

1937-38.

**A BILL  
FOR  
AN ACT**

To make provision for Assisting in the Production  
and Marketing in Australia of Apples and  
Pears.

**B**E it enacted by the King's Most Excellent Majesty, the Senate, Preamble  
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:—

- 5     **1.** This Act may be cited as the *Apple and Pear Publicity and* Short title.  
*Research Act 1938.*
- 2.** This Act shall come into operation on the first day of January, Commencement.  
One thousand nine hundred and thirty-nine.
- 10     **3.** In this Act, unless the contrary intention appears— Definitions.  
       “the Board” means the Australian Apple and Pear Board  
          constituted under the *Apple and Pear Organization Act 1938*;  
       “the Fund” means the Apple and Pear Publicity and Research  
          Fund established under this Act.
- 15     **4.**—(1.) For the purposes of this Act, there shall be a Fund to Apple and  
Pear Publicity  
and Research  
Fund  
be known as the Apple and Pear Publicity and Research Fund into  
which shall be paid, out of the Consolidated Revenue Fund, which  
is hereby appropriated accordingly, all moneys from time to time  
collected under the *Apple and Pear Tax Assessment Act 1938.*

(2.) Income

(2.) Income derived from the investment of the Fund shall form part thereof.

(3.) The income of the Fund shall not be subject to taxation by the Commonwealth or a State.

Application of  
moneys paid  
into the Fund

5. The Fund shall be administered by the Board and the moneys standing to the credit of the Fund shall be applied by the Board— 5

(a) for the purpose of increasing and extending, by publicity, research or any other means, the consumption of apples and pears throughout Australia ;

(b) for any purpose which the Board deems to be necessary or desirable for the improvement of the production of apples and pears in Australia ; 10

(c) in payment of the expenses of, and charges incurred by, the Board or for which the Board becomes liable, under this Act ; and 15

(d) in investment in any securities of, or guaranteed by, the Government of the Commonwealth or of a State.

Moneys  
in Fund  
uninvested  
may be lodged  
in bank

6. Moneys held in the Fund uninvested may be lodged in an account at call or at fixed deposit or partly in an account at call and partly on fixed deposit with a bank. 20

Audit

7. The accounts of the Board under this Act shall be subject to inspection and audit by the Auditor-General for the Commonwealth.

Annual report

8. The Board shall, in the month of September in each year, report to the Minister as to the operation of the Act during the last preceding financial year. 25

Regulations

9. 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.