

## SULPHUR BOUNTY (No. 2)

## No. 79 of 1939.

An Act to amend the *Sulphur Bounty Act 1939.*

[Assented to 15th December, 1939.]

[Date of commencement, 12th January, 1940.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title and citation.

1.—(1.) This Act may be cited as the *Sulphur Bounty Act (No. 2) 1939.*

(2.) The *Sulphur Bounty Act 1939\** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Sulphur Bounty Acts 1939.*

Definitions.

2. Section three of the Principal Act is amended by omitting from the definition of "imported cost" in sub-section (1.) the words "financial year" (wherever occurring) and inserting in their stead the word "quarter".

Rates of bounty.

3. Section eight of the Principal Act is amended—

(a) by omitting from sub-section (1.) the words "financial year" (first occurring) and inserting in their stead the words "quarter ending on the last day of March, June, September or December";

(b) by omitting from sub-section (1.) the words "financial year" (wherever else occurring) and inserting in their stead the word "quarter"; and

(c) by inserting in paragraph (b) of sub-section (1.), after the word "part", the word "thereof".

4. Section nine of the Principal Act is amended—

(a) by omitting from paragraph (a) of sub-section (4.) the word "and" (last occurring): and

(b) by adding at the end of sub-section 4.) the following paragraph:—

"; and (c) where a manufacturer of sulphur or sulphuric acid uses the sulphur or sulphuric acid for the production of fertilizers or other commodities, deem the sulphur or sulphuric acid so used to have been sold for the purposes of that production at such prices as the Minister determines."

Reduction of bounty where profits exceed ten per centum per annum.

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

“9A.—(1.) Where, in the locality where sulphur or sulphuric acid in respect of the production of which bounty is claimed is manufactured, any standard rates of wages or conditions of employment to be paid or observed in respect of any persons employed in the manufacture of that sulphur or sulphuric acid have been—

Rates of wages and conditions of employment.

- (a) prescribed by any award, order or determination of the Commonwealth Court of Conciliation and Arbitration or of any other industrial authority of the Commonwealth or of a State or Territory or in any industrial agreement registered under any law of the Commonwealth, or of a State or Territory ; or
- (b) declared to be fair and reasonable in accordance with the provisions of sub-section (2.) of this section,

a manufacturer when making any claim for bounty in respect of the production of any sulphur or sulphuric acid shall certify to the Collector that the rates of wages and the conditions of employment observed by him in respect of the persons employed in the manufacture of the sulphur and sulphuric acid were not less favourable to the persons so employed than the rates and conditions so prescribed or declared.

“(2.) If, in the locality where sulphur or sulphuric acid in respect of the production of which bounty is claimed is manufactured, the rates of wages and conditions of employment to be paid and observed in respect of any persons employed in the manufacture of that sulphur or sulphuric acid have not been prescribed by any award, order or determination of the Commonwealth Court of Conciliation and Arbitration or of any other industrial authority of the Commonwealth or of a State or Territory or in any industrial agreement registered under any law of the Commonwealth, or of a State or Territory, the Minister may make application to the Chief Judge or a Judge of the Commonwealth Court of Conciliation and Arbitration for a declaration as to what rates of wages and conditions of employment are fair and reasonable for persons employed in the manufacture of sulphur and sulphuric acid in that locality.

“(3.) If the Minister finds that the rates of wages paid to, or the conditions of employment, or any of them, observed in respect of, persons employed in the manufacture of sulphur and sulphuric acid upon which bounty is claimed were less favourable to those persons than the rates and conditions prescribed or declared as specified in paragraph (a) or paragraph (b), as the case may be, of sub-section (1.) of this section, he may direct that the whole or any part of any bounty shall not be payable and that whole or part, as the case may be, shall thereupon not be payable.”