

6 GEO. VI. No. 7, 1941. *Emergency Supplies Act.*

An Act to Authorise the Treasurer on behalf of the Government of Queensland to Make Certain Payments and to Guarantee Certain Debts and Overdrafts incurred for the Purpose of Providing Reserve Stocks of Certain Goods ; and for other purposes.

6 GEO. VI.
NO. 7.
THE
EMERGENCY
SUPPLIES
ACT OF
1941.

[ASSENTED TO 12TH DECEMBER, 1941.]

BE it enacted by the King'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:—

1. This Act may be cited as "*The Emergency Supplies Act of 1941.*" Short title.

2. In this Act the "National Security (Emergency Supplies) Rules of 1941" mean the rules made on the fifth day of June, one thousand nine hundred and forty-one, and published in the *Gazette* of the sixth day of June, one thousand nine hundred and forty-one, at page 2081, and includes any rule or rules heretofore made or purporting to have been made in amendment of or substitution for such rules or any of them. Definition.

3. (1.) The Treasurer of Queensland is and always was authorised on behalf of the Crown— Treasury guarantees for reserve stock purposes.

(a) To guarantee the Commonwealth Bank of Australia against any such losses (including any expenses and charges properly incurred and made by the Commonwealth Bank of Australia or any trading bank in relation to any overdraft hereinafter in this paragraph mentioned) as that bank may incur in special emergency supplies overdrafts or special reserve stock overdrafts approved by The Queensland Emergency Supplies Committee under the "National Security (Emergency Supplies) Rules of 1941" granted by it or granted by trading banks and guaranteed by it ;

(b) To pay to the Commonwealth Bank of Australia such moneys as are payable to that bank by way of interest on special emergency supplies overdrafts or special reserve stock overdrafts granted by it and to refund to the

Commonwealth Bank of Australia such moneys as that bank may have paid by way of interest on such special overdrafts granted by trading banks, provided that the rate of such interest does not exceed four pounds per centum per annum ;

- (c) To guarantee the Colonial Sugar Refining Company Limited and the Millaquin Sugar Company Limited against any such losses (including costs and charges in proceedings instituted with the prior approval of The Queensland Emergency Supplies Committee for the recovery of payment for sugar in respect of which a supplier has obtained interest-free credit under the "National Security (Emergency Supplies) Rules of 1941") as either such company may incur in respect of credit approved by the said Committee and granted by it ;
- (d) To guarantee to a supplier payment for emergency commodities supplied pursuant to a requisition where The Queensland Emergency Supplies Committee has, in pursuance of rule thirty-eight of the "National Security (Emergency Supplies) Rules of 1941," directed such emergency commodities to be so supplied ;
- (e) To pay a supplier for any emergency commodities destroyed in a reserve stock or which become damaged or deteriorated in a reserve stock and are removed therefrom by order of The Queensland Emergency Supplies Committee if such Committee certifies that the destruction, damage, or deterioration—
 - (i.) Was not occasioned by a risk coverable by insurance under the "National Security (Emergency Supplies) Rules of 1941," and
 - (ii.) Was not the result of negligence or fraud on the part of the supplier, retailer, or registered receiver concerned.

(2.) The Treasurer shall be entitled to recover any amount paid by him pursuant to any such guarantee as aforesaid by action of debt in his own name or in the name of any person authorised by him against the supplier who obtained the overdraft or credit in respect

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of which the loss was incurred or, as the case may be, the retailer for whose reserve stock the emergency commodities requisitioned were supplied by direction of The Queensland Emergency Supplies Committee.

4. The State of Queensland is and always was authorised to enter into an arrangement with the Commonwealth of Australia providing for the shares for which the Commonwealth and this State will be respectively liable in respect of—

Interest and guarantees in respect of bank overdrafts and guarantees in respect of credit.

- (a) Interest payable to any bank on any moneys advanced by way of overdraft by that bank and employed in the provision of reserve stocks of emergency commodities for the purposes of the "National Security (Emergency Supplies) Rules of 1941"; and
- (b) Losses arising out of indemnities given to the Commonwealth Bank of Australia in respect of advances made by that bank, and in respect of guarantees given by that bank to trading banks for the purposes of the "National Security (Emergency Supplies) Rules of 1941"; and
- (c) Losses arising out of indemnities given to the Colonial Sugar Refining Company Limited and the Millaquin Sugar Company Limited in respect of credit given by such companies for the purposes of the "National Security (Emergency Supplies) Rules of 1941"; and
- (d) Payments to suppliers for emergency commodities destroyed in reserve stocks or which become damaged or deteriorated in reserve stocks and are removed therefrom by order of The Queensland Emergency Supplies Committee.

5. Any moneys payable by the Treasurer under this Act or pursuant to any guarantee mentioned in this Act shall be paid out of moneys appropriated by Parliament.

Appropriation.