

TARIFF BOARD.

No. 87 of 1953.

An Act to amend the *Tariff Board Act* 1921-1952.

[Assented to 11th December, 1953.]

BE it enacted by the Queen'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 *Tariff Board Act* 1953.

(2.) The *Tariff Board Act* 1921-1952* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Tariff Board Act* 1921-1953.

Commencement.

2. This Act shall come into operation on the first day of January, One thousand nine hundred and fifty-four.

3. Sections four, five, six and seven of the Principal Act are repealed and the following sections inserted in their stead :—

Definitions.

“ 4. In this Act, unless the contrary intention appears—

‘ member ’ means a member of the Board ;

‘ the Board ’ means the Tariff Board appointed under this Act ;

‘ the Chairman ’ means the Chairman of the Board ;

‘ the Department ’ means the Department of Trade and Customs.

Tariff Board.

“ 5. For the purposes of this Act there shall be a Tariff Board consisting of seven members.

Members of
Board.

“ 6.—(1.) Members of the Board shall be appointed by the Governor-General.

* Act No. 21, 1921, as amended by No. 25, 1923 ; No. 29, 1924 ; No. 5, 1929 ; No. 69, 1933 No. 45, 1934 ; No. 52, 1947 ; No. 13, 1950 ; and No. 43, 1952.

“(2.) The Governor-General shall so exercise his powers to appoint members that two members, or, if the Governor-General thinks fit, three members, will be persons each of whom—

(a) was, at the time of his appointment (or, if he has been appointed more than once, at the time of his last appointment) an officer of the Public Service of the Commonwealth; and

(b) was, at the time of his appointment (or, if he has been appointed more than once, at the time of his first appointment) an officer of the Department.

“(3.) A member holds office for such period as is specified in the instrument of his appointment, being a period of not less than one year nor more than five years, but, subject to this Act, is eligible for reappointment.

“(4.) In case of the illness, suspension or absence of a member, the Governor-General may appoint a person to be the deputy of the member during the illness, suspension or absence, and a deputy so appointed has all the powers and shall perform all the duties of the member of whom he is the deputy during the illness, suspension or absence.

“(5.) Where a member was, immediately before his appointment as a member, an officer of the Public Service of the Commonwealth, his service as a member shall, for the purpose of determining his existing and accruing rights, be taken into account as if it were service in the Public Service of the Commonwealth, and the *Officers' Rights Declaration Act 1928-1953* applies as if this Act and this section had been specified in the Schedule to that Act.

“7.—(1.) The Governor-General shall appoint a member to be The Chairman.
Chairman of the Board.

“(2.) In case of the illness, suspension or absence of the Chairman, the Governor-General may appoint one of the other members to act as Chairman during the illness, suspension or absence, and a member so appointed has all the powers and shall perform all the duties of the Chairman during the illness, suspension or absence.”.

4. Section eleven of the Principal Act is amended by omitting from sub-section (3.) the word “temporary” Sittings of the Board.

5. Section twelve of the Principal Act is amended by omitting from sub-section (1.) the word “two” and inserting in its stead the word “four” Quorum of Board.

6. Section twelve A of the Principal Act is repealed and the following section inserted in its stead :—

“12A.—(1.) Where a matter has been referred to the Board for inquiry and report, the Chairman may, subject to the next succeeding sub-section, determine, by writing under his hand, that, for the purposes of that inquiry and report, the powers of the Board under this Act may be exercised by the Chairman and such other members as are specified by the Chairman. Exercise of powers of Board by members specified by Chairman.

“(2.) The members specified by the Chairman under the last preceding sub-section shall be not less than two nor more than four in number and shall include one, and not more than one, of the members referred to in sub-section (2.) of section six of this Act.

“(3.) For the purposes of the inquiry into and report on a matter in relation to which the Chairman has made a determination under sub-section (1.) of this section, the Board shall be deemed to consist of the Chairman and the other members specified in the determination.

“(4.) Notwithstanding sub-section (1.) of the last preceding section, at a meeting of the Board constituted in accordance with the last preceding sub-section, two members, of whom at least one is a member other than a member referred to in sub-section (2.) of section six of this Act, are a quorum.

“(5.) A meeting of the Board as constituted by virtue of a determination made under sub-section (1.) of this section may be held notwithstanding that a meeting of the Board as constituted by virtue of another determination made under that sub-section is being held at the same time.”.

Vacancy not
to invalidate
proceedings.

Existing
Chairman and
members to
continue in
office.

7. Section thirteen of the Principal Act is amended by omitting sub-section (2.).

8. Nothing in this Act affects the tenure of office of the Chairman and other members of the Board holding office immediately before the commencement of this Act.
