

STATUTORY RULES.

1964. No. 29.

REGULATIONS MADE UNDER THE PHOSPHATE FERTILIZERS BOUNTY ACT 1963.*

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Phosphate Fertilizers Bounty Act 1963*.

Dated this *twenty-seventh*
day of *February*, 1964.

DE L'ISLE

Governor-General.

By His Excellency's Command,

(Sgd.) Denham Henry

Minister of State for Customs and Excise.

PHOSPHATE FERTILIZERS BOUNTY REGULATIONS.

1. These Regulations may be cited as the Phosphate Fertilizers Bounty Regulations. Citation.

2.—(1.) In these Regulations, unless the contrary intention appears— Interpretation.

“authorized agent” means a person appointed under regulation 3 of these Regulations to be an authorized agent;

“the Act” means the *Phosphate Fertilizers Bounty Act 1963*.

(2.) In these Regulations, a reference to a form by number shall be read as a reference the form so numbered in the Schedule to these Regulations.

3.—(1.) A producer may appoint a person to be his authorized agent Authorized agents. for the purposes of executing on his behalf a notice, declaration, certificate or document that the producer is required to execute by, or for the purposes of, the Act or these Regulations and the authorized agent may execute, on behalf of the producer, such a notice, declaration, certificate or document.

(2.) Where a notice, declaration, certificate or document referred to in the last preceding sub-regulation has been executed by an authorized agent of a producer, the producer is subject to the same liabilities and penalties as if he had executed that notice, declaration, certificate or document.

(3.) The appointment of an authorized agent shall—

(a) be in accordance with Form 1; and

(b) be lodged with a Collector.

* Notified in the *Commonwealth Gazette* on *27th February 1964*.
13162/63.—PRICE 3D.

4. An authorization under section 6 of the Act shall—

- (a) be in accordance with Form 2; and
- (b) be lodged with a Collector.

Authorization
under section 6
of the Act.

5.—(1.) An application for bounty in respect of bountiable products shall—

Applications
for bounty.

- (a) be made in writing;
- (b) be lodged with a Collector; and
- (c) be accompanied by a declaration by the producer.

(2.) An application referred to in the last preceding sub-regulation shall be lodged—

- (a) where the application is made in respect of bountiable products sold or used during the period that commenced on the fourteenth day of August, 1963 and ended on the thirty-first day of December, 1963, or a week, fortnight or month during that period—on or before the thirty-first of March, 1964;
- (b) where the application is made in respect of bountiable products sold or used during a week, fortnight or month commencing after the thirty-first day of December, 1963—within one month after the end of the period in respect of which the claim is made; or
- (c) where the application is made in respect of bountiable products sold or used during a period referred to in either of the last two preceding paragraphs—within such time additional to that prescribed as the Collector in a particular case may allow.

(3.) A person shall not make a statement in an application referred to in sub-regulation (1.) of this regulation that is false or misleading in any material particular.

Penalty: Fifty pounds.

(4.) An application referred to in the sub-regulation (1.) of this regulation shall set out—

- (a) the name and address of the applicant for bounty;
- (b) the address of the registered premises at which the bountiable products were produced;
- (c) the period in respect of which the claim for bounty is made;
- (d) in relation to bountiable products sold as such—
 - (i) their weight in tons;
 - (ii) their percentage phosphorus pentoxide content;
 - (iii) the rate at which bounty is claimed; and
 - (iv) the amount of bounty claimed;
- (e) in relation to bountiable products used by the producer in the production in Australia of a fertilizer mixture for use in Australia—
 - (i) the weight of the fertilizer mixture in tons;

- (ii) the percentage phosphorus pentoxide content of the bountiable products;
 - (iii) the percentage of bountiable products contained in the fertilizer mixture;
 - (iv) the rate at which bounty is claimed; and
 - (v) the amount of bounty claimed;
- (f) if such is the case, that none of the bountiable products were produced at premises that were not at the time registered premises or premises that did not subsequently become registered premises;
- (g) if such is the case, that the whole of the bountiable products the subject of the claim were of good and merchantable quality;
- (h) if such is the case, that nothing has been done or omitted to be done by the applicant and to the best of his knowledge and belief nothing has been done or omitted to be done by any other person whereby the right of the producer to bounty has been forfeited or taken away;
- (i) if such is the case, that to the best of the knowledge and belief of the applicant no other application for bounty has been made, no bounty has been paid and no advance under section 12 of the Act has been made, in respect of the bountiable products; and
- (j) if such is the case, that the full benefit of the bounty has been passed on to purchasers from the producer of bountiable products or fertilizer mixtures.

(5.) The declaration referred to in sub-regulation (1.) of this regulation—

- (a) shall contain a statement by the applicant that the particulars set out in the application for bounty are true and correct in every material particular; and
- (b) shall be signed by the applicant in the presence of a witness whose address and occupation shall be stated by the applicant.

THE SCHEDULE.

FORM 1.

Regulation 3.

COMMONWEALTH OF AUSTRALIA.

Phosphate Fertilizers Bounty Act 1963.

APPOINTMENT OF AUTHORIZED AGENT.

To the Collector of Customs for the State of

I, (a)

, hereby appoint (a) Insert name and address of producer.

(b)

a specimen of whose signature appears hereunder, to be my authorized agent for the purposes of the Phosphate Fertilizers Bounty Act 1963 and the regulations made thereunder.

(b) Insert name, address and occupation of agent.

Dated at

the

day of

, 196 .

(c)

(d)

(e)

(c) Signature of producer.

(d) Signature and address of witness.

(e) Signature of agent.

FORM 2.

Regulation 4.

COMMONWEALTH OF AUSTRALIA.
Phosphate Fertilizers Bounty Act 1963.
AUTHORITY TO RECEIVE BOUNTY.

To the Collector of Customs for the State of
I, (a)

, hereby authorize

(a) Insert name and address of producer.
(b) Insert name, address and occupation of person authorized.

(b) , a specimen of whose signature appears hereunder to receive on my behalf, subject to the provisions of the *Phosphate Fertilizers Bounty Act 1963* and the regulations made thereunder, all bounty and advances on account of bounty payable to me under that Act.

Dated at _____ the _____ day of _____, 196 .

(c)
(d)
(e)

(c) Signature of producer.
(d) Signature and address of witness.
(e) Signature of person authorized.