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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

BOUNTY (PAPER) BILL 1979

NOTES ON CLAUSES

(Circulated by the Minister for Business and Consumer
Affairs, the Honourable W.C. Fife, M.P.)

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NOTES ON CLAUSES

- Clause 1 Short title.
- Clause 2 Commencement date - to be 6 February 1979.
- Clause 3 Defines a number of words and expressions for the purposes of the legislation.
- Clause 4 Sets out the periods to which the Act is to apply.
- Clause 5 Prohibits the exercise of any power under the Act in a manner which would result in bounty not being uniform throughout the Commonwealth.
- Clause 6 Provides for bounty to be payable to the manufacturer of bountiable paper if, during a period to which the Act applies, the manufacture of the paper is carried out at registered premises and the paper is sold for use in the production in Australia of specified printed matter.
- Clause 7 Provides for the rate of bounty to be \$90 per tonne on coated paper and \$70 per tonne on uncoated paper.
- Clause 8 Limits the amount of bounty during a period to which the Act applies to \$2,500,000 and provides for payments to be made on a proportionate basis where the amount of valid claims in a period exceeds the amount of bounty available.
- Clause 9 Provides for advances to be made on account of bounty and further provides that if advances paid exceed the amount of bounty payable any excess payments may be recovered as a debt due to the Commonwealth by action in a court of competent jurisdiction.
- Clause 10 Provides that bounty is not payable unless bountiable paper is of good and merchantable quality.
- Clause 11 Imposes a duty on the Minister to pay bounty if he is satisfied that bounty is payable and, if he is not so satisfied, he is to refuse to approve payment.

- Clause 12 Contains provisions generally standard to bounty Acts for registration of premises subject to conditions or requirements to be observed or complied with before and after registration, including a provision which restricts registration of the premises of manufacturers who were not engaged in the manufacture of bountiable paper on 17 October 1978, unless, in the opinion of the Minister, the registration of such premises would promote the orderly development of the manufacture in Australia of bountiable paper; further provides for the Minister to be able to cancel registration on any of the grounds in sub-clause (8).
- Clause 13 Provides that eligibility for bounty is conditional upon the maintenance of appropriate commercial records by the manufacturer.
- Clause 14 Confers upon the Minister power to require a manufacturer to give security for compliance with the Act and regulations. Payment of bounty may be withheld until the required security is given.
- Clause 15 Empowers the Minister to appoint authorised persons, upon whom certain administrative powers are to be conferred.
- Clause 16 Empowers an authorised person to enter premises, inspect or take stock of bountiable paper, and inspect the manufacturing process, accounts, books, documents and other records involving such paper.
- Sub-clause (2) creates an offence for failure to provide reasonable facilities and assistance for the effective exercise of an authorised person's powers.
- Clause 17 Empowers certain senior officers of Customs, or an authorised person, to require certain persons to attend before them to answer questions and produce documents in relation to bountiable paper and provides for withholding of bounty payment until the requirements of this clause are met. Limits the use to which self-incriminating answers given or documents produced may be put.

Clause 18 Provides the power for certain senior officers of Customs, or an authorised person, to examine, on oath or affirmation, persons attending before them.

Clause 19 Creates offences for -
(i) refusing or failing to attend, to be sworn or make an affirmation, to answer questions or produce records when so required under the Act; and
(ii) obtaining or attempting to obtain bounty that is not payable or the making of false or misleading statements.

Clause 20 Provides for the furnishing to, and tabling in Parliament by, the Minister, of returns in relation to the bounty.

Clause 21 Delegation powers.

Clause 22 Provides a right to apply to the Administrative Appeals Tribunal for review of specified administrative decisions affecting the rights or entitlements of persons under the Act.

Clause 23 Standard appropriation provision.

Clause 24 General regulation making power.