**AGRICULTURAL TRACTORS BOUNTY AMENDMENT ACT 1977**

**No. 30 of 1977**

An Act to amend the *Agricultural Tractors Bounty Act* 1966.

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

**Short title, &c.**

**1.** (1) This Act may be cited as the *Agricultural Tractors Bounty Amendment Act* 1977.

(2) The *Agricultural Tractors Bounty Act* 1966 is in this Act referred to as the Principal Act.

**Commencement.**

**2.** (1) Subject to sub-section (2), this Act shall come into operation on the day on which it receives the Royal Assent.

(2) Sections 3, 4, 6, 7 and 12 shall be deemed to have come into operation on 1 January 1977.

**Interpretation.**

**3.** Section 3 of the Principal Act is amended—

(a) by adding at the end of the definition of “Collector” the words “or Territory”; and

(b) by omitting the definition of “the terminating date” and substituting the following definition:—

“‘the terminating date’ means 31 December 1984 or such later date as, on or before 31 December 1984, is fixed by Proclamation for the purposes of this definition;”.

**Specification of bounty.**

**4.** Section 4 of the Principal Act is amended by omitting the word and figures “4th May, 1973,” and substituting the word and figures “1 January 1977”.

**5.** After section 5 of the Principal Act the following section is inserted:—

**Uniformity.**

“5a. A power conferred on the Governor-General or the Minister by this Act shall not be exercised in such a manner that bounty would not be uniform throughout the Commonwealth within the meaning of paragraph (iii.) of section 51 of the Constitution.”.

**Rate of bounty.**

**6.** Section 6 of the Principal Act is amended—

(a) by omitting sub-section (1) and substituting the following sub-sections:—

“(1) Subject to this section, the bounty payable in respect of a tractor is the amount ascertained in accordance with the Schedule, having regard to the output of the engine of the tractor and the period during which the tractor was manufactured.

“(1a) The regulations may prescribe a factor in relation to a period specified in the Schedule, and, where a factor is so prescribed, then, for the purpose of calculating the bounty payable in respect of a tractor manufactured during that period and at a time when the regulations prescribing that factor are in force, an amount specified in the Schedule in relation to that period shall be multiplied by that factor.

“(1b) For the purposes of sub-section (1a), an amount shall be calculated to the nearest dollar and, for the purposes of that calculation, an amount that would, but for this sub-section, consist of a number of dollars and 50 cents shall be increased by the amount of 50 cents.

(b) by omitting sub-section (3) and substituting the following sub-section:—

“(3) The bounty payable in respect of a tractor under the preceding provisions of this section shall be reduced by an amount equal to 1 per centum of that bounty for each 1 per centum by which the ratio between the factory cost of the materials and parts of the tractor that were wholly produced or manufactured in Australia and the factory cost of the tractor, expressed as a percentage of the factory cost of the tractor, is less than 100 per centum.”;

(c) by inserting before paragraph (a) of sub-section (6) the following paragraph:—

“(aa) a tractor shall be taken to be manufactured on the date on which the manufacture of the tractor is completed; and

(d) by adding at the end thereof the following sub-section:—

“(7) In determining, for the purposes of this section, the factory cost of a tractor or of the materials and parts of a tractor that were manufactured in Australia, the Comptroller-General shall disregard costs attributable to—

(a) pneumatic tyres or pneumatic tubes;

(b) air conditioning equipment;

(c) radio equipment, sound reproducing equipment or sound recording equipment; or

(d) winches.”.

**Additional bounty.**

**7.** Section 6a of the Principal Act is repealed.

**8.** Section 9 of the Principal Act is repealed and the following section substituted: —

**Approval of payment of bounty.**

“9. (1) Where an application for bounty in respect of a tractor is lodged in accordance with the regulations, the Minister shall—

(a) if he is satisfied that bounty is payable in respect of that tractor— approve the payment of the bounty; or

(b) if he is not so satisfied—refuse to approve payment of the bounty.

“(2) In sub-section (1), ‘bounty’ does not include an advance on account of bounty under section 10.”.

**Registration of premises.**

**9.** Section 11 of the Principal Act is amended by omitting sub-section (4a) and substituting the following sub-section:—

“(4a) Where an applicant under this section was not engaged in manufacturing tractors at registered premises on 21 December 1972, the Minister shall refuse to register the premises to which the application relates unless, in the opinion of the Minister, the registration of the premises will promote the orderly development of the manufacture of tractors in Australia.

**Security for compliance with Act and regulations.**

**10.** Section 17 of the Principal Act is amended by inserting after the word “security” (first occurring) the words “, in an amount determined by the Minister,”.

**11.** After section 18 of the Principal Act the following section is inserted:—

**Applications for review.**

“18a. Applications may be made to the Administrative Appeals Tribunal for review of—

(a) a decision of the Minister made for the purposes of sub-section 6(5);

(b) a determination by the Comptroller-General made for the purposes of sub-section 6(6);

(c) a decision of the Comptroller-General made for the purposes of section 8;

(d) an approval of the Minister given under sub-section 9(1) or a refusal of the Minister to give an approval under that sub-section;

(e) a refusal of the Minister to register premises under section 11, not being a refusal by virtue of sub-section 11(4a);

(f) a determination by the Minister made for the purposes of sub-section 11(6) or a refusal of the Minister to make a determination for the purposes of that sub-section;

(g) a decision of the Minister made for the purposes of sub-section 11(8); or

(h) a determination by the Minister of an amount of security made for the purposes of section 17.”.

**Schedule.**

**12.** The Schedule to the Principal Act is repealed and the following Schedule substituted:—

SCHEDULE Section 6

AMOUNTS OF BOUNTY

|  |  |  |  |
| --- | --- | --- | --- |
| Output of engine | Tractor manufactured during period 1 January 1977 to 31 December 1979 (inclusive) | Tractor manufactured during period 1 January 1980 to 31 December 1981 (inclusive) | Tractor manufactured during period 1 January 1982 to terminating date (inclusive) |
| kW | $ | $ | $ |
| 15 | 549 | 457 | 366 |
| 16 | 584 | 487 | 389 |
| 17 | 620 | 516 | 412 |
| 18 | 655 | 546 | 435 |
| 19 | 690 | 576 | 458 |
| 20 | 725 | 605 | 481 |
| 21 | 760 | 635 | 504 |
| 22 | 795 | 665 | 527 |
| 23 | 830 | 694 | 550 |
| 24 | 866 | 724 | 573 |
| 25 | 901 | 754 | 596 |
| 26 | 936 | 783 | 620 |
| 27 | 971 | 813 | 643 |
| 28 | 1,006 | 843 | 666 |
| 29 | 1,041 | 872 | 689 |
| 30 | 1,077 | 902 | 712 |
| 31 | 1,112 | 932 | 735 |
| 32 | 1,147 | 961 | 758 |
| 33 | 1,182 | 991 | 781 |
| 34 | 1,217 | 1,021 | 804 |
| 35 | 1,252 | 1,050 | 827 |
| 36 | 1,287 | 1,080 | 850 |
| 37 | 1,323 | 1,109 | 873 |
| 38 | 1,358 | 1,139 | 896 |
| 39 | 1,393 | 1,169 | 919 |
| 40 | 1,428 | 1,198 | 943 |
| 41 | 1,463 | 1,228 | 966 |
| 42 | 1,498 | 1,258 | 989 |
| 43 | 1,534 | 1,287 | 1,012 |
| 44 | 1,569 | 1,317 | 1,035 |
| 45 | 1,604 | 1,347 | 1,058 |
| 46 | 1,639 | 1,376 | 1,081 |
| 47 | 1,674 | 1,406 | 1,104 |
| 48 | 1,709 | 1,436 | 1,127 |
| 49 | 1,744 | 1,465 | 1,150 |
| 50 | 1,780 | 1,495 | 1,173 |
| 51 | 1,815 | 1,525 | 1,196 |
| 52 | 1,850 | 1,554 | 1,219 |
| 53 | 1,885 | 1,584 | 1,242 |
| 54 | 1,920 | 1,614 | 1,265 |
| 55 | 1,955 | 1,643 | 1,289 |
| 56 | 1,990 | 1,673 | 1,312 |
| 57 | 2,026 | 1,703 | 1,335 |
| 58 | 2,061 | 1,732 | 1,358 |
| 59 | 2,096 | 1,762 | 1,381 |
| 60 | 2,131 | 1,792 | 1,404 |
| 61 | 2,166 | 1,821 | 1,427 |

SCHEDULE—continued

|  |  |  |  |
| --- | --- | --- | --- |
| Output of engine | Tractor manufactured during period 1 January 1977 to 31 December 1979 (inclusive) | Tractor manufactured during period 1 January 1980 to 31 December 1981 (inclusive) | Tractor manufactured during period 1 January 1982 to terminating date (inclusive) |
| kW | $ | $ | $ |
| 62 | 2,201 | 1,851 | 1,450 |
| 63 | 2,237 | 1,881 | 1,473 |
| 64 | 2,272 | 1,910 | 1,496 |
| 65 | 2,307 | 1,940 | 1,519 |
| 66 | 2,342 | 1,970 | 1,542 |
| 67 | 2,377 | 1,999 | 1,565 |
| 68 | 2,412 | 2,029 | 1,588 |
| 69 | 2,447 | 2,059 | 1,611 |
| 70 | 2,483 | 2,088 | 1,635 |
| 71 | 2,518 | 2,118 | 1,658 |
| 72 | 2,553 | 2,148 | 1,681 |
| 73 | 2,588 | 2,177 | 1,704 |
| 74 | 2,623 | 2,207 | 1,727 |
| 75 | 2,658 | 2,237 | 1,750 |
| 76 | 2,694 | 2,266 | 1,773 |
| 77 | 2,729 | 2,296 | 1,796 |
| 78 | 2,764 | 2,326 | 1,819 |
| 79 | 2,799 | 2,355 | 1,842 |
| 80 | 2,834 | 2,385 | 1,865 |
| 81 | 2,869 | 2,415 | 1,888 |
| 82 | 2,904 | 2,444 | 1,911 |
| 83 | 2,940 | 2,474 | 1,934 |
| 84 | 2,975 | 2,503 | 1,958 |
| 85 | 3,010 | 2,533 | 1,981 |
| 86 | 3,045 | 2,563 | 2,004 |
| 87 | 3,080 | 2,592 | 2,027 |
| 88 | 3,115 | 2,622 | 2,050 |
| 89 | 3,150 | 2,652 | 2,073 |
| 90 | 3,186 | 2,681 | 2,096 |
| 91 | 3,221 | 2,711 | 2,119 |
| 92 | 3,256 | 2,741 | 2,142 |
| 93 | 3,291 | 2,770 | 2,165 |
| 94 | 3,326 | 2,800 | 2,188 |
| 95 | 3,361 | 2,830 | 2,211 |
| 96 | 3,397 | 2,859 | 2,234 |
| 97 | 3,432 | 2,889 | 2,257 |
| 98 | 3,467 | 2,919 | 2,280 |
| 99 | 3,502 | 2,948 | 2,304 |
| 100 | 3,537 | 2,978 | 2,327 |
| 101 | 3,572 | 3,008 | 2,350 |
| 102 | 3,607 | 3,037 | 2,373 |
| 103 | 3,643 | 3,067 | 2,396 |
| 104 | 3,678 | 3,097 | 2,419 |
| 105 | 3,713 | 3,126 | 2,442 |

**Amendment of Administrative Appeals Tribunal Act.**

**13.** (1) The Schedule to the *Administrative Appeals Tribunal Act* 19753 is amended by omitting Part II.

(2) Notwithstanding the amendment made by this section, applications may be made in accordance with the Part omitted by this section in respect of decisions given before the commencement of this section.

**Transitional.**

**14.** The Principal Act as amended by paragraph 3(b) of this Act, but not as amended by any other provision of this Act, applies to and in relation to a tractor the manufacture of which was completed before 1 January 1977.