

# BOOK BOUNTY ACT 1975

## No. 5 of 1975

An Act to amend the *Book Bounty Act 1969-1973*.

BE IT ENACTED by the Queen, the Senate and the House of Representatives of Australia, as follows:—

1. (1) This Act may be cited as the *Book Bounty Act 1975*.<sup>1</sup>

Short title  
and citation.

(2) The *Book Bounty Act 1969-1973*<sup>2</sup> is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the *Book Bounty Act 1969-1975*.

2. This Act shall come into operation on the day on which it receives the Royal Assent.<sup>1</sup>

Commence-  
ment.

3. Section 3 of the Principal Act is amended—

Interpret-  
ation.

(a) by inserting in sub-section (1), after the definition of “production process”, the following definitions:—

“ ‘protective cover’, in relation to a book, means a cover for sale with the book, being a cover that is intended to protect the book while the book is in use;

“ ‘recognized educational institution’ means—

(a) an institution, authority or body that is a tertiary education institution for the purposes of the *Student Assistance Act 1973*;

(b) a school or similar institution that is a school for the purposes of the *Schools Commission Act 1973*; or

(c) any other educational institution, authority or body that the Minister declares in writing to be a recognized educational institution for the purposes of this Act;”;

(b) by inserting in sub-section (1), after the definition of “registered premises”, the following definition:—

“ ‘text book’ means a book intended for use solely or principally in connexion with education provided at a recognized educational institution or recognized educational institutions, but does not include a book that is, in whole

or in substantial part, a collection of examination papers, or copies of examination papers, used in past examinations;”;

and

(c) by omitting the definition of “the period to which this Act applies” and substituting the following definition:—

“ ‘the period to which this Act applies’ means the period that commenced on 1 June 1969 and ends on 31 December 1978;”.

4. Section 3A of the Principal Act is repealed and the following section substituted:—

Bounty not payable in respect of certain books.

“3A. (1) Bounty is not payable in respect of—

- (a) a book that is a magazine or other periodical, including a magazine or other periodical issued annually;
- (b) a book that contains advertisements other than—
  - (i) advertisements relating to the book;
  - (ii) advertisements relating to other books written by the author or authors of the book or published by the publishers of the book; or
  - (iii) advertisements on a cover of the book;
- (c) a book that is—
  - (i) a workshop manual, service manual, instruction book, handbook or similar publication relating to the use, operation, maintenance or repair of any machine, equipment, appliance or vehicle;
  - (ii) a turf, stud or stock register or similar publication; or
  - (iii) a directory, guide or timetable or similar publication relating to Australia or a place or places in Australia;
- (d) a book the text of which consists in whole or in substantial part of—
  - (i) legislative enactments or other legislation (including delegated or subordinate legislation), whether enacted or made in Australia or elsewhere;
  - (ii) reports of decisions of courts and tribunals, including courts and tribunals outside Australia; or
  - (iii) awards, determinations or similar pronouncements made by any conciliation, arbitration or industrial commission or tribunal or by any commissioner, arbitrator or other person having functions similar to those of such a commission or tribunal, including awards, determinations or similar pronouncements made outside Australia;

- (e) a book the text of which consists in whole or in substantial part of lecture notes for use by students;
- (f) a book the text of which consists in whole or in substantial part of statistics;
- (g) a book (not being a text book) the printed pages of which are fewer in number than 49 or less in total area than 1 square metre; or
- (h) a book—
  - (i) the majority of the leaves of which contain shapes intended to be cut out or otherwise removed; or
  - (ii) any leaf of which forms, or is intended to be used to form, a figure or object that is in 3 dimensions or is on a plane different from that of the leaf.

“(2) Where, in relation to a book the printed pages of which are not fewer in number than 49 and are not less in total area than 1 square metre, the Minister is of the opinion that the printed material that is essential to the book could, without altering the character of the book, be published in a book the printed pages of which were fewer in number than 49 or less in total area than 1 square metre, he may, in writing, direct that, for the purposes of this section, the book is to be treated as a book to which paragraph (1) (g) applies.

“(3) In this section—

‘cover’, in relation to a book, includes a protective cover;

‘leaf’, in relation to a book, includes a cover of the book;

‘page’, in relation to a book, does not include a cover of the book;

‘printed material’ includes pictorial material produced by means other than printing;

‘printed page’ means a page that contains printed material.”

5. Section 4 of the Principal Act is amended by adding at the end thereof the following sub-section:— Cost of production.

“(6) A reference in sub-section (1) to the price paid or payable to the manufacturer or a manufacturer of a book by the publisher of the book for the production of the book or for any production process or production processes carried out in relation to the book shall be read as including a reference to any price paid by the publisher for the cost to the manufacturer of any protective cover for use with the book and for the cost to the manufacturer of any packaging of the book for the purposes of transport or sale, and a reference in that sub-section to the cost to the manufacturer or a manufacturer of the book, being the publisher of the book, of producing the book or of carrying out any production process or production processes in relation to the book shall be read as including a

reference to the cost to him of any protective cover for use with the book and to the cost to him of any packaging of the book for the purposes of transport or sale.”.

**Rate of bounty.** 6. Section 6 of the Principal Act is amended by omitting the words “one-quarter” and substituting the words “one-third”.

**Bounty not payable in respect of certain books.** 7. Section 8 of the Principal Act is amended by omitting the words “law of the Commonwealth” and substituting the words “law of Australia or of a Territory”.

**Formal amendments.** 8. The Principal Act is amended as set out in the Schedule.

**Application.** 9. (1) Subject to sub-section (2), the amendments of the Principal Act made by sections 3 to 7 (inclusive) apply in relation to a book produced on or after 17 December 1973.

(2) If bounty in respect of a book produced on or after 17 December 1973, not being a book produced on or after 25 September 1974, would not, but for this sub-section, be payable, the amendments of the Principal Act made by sections 3 to 7 (inclusive) do not apply in relation to that book.

(3) A book produced on or after 17 December 1973 shall, for the purposes of sub-sections (1) and (2), be deemed not to have been produced on or after that date if it was produced in pursuance of an agreement which, or agreements all or any of which, was or were entered into before that date between the publisher of the book and the manufacturer or manufacturers of the book.

(4) A book produced on or after 25 September 1974 shall, for the purposes of sub-section (2), be deemed not to have been produced on or after that date if it was produced in pursuance of an agreement which, or agreements all or any of which, was or were entered into before that date between the publisher of the book and the manufacturer or manufacturers of the book.

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## SCHEDULE

### Section 8

1. The following provisions of the Principal Act are amended by omitting the words “of this Act” and “of this section” (wherever occurring):—

Sections 3 (1) (definitions of “bounty” and “registered premises”), 4 (2) (a) and (b) and (5), 11 (3), (7) and (9) and 14 (3).

2. The following provisions of the Principal Act are amended by omitting the words “the Commonwealth” (wherever occurring) and substituting the word “Australia”:—

Sections 8 (2), 10 (2), 11 (8) and 17 (3).

## SCHEDULE—continued

3. The Principal Act is further amended as set out in the following table:—

Provision	Amendment
Section 3 (1) (definition of "authorized person")	Omit "of this Act" (last occurring).
Section 4 (3)	Omit "of this section".
Section 11 (7) (c)	Omit "that" (last occurring), substitute "than".
Section 18 (3)	(a) Omit "the first day of June, One thousand nine hundred and sixty-nine", substitute "1 June 1969". (b) Omit "the thirtieth day of June, One thousand nine hundred and seventy", substitute "30 June 1970".

## NOTES

1. Act No. 5, 1975; assented to 7 March 1975.
2. Act No. 83, 1969, as amended by No. 58, 1970; No. 40, 1973; and No. 216, 1973 (as amended by No. 20, 1974).