

1923  
(SECOND SESSION)

## A BILL

FOR

## AN ACT

To provide for the Payment of a Bounty on Sulphur.

**B**E 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:—

Preamble.

**5** 1. This Act may be cited as the *Sulphur Bounty Act* 1923, and shall commence on a date to be fixed by Proclamation.

Short title and commencement.

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

Appropriation for payment of bounty.

**10** 3.—(1.) The bounty under this Act shall be payable in respect of the production in Australia, after the commencement of this Act, of sulphur from Australian pyrites and other sulphide ores or concentrates.

Specification of bounty

**15** (2.) The bounty payable in respect of the production of sulphur in accordance with this Act shall be payable at the rate of Two pounds five shillings per ton.

**20** 4. When sulphuric acid is produced in Australia from Australian pyrites or other sulphide ores or concentrates, sulphur shall, for the purposes of this Act, be deemed to have been produced to the quantity of the sulphur or brimstone of good commercial quality which it would be necessary to use in producing that sulphuric acid, which quantity shall be ascertained in the prescribed manner.

Production of sulphur.

Certificate to be supplied by claimant in support of claim.

5. Every claimant of bounty under this Act shall supply with his claim a certificate, from the manufacturer of the sulphuric acid containing the sulphur in respect of which bounty is claimed, stating the number of tons of that sulphuric acid calculated to a strength of one hundred per centum, and that the sulphuric acid has been manufactured from Australian pyrites or other sulphide ores or concentrates.

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Persons entitled to bounty.

6. The person who is, at the time when any pyrites or other sulphide ores or concentrates are treated for and in connexion with the production therefrom of sulphuric acid, the owner of the pyrites or other ores or concentrates shall, subject to this Act, be deemed to be the producer of the sulphur, and shall be the person who is entitled, under this Act, to claim bounty in respect of the production of the sulphur in the sulphuric acid.

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Minister may require information.

7. The Minister may, in relation to any claim for bounty under this Act, require such information as to the correctness of any certificate, or otherwise, as he deems necessary.

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Limit of total amount of bounties.

8.—(1.) The total amount of the bounty authorized to be paid in any one year shall not exceed the sum of One hundred thousand pounds.

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(2.) Where the maximum amount of bounty which may be paid in any year has not been paid in that year the unpaid balance, or any part thereof, may be paid in any subsequent year in addition to the maximum amount for that year.

Proof of good quality and of compliance with the Act to be furnished.

9. No bounty shall be authorized to be paid to any person other than the producer of the sulphur, nor unless the producer of the sulphur furnishes proof to the satisfaction of the Minister that the requirements of this Act and the Regulations have been complied with.

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Conditions of employment and rates of wages.

10.—(1.) The Minister may make application to the President of the Commonwealth Court of Conciliation and Arbitration, or to any Judge of a Federal or State Court or to any person or persons who compose a State Industrial Authority, for a declaration as to what wages and conditions of employment are fair and reasonable for labour employed in the production of the goods.

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(2.) On the hearing and determination of the application, the President, Judge, person or persons shall have all the powers which under the *Excise Procedure Act 1907* belong to the President of the Commonwealth Court of Conciliation and Arbitration, and all witnesses and persons summoned to appear or appearing before him or them shall be subject to the same liabilities and penalties, as witnesses or persons summoned to appear or appearing before the President on an application within the meaning of that Act, and the provisions of that Act, shall, so far as they are applicable, apply accordingly, *mutatis mutandis*, as if the application were an application within the meaning of that Act.

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(3.) Every person who claims the bounty payable under the Act shall, in making his claim, certify to the Minister the conditions of employment and the rates of wages paid to any labour employed by him in connexion with the production of sulphur, other than the labour of members of his family.

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(4.) If

(4.) If the Minister finds that the rates of wages and conditions of employment, or any of them—

- 5 (a) are below the standard rates and conditions of employment prescribed by any Commonwealth or State Industrial Authority, or
- (b) are below the standard rates and conditions applicable to the locality and agreed upon between representatives of associations of employers and employees registered under any Commonwealth or State Act, or
- 10 (c) are below the rates and conditions declared, as in the first sub-section of this section mentioned, to be fair and reasonable,

the Minister may withhold the whole or any part of the bounty payable.

15 11. 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
- 20 (c) present to any officer or other person doing duty in relation to this Act or the Regulations any document, or make to any such officer or person any statement, which is false in any particular.

Offences against Act.

Penalty : One hundred pounds or imprisonment for twelve months.

25 12. A return setting forth—

- (a) the names of all persons to whom bounty was paid during the preceding financial year ;
- (b) the amounts of all such bounty ;
- 30 (c) the names of the places and States in which the goods were produced ;
- (d) the number of persons employed in each of the works, wages paid, and hours observed in the production of the goods,

Return to be laid before Parliament.

35 shall be prepared in the month of July in each year and shall be laid before both Houses of the Parliament within thirty days after its preparation if the Parliament is then sitting, and if not, then within thirty days after the next meeting thereof.

40 13. 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 are necessary or convenient to be prescribed for giving effect to this Act, and in particular for any of the following purposes :—

Regulations.

- (a) For prescribing the minimum quantity of goods to be produced to entitle the producer to claim the bounty ;
- 45 (b) For prescribing the proportion in which bounty shall be payable to claimants who have complied with the prescribed conditions, in cases where there is not sufficient money available to pay the full bounty in respect of all the claims ;
- (c) For

- (e) For requiring each producer to keep books showing in detail the cost of production, and for the inspection of all books and balance-sheets of each producer, and of the process of production, for the purposes of—
- (i) ascertaining and reporting on the conditions of employment obtaining and the rates of wages paid ; and 5
  - (ii) ascertaining the cost of production and the percentage of profits earned ; and
- 3) For empowering the Minister from time to time to determine the amount which shall for the purposes of this Act be deemed to be the capital invested by any producer in the production of the goods, and to deduct from any bounty payable to the producer an amount to be determined by the Minister, not exceeding the amount by which the profits earned exceed ten per centum per annum upon the amount of capital so determined. 10 15