
APPLE AND PEAR BOUNTY.

No. 4 of 1936.

An Act to provide for the Payment of a Bounty
on the Export of Apples and Pears from
the Commonwealth.

[Assented to 20th March, 1936.]

Preamble.

BE 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 :—

Short title.

1. This Act may be cited as the *Apple and Pear Bounty Act* 1936.

2. In this Act, unless the contrary intention appears—

Definitions.

“apples and pears” means fresh apples and pears ;

“bushel case” means—

(a) in relation to apples, a case of the dimensions of either the Australian bushel case or the Standard bushel case as specified in the Commerce (General Exports) Regulations as amended to the date of the commencement of this Act ; and

(b) in relation to pears, a case of the dimensions of any case specified in those Regulations in respect of pears.

For the purposes of this definition—

(a) two cases of the dimensions of either the Australian half-bushel case or the Standard half-bushel case, as specified in those Regulations, shall be deemed to constitute a bushel case in respect of apples ; and

(b) three trays of any dimensions specified in those Regulations shall be deemed to constitute a bushel case in respect of pears.

“Commerce (General Exports) Regulations” means the Commerce (General Exports) Regulations being Statutory Rules 1926, No. 22.

3. There shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, the bounty specified in this Act. *Appropriation.*

4. The bounty under this Act shall be payable in respect of apples and pears exported from the Commonwealth during the year ended the thirty-first day of December, One thousand nine hundred and thirty-five, in respect of which the Commerce (General Exports) Regulations, as amended to the date of the export of the apples or pears, were complied with. *Specification of bounty.*

5. The rate of bounty payable under this Act shall be Four pence per bushel case of apples or pears. *Rate of bounty.*

6.—(1.) Bounty shall be payable in the prescribed manner to the grower of the apples or pears. *To whom bounty payable.*

(2.) The amount of bounty payable to a grower shall be calculated on the quantity of apples and pears certified by the prescribed authority to have been exported by or on behalf of the grower.

7. A payment of bounty shall not be made under this Act unless the claimant for that bounty has, on or before the thirtieth day of June, One thousand nine hundred and thirty-six, lodged an application therefor with the Secretary of the Department of Commerce of the Commonwealth, or, in the event of an arrangement being made under section eleven of this Act in relation to any State, with the prescribed officer of that State. *Condition of bounty.*

8. No person shall—

(a) obtain any bounty which is not payable ;

(b) obtain payment of any bounty by means of any false or misleading statement ; or

Offences against Act.

- (c) present to any officer or other person doing duty in relation to this Act or the regulations made thereunder any document, or make to any such officer or person any statement, which is false in any particular.

Penalty : Five hundred pounds, or imprisonment for two years.

Power to call
for
information.

9.—(1.) The Minister, or any person thereto authorized in writing by the Minister or by or under any arrangement made in pursuance of section eleven of this Act, 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.) Any person who, without reasonable excuse (proof whereof shall lie upon him), fails, after receipt of a notice under the last preceding sub-section, to comply with the requirements of the notice, shall be guilty of an offence.

Penalty : Five hundred pounds, or imprisonment for two years.

(3.) Where the person who has so failed to furnish the books, documents or information is a claimant for bounty, payment of any bounty payable to the claimant may be withheld until he has furnished the required books, documents or information.

Return to be
laid before
Parliament.

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 September, One thousand nine hundred and thirty-six and shall be laid before each House of the Parliament by the Minister within fifteen sitting days of that House after the thirtieth day of September, One thousand nine hundred and thirty-six.

Arrangements
for payments
of bounty by
States.

11. The Governor-General may arrange with the Governor in Council of any State for the payment by the State on behalf of the Commonwealth of bounty under this Act to growers of apples or pears in that State, and for the carrying out, by officers of the State or other persons, of any powers or functions under this Act.

Regulations.

12. 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—

- (a) for prescribing penalties not exceeding Fifty pounds or imprisonment for a period not exceeding three months for any breach of the regulations ; and
(b) for conferring upon any officer or authority of the Commonwealth, or, in any case where there is an arrangement under the last preceding section with the Governor in Council of any State, upon any officer or authority of that State, any power or function incidental to the carrying out of this Act.