
Sugar Experiment Stations, Etc., Act. 3 ELIZ. II. No. 11,

SUGAR.

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No. 11.
THE SUGAR
EXPERIMENT
STATIONS
ACTS
AMENDMENT
ACT OF
1954.

An Act to Amend "The Sugar Experiment Stations Acts, 1900 to 1952," in a certain particular.

[ASSENTED TO 27TH APRIL, 1954.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title
and
construction.

1. This Act may be cited as "*The Sugar Experiment Stations Acts Amendment Act of 1954*," and shall be read as one with *"*The Sugar Experiment Stations Acts, 1900 to 1952*," herein referred to as the Principal Act.

Collective
title.

The Principal Act and this Act may be collectively cited as "*The Sugar Experiment Stations Acts, 1900 to 1954*."

Repeal of
and new
s. 32.

2. Section thirty-two of the Principal Act is repealed and the following section is inserted in lieu of that repealed section:—

Cane Pest
and Disease
Control
Board
assessments.

"[32.] (1.) (a) Subject to the provisions of paragraph (b) of this subsection, the Minister in every calendar year may, with respect to any and every cane pest and disease infested area, make and levy an assessment on every ton of sugar-cane, being sugar-cane grown within the cane pest and disease infested area with respect to which the assessment is made and levied, received at a sugar works during the crushing season, that is to say, in relation to each and every sugar works during the period of time commencing in the year in question during which sugar-cane is received and crushed at the sugar works.

(b) Each and every such assessment shall be of such an amount as shall be determined by the Cane Pest and Disease Control Board for the cane pest and disease infested area with respect to which the assessment is made and levied, but shall not exceed the amount of six pence per ton upon all sugar-cane subject to that assessment.

* 64 V. No. 17 and amending Acts.

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(c) Every assessment made and levied under this section shall be in addition to any assessment made and levied under any other provision of this Act.

(2.) The owner of any sugar works at which any sugar-cane subject to an assessment made and levied under this section is received shall, in the first instance, pay that assessment to the Cane Pest and Disease Control Board for the cane pest and disease infested area with respect to which the assessment is made and levied, and shall make that payment—

- (i.) Upon the actual number of tons of sugar-cane subject to that assessment received during the crushing season at the sugar works ; and
- (ii.) Before the expiration of the period of one month commencing on the day next following the date on which the crushing season terminated ; and
- (iii.) (Where that payment is required pursuant to this section to be made by periodical instalments) shall make payment of each and every periodical instalment—
 - (a) Upon the actual number of tons of sugar-cane subject to the assessment received during the period in question of the crushing season at the sugar works ; and
 - (b) At the time so fixed for the payment of the instalment in question :

But the amount of every such assessment (including every periodical instalment thereof) shall be paid and borne by the owner of the sugar works and the grower of the sugar-cane subject to the assessment, respectively, in equal proportions.

(3.) (a) Notice of each and every assessment made and levied under this section shall be given, before the thirty-first day of May of the year in which the assessment is made and levied, to all owners of sugar works who may be liable pursuant to this section to pay, in the first instance, that assessment.

(b) The Governor in Council may from time to time by Order in Council make provision for the payment by periodical instalments of all or any assessments made and levied under this section and for fixing the time when the payment of each and every such periodical

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instalment shall be made by owners of sugar works liable to pay, in the first instance, those assessments, and such provisions shall be complied with by those owners of sugar works concerned.

Any such provision relating to any assessments with respect to any cane pest and disease infested area may differ from any provision relating to any assessments with respect to any other cane pest and disease infested area.

(4.) Any amount not duly paid by the owner of any sugar works to any Cane Pest and Disease Control Board of any assessment or periodical instalment of any assessment made and levied under this section shall be a debt due from that owner to that Cane Pest and Disease Control Board, and may be recovered at the suit of that Board or of a person appointed by it in that behalf by action as for a debt in any court of competent jurisdiction :

Provided that the owner of the sugar works shall be entitled to deduct from any moneys due by him to the grower of the sugar-cane the amount of the proportion of any assessment or periodical instalment of any assessment made and levied under this section payable by such grower, and such amount shall be and remain a charge upon such sugar-cane and the resulting sugar and by-products thereof, notwithstanding any change that may take place in the ownership of the same, or he may recover such amount from such grower by action as for a debt in any court of competent jurisdiction.

(5.) All moneys received by each and every Cane Pest and Disease Control Board pursuant to this section shall be paid into a bank to the credit of an account in the name of the Cane Pest and Disease Control Board in question and that account shall be operated upon by its chairman and secretary.”
