report by the Tariff Board, withhold the whole of the bounty for that year, and, where the payment of bounty at the rates provided by this Act would cause the net profits to exceed ten per centum, the Minister may withhold so much of the bounty as would cause such excess.

Reduction of bounty on cotton yarn where profits exceed ten per centum.

14.—(1.) The Minister may make application to the Chief Judge or a Judge of the Commonwealth Court of Conciliation and Arbitration, or to any Commonwealth authority established for the purpose of determining wages and conditions of employment, for a declaration as to what wages and conditions of employment are fair and reasonable for labour employed in the production of seed cotton or lint, or the manufacture of cotton yarn.

Conditions of employment and rates of wages.

(2.) On the hearing and determination of the application, the Chief Judge, Judge or Commonwealth authority, as the case may be, shall have all the powers which under the *Excise Procedure Act* 1907 are conferred on the Commonwealth Court of Conciliation and Arbitration, and all witnesses and persons summoned to appear or appearing before the Chief Judge, Judge or Commonwealth authority, as the case may be, shall be entitled to the same privileges and protection, and be subject to the same liabilities and penalties, as witnesses or persons summoned to appear or appearing before the President on an application within the meaning of that Act, and the provisions of that Act shall, so far as they are applicable, apply accordingly, *mutatis mutandis*, as if the application were an application within the meaning of that Act.

(3.) For the purposes of this section, any reference in the *Excise Procedure Act* 1907 to the President of the Commonwealth Court of Conciliation and Arbitration shall be read as a reference to the Chief Judge or a Judge of that Court or to such Commonwealth authority.

(4.) Every person who claims the bounty payable on seed cotton or lint under this Act shall undertake to observe any determinations as to the conditions of employment and the rates of wages paid to any labour employed by him, and he shall, if required by the Minister, certify to the Minister as to the conditions of employment and the rates of wages paid to any labour employed by him in respect of any period, covered by this Act, which is specified by the Minister.

(5.) Every person who claims the bounty payable on cotton yarn under this Act shall, in making such claims, certify to the Minister the conditions of employment and the rates of wages paid to any labour employed by him.

(6.) If the Minister finds that the conditions of employment or rates of wages, or any of them, paid by any claimant for bounty under this Act—

- (a) are below the rates and conditions declared, as in the first sub-section of this section mentioned, to be fair and reasonable ; or
- (b) are below the standard rates and conditions of employment prescribed by the Commonwealth Court of Conciliation and Arbitration, or by any other industrial authority of the Commonwealth or a State,

the Minister may withhold the whole or any part of the bounty payable.

(7.) If—

- (a) the Chief Judge or a Judge of the Commonwealth Court of Conciliation and Arbitration has not declared, in accordance with sub-section (1.) of this section, what wages and conditions of employment are fair and reasonable for labour employed in the production of seed cotton or lint, or the manufacture of cotton yarn ; and
- (b) there are not in force, in the locality where the seed cotton, lint or cotton yarn is produced or manufactured, any standard rates and conditions relating to the labour employed in the production of seed cotton or lint, or the manufacture of cotton yarn, prescribed by the Commonwealth Court of Conciliation and Arbitration or by an industrial authority of a State, or contained in an industrial agreement registered under any law of the Commonwealth or a State,

the Minister may appoint an authority or authorities for determining, for the purposes of this section, wages and conditions of employment which are fair and reasonable for labour employed in the production of seed cotton or lint, or the manufacture of cotton yarn, and any authority so appointed shall be deemed to be a Commonwealth authority within the meaning of sub-section (1.) of this section.

(8.) An authority appointed by the Minister under the last preceding sub-section shall consist of a representative of employers engaged in the production of seed cotton or lint or the manufacture of cotton yarn, a representative of employees engaged in such production or manufacture, and a person, who shall act as Chairman, and who shall be appointed by the Minister on the joint nomination of the representatives of employers and employees :

Provided that, if the representatives of employers and employees fail to make a joint nomination of a Chairman within twenty days after being called upon by the Minister so to do, the Governor-General may appoint a person to act as Chairman.

15. The accounts, books and documents of any person, firm or company claiming bounty under this Act shall be subject to examination and audit by an auditor appointed or authorized by the Minister.

Audit of accounts, &c.

16. No person shall—

Offences.

- (a) obtain any bounty which is not payable ;
- (b) 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 twelve months.

17.—(1.) A return shall be prepared in each financial year not later than the thirty-first day of August, and shall be laid before both Houses of Parliament within thirty days after its preparation if the Parliament is then sitting, and, if not, then within thirty days after the next meeting thereof.

Return to be laid before Parliament.

(2.) The return shall set forth—

(a) in respect of bounty paid on seed cotton or lint—

- (i) the number of persons to whom the bounty was paid under this Act during the preceding financial year ; and
- (ii) the total amount of bounty paid during the preceding financial year ;

and

(b) in respect of cotton yarn—

- (i) the names of all persons to whom bounty was paid under this Act during the preceding financial year ; and
- (ii) the total amount of bounty paid to each such person during the preceding financial year,

and shall contain such other information as is prescribed.

18. 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—

Regulations.

- (a) for prescribing the minimum quantity of seed cotton to be delivered to an appointed place, and the minimum quantity of lint to be produced, to entitle the grower to claim the bounty ;
- (b) for prescribing the minimum quantity of cotton yarn to be manufactured to entitle the manufacturer to claim the bounty ; and
- (c) for prescribing penalties not exceeding Fifty pounds for any breach of the Regulations.

## SCHEDULES.

## THE FIRST SCHEDULE.

## RATES OF BOUNTY PAYABLE ON SEED COTTON.

Periods.	Rates of Bounty per Pound.	
	Higher Grades.	Lower Grades.
	pence	pence
Until 30th September, 1932 .. .. .	1½	¾
Year ending 30th September, 1933 .. .. .	1½	¾
Year ending 30th September, 1934 .. .. .	1	¾
Year ending 30th September, 1935 .. .. .	¾	¾
Year ending 30th September, 1936 .. .. .	½	¾

## THE SECOND SCHEDULE.

## RATES OF BOUNTY PAYABLE ON COTTON YARN.

Count.	Rates of Bounty per Pound.				
	Until 30th September, 1932.	Year ended 30th September, 1933.	Year ended 30th September, 1934.	Year ended 30th September, 1935.	Year ended 30th September, 1936.
	pence	pence	pence	pence	pence
No. 1 .. .. .	6-18ths	5-18ths	4-18ths	3-18ths	2-18ths
No. 2 .. .. .	12-18ths	10-18ths	8-18ths	6-18ths	4-18ths
No. 3 .. .. .	1	15-18ths	12-18ths	9-18ths	6-18ths
No. 4 .. .. .	1 6-18ths	1 2-18ths	16-18ths	12-18ths	8-18ths
No. 5 .. .. .	1 12-18ths	1 7-18ths	1 2-18ths	15-18ths	10-18ths
No. 6 .. .. .	2	1 12-18ths	1 6-18ths	1	12-18ths
No. 7 .. .. .	2 6-18ths	1 17-18ths	1 10-18ths	1 3-18ths	14-18ths
No. 8 .. .. .	2 12-18ths	2 4-18ths	1 14-18ths	1 6-18ths	16-18ths
No. 9 .. .. .	3	2 9-18ths	2	1 9-18ths	1
No. 10 .. .. .	3 6-18ths	2 14-18ths	2 4-18ths	1 12-18ths	1 2-18ths
No. 11 .. .. .	3 12-18ths	3 1-18th	2 8-18ths	1 15-18ths	1 4-18ths
No. 12 .. .. .	4	3 6-18ths	2 12-18ths	2	1 6-18ths
No. 13 .. .. .	4 6-18ths	3 11-18ths	2 16-18ths	2 3-18ths	1 8-18ths
No. 14 .. .. .	4 12-18ths	3 16-18ths	3 2-18ths	2 6-18ths	1 10-18ths
No. 15 .. .. .	5	4 3-18ths	3 6-18ths	2 9-18ths	1 12-18ths
No. 16 .. .. .	5 6-18ths	4 8-18ths	3 10-18ths	2 12-18ths	1 14-18ths
No. 17 .. .. .	5 12-18ths	4 13-18ths	3 14-18ths	2 15-18ths	1 16-18ths
No. 18 .. .. .	6	5	4	3	2
No. 19 .. .. .	6 6-18ths	5 5-18ths	4 4-18ths	3 3-18ths	2 2-18ths
No. 20 .. .. .	6 12-18ths	5 10-18ths	4 8-18ths	3 6-18ths	2 4-18ths
No. 21 .. .. .	7	5 15-18ths	4 12-18ths	3 9-18ths	2 6-18ths
No. 22 .. .. .	7 6-18ths	6 2-18ths	4 16-18ths	3 12-18ths	2 8-18ths
No. 23 .. .. .	7 12-18ths	6 7-18ths	5 2-18ths	3 15-18ths	2 10-18ths
No. 24 .. .. .	8	6 12-18ths	5 6-18ths	4	2 12-18ths
No. 25 .. .. .	8 6-18ths	6 17-18ths	5 10-18ths	4 3-18ths	2 14-18ths
No. 26 .. .. .	8 12-18ths	7 4-18ths	5 14-18ths	4 6-18ths	2 16-18ths
No. 27 .. .. .	9	7 9-18ths	6	4 9-18ths	3
No. 28 .. .. .	9 6-18ths	7 14-18ths	6 4-18ths	4 12-18ths	3 2-18ths
No. 29 .. .. .	9 12-18ths	8 1-18th	6 8-18ths	4 15-18ths	3 4-18ths
No. 30 .. .. .	10	8 6-18ths	6 12-18ths	5	3 6-18ths
No. 31 and up to and including No. 35 ..	10½	8½	7	5½	3½
No. 36 and up to and including No. 40 ..	11	9 3-18ths	7 6-18ths	5 9-18ths	3 12-18ths
No. 41 or any higher count .. .. .	12	10	8	6	4

"Count No. 1" means a single yarn one pound of which measures 840 yards, and any count higher than Count No. 1 means a single yarn one pound of which measures the number of yards obtained by multiplying 840 yards by the number of the count.